

Town of Murray Public Hearing Minutes June 13, 2006

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, John Morriss, Lloyd Christ and Ed Bower, Attorney Jeff Martin, Highway Superintendent Ed Morgan, Assessors Lynn Wood and Nick Quaranto, Zoning Officer Lynda Woolston, Town Clerk Cindy Oliver, Highway/Water Billing Clerk Karen Clark, Deputy Town Clerk Sally N. Shiffer, Gary and Donna Persia, Richard Downey, Stanley Kemp, Ryan Johnston

Public Hearing opened by Supervisor Lehning at 7:00 p.m. Supervisor Lehning read the legal notice that appeared in the Albion Advertiser. The purpose of Public Hearing is to consider adoption of proposed Local Law No. 2 of 2006 entitled "A Local Law Providing a Partial Exemption from Real Property Taxes to Persons with Disabilities and Limited Incomes Under Section 459-c of the Real Property Tax Law". Attorney Jeff Martin explained the proposed local law to the residents present. No comments or questions from those present. Public Hearing closed by Supervisor Lehning at 7:04 p.m.

Town of Murray Regular Board Meeting Minutes June 13, 2006

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, John Morriss, Lloyd Christ and Ed Bower, Attorney Jeff Martin, Highway Superintendent Ed Morgan, Assessors Lynn Wood and Nick Quaranto, Zoning Officer Lynda Woolston, Town Clerk Cindy Oliver, Highway/Water Billing Clerk Karen Clark, Deputy Town Clerk Sally N. Shiffer, Gary and Donna Persia, Richard Downey, Stanley Kemp, Ryan Johnston, Joseph Sidonio, George Karpenko, David Paul

Meeting called to order by Supervisor Lehning at 7:05 p.m.

Pledge to the flag.

MOTION by Wagner, SECOND by Bower that the minutes from the May meeting be accepted. CARRIED

Sally Naomi Shiffer spoke of her objection to the minimum water fee of \$15.00. She believes residents should be billed for only what they use. Supervisor Lehning informed Sally that some of the water districts are not very large and the minimum water fee is necessary to cover basic costs of operations.

Sally also spoke of the Town Newsletter and gave some suggestions for it.

Assessors

Lynn Wood reported that Grievance Day was very active with eleven grievances. The total reduction in assessed value was in excess of \$396,000.00 for eleven parcels. One was the removal of a manufactured home and one was a house that burned and removed. The rest were reductions due to complaints.

The Assessors are preparing for the 2007 re-evaluation. They will start with the commercial properties then residential.

Congratulations to Nick Quaranto on completing his certification requirements.

Lynn informed all that the STAR sanction has changed. The enhanced STAR for seniors has increased in value and he informed the board about these changes.

The Assessor's office has been reorganized/changed. The laptop computer of the Assessors is of no value to them. It cannot be updated. Dan Strong mentioned that he might be interested in purchasing it for his personal use. Cindy also would like to try to type the minutes during the board meetings on it. We will see if it works out for Cindy during the meetings, if not, Dan can purchase it. Mike is going to look at Cindy's old computer to see if it has a Pentium II processor. If so, it can be used in Assessors office and all will have computers.

Zoning/Code Enforcement

Car clean-up is at a standstill. Lynda has letters out and it is to the point where appearance tickets are going to be issued. Four clean-up letters for barns, buildings w/ rubble have been sent out. One of those properties (burned barn) is still under investigation so clean up cannot be done at this time.

Anonymous letter pointing out three businesses in the Town that never went through Planning Board. Lynda looked into this and one does have a permit and was legally done. Two of these businesses do not have permits, but have established DBAs since at least the mid 80's. Attorney Martin said the issue is when they were issued their DBA in the mid 80's, did their business require any kind of permit from the Town. Our Zoning Ordinance as it exists today with a few amendments, was adopted in 1990. The one that was in place prior to that dates back to 1957. If someone was operating in the 70's or 80's prior to the 1990 Ordinance and are now claiming that they're grandfathered as a result of that, what needs to be determined is if they were legally operating in 1970 or 1980 when they started the business. If they weren't, they don't have any grandfather status. Jeff will check what districts the properties are located in to determine if they're legally operating or not. Lynda said both businesses take their equipment and leave the premises. Their equipment is store on their property. Both places are impeccable/well kept. Jeff will review issue with Lynda.

About 37 building permits have been issued to date. Many clean up letters. Lynda will be coming into Court with many in the next month or so as many residents have had ample time to take care of.

Lynda has continued to see progress at Karpenko property. The clean-up is slow but steady.

KC Automotive on Route 31 has permit to operate and is now open.

There is a camping trailer parked on the corner of Rt. 104 and Hurd Rd. Lynda red tagged it on 05/24 and the trailer was then removed but was back again on 05/31. Lynda researched and by law, they can camp there for 45 days as long as the set up is to the rear of the property and they have adequate septic/hookup. There is no outhouse on the property, just a storage shed. The owner does not want any problems, he just may camp there on and off throughout the summer, but is not going to stay there.

Correspondence

- Cyber security and critical infrastructure coordination meeting in Albany
- Orleans County Health Dept. – communicable diseases exercise in conjunction with several other counties
- NYS Canal Corporation – “Big Splash” on 08/12 and 08/13. Statewide event. Supervisor Lehning though that next year, the Town and Village should do something along these lines. There are different activities at different locations in an effort to get more people to use the canal and promote tourism.
- Several letters from the State D.O.T. regarding the Hindsburg Rd. bridge. Construction should start a year from now.
- Letter from John Olles resigning from the Zoning Board of Appeals as of 06/02/06.

Old Business

The proposed revisions to the zoning ordinance went to the County Planning Board last month. Jeff received a letter from Jim Bensley recommending that the revisions be approved. There were a couple revisions that he suggested. Jeff will incorporate the revisions. He will send notice to the joint municipalities. Public Hearing on the proposed zoning amendments will be July 11th at 7:00 p.m.

MOTION by Bower, SECOND by Christ that all residents who volunteered for the comprehensive plan update committee be appointed with the exception of Ralph Dickenson as he is not a resident of the Town. CARRIED

Paul Hendel will be Chairman of this committee.

New Business

Richard Quivey has served as an alternate on the Zoning Board of Appeals. He has agreed to become a permanent member of the Zoning Board for the remainder of John Olles' term.

MOTION by Wagner, SECOND by Morriss appointing Richard Quivey to the Zoning Board of Appeals for the remainder of John Olles' term which ends 12/31/10.
CARRIED

MOTION by Christ, SECOND by Morriss that the old desk from the Assessor's office that is no longer needed be declared surplus property. CARRIED

Attorney Jeff Martin

MOTION by Christ, SECOND by Bower adopting Local Law No. 2 of 2006 *Providing a Partial Exemption From Real Property Taxes to Persons with Disabilities and Limited Incomes Under §459-c of the Real Property Tax Law* CARRIED

The Germeo Article 7 Proceeding is in the process of being settled. Harris Beach will get the Stipulation of Settlement drafted. There will be some refunds that will have to be issued by town, county, village and school. People who filed one year will get a one-year refund and people who filed two years will get a two-year refund. The Town is paying 7% of Harris Beach's bill.

There are some new amendments to the NYS Fire Prevention Code that are going into effect January 1, 2007. The Town has to adopt a local law to implement those amendments. Jeff has the local law completed. We can wait until the fall to hold a public hearing as these amendments don't go into effect until next year.

Jeff will be drafting some windmill regulations.

Jeff was not able to have the water district 13 petition form ready tonight as Stu Brown wanted to be sure that the cost estimate that was put together in February was still up to date before he submits the application. Frank gave Jeff the report and cost estimate so he can fax it to Stu.

Town Clerk

Cindy reported receipts for May totaling \$1,003.16. Revenues for the General Fund were \$736.59.

Cindy gave the Board copies of dog enumeration forms from the Town of Kendall and also the dog enumeration 'tip sheet' supplied by the Dept. of Ag. & Markets. Board members can look them over and decide how we want to begin.

Highway and Water Superintendent

It appears that Rural Development is going to grant us the use of approximately \$5,000. for water district 10 and \$100,000. for water district 11 of surplus grant money for the purchase of a radio reader system. In order for this to happen, Rural Development is requiring us to standardize our census reader system.

The Clark Hatch cemetery fence is being stored by Hank Wagner as we're waiting for NYS D.O.T. and the State Historical Preservation to approve it.

Ed hired Bob Cone as a new full-time M.E.O. to fill Ray's position. Bob lives on Route 31 and has worked for Hanson and most recently Genesee County Highway Dept. he seems to be working out well.

Ed took the Ford to the Palmyra auction and got \$18,000. for it. After seeing what other equipment went for, he was happy to get that amount.

Ed has gotten an offer of \$300. for the used trailer out back.

MOTION by Bower, SECOND by Morriss authorizing Highway Superintendent to sign the 2008/2009 NYS D.O.T. Snow and Ice Contract. CARRIED

MOTION by Wagner, SECOND by Bower authorizing Water Dept. to convert to census meters for districts that are not yet converted. CARRIED

Donna Persia thanked the Board for adopting Local Law No. 2 of 2006. Ms. Persia questioned if the county would do the same. Jeff Martin said he didn't know, but he thought the school was thinking about doing something along the same lines.

MOTION by Wagner, SECOND by Morriss that the regular board meetings begin at 7:00 p.m. instead of 7:30 p.m. effective August 8th. CARRIED

A notice will be placed in the Albion Advertiser.

Councilman Morriss informed all to have information for next newsletter to him by the end of July. It will then be ready to go out at the beginning of August.

The Town's 200th anniversary is in two years. Brief discussion regarding a celebration. If we decide to have a celebration, a committee will need to be formed. Councilman Morriss stated that David Dill was asked quite a while ago to be the Chairman for the committee. It could be put in the next newsletter that we are looking for volunteers to serve on this committee.

Supervisor Lehning informed all that the Town's website is up and running. It is in the beginning stages, but there already quite a bit of information on it.

MOTION by Christ, SECOND by Wagner approving the Supervisor's financial report and that the following bills be paid:

Highway Fund, Claims 180 through 198 totaling	\$16,128.22
General Fund, Claims 181 through 223 totaling	\$15,008.92
Water District No. 1, Claims 25 through 32 totaling	\$ 683.09
Water District No. 2, Claims 30 through 39 totaling	\$ 3,750.80
Water District No. 3, Claims 29 through 36 totaling	\$ 275.38
Water District No. 4, Claims 18 through 25 totaling	\$ 1,287.41
Water District No. 5, Claims 20 through 27 totaling	\$ 522.91
Water District No. 6, Claims 28 through 37 totaling	\$ 8,634.25

Water District No. 7, Claims 18 through 27 totaling	\$ 4,565.72
Water District No. 8, Claims 17 through 28 totaling	\$ 3,872.20
Water District No. 9, Claims 17 through 25 totaling	\$ 893.99
Water District No. 10, Claims 29 through 38 totaling	\$ 958.53
Water District No. 11, Claims 33 through 44 totaling	\$ 4,097.82

MOTION by Morriss, SECOND by Bower that meeting be adjourned until July 11th at 7:00 p.m. CARRIED

Meeting adjourned by Supervisor Lehning at 8:10 p.m.

Respectfully submitted,

Cynthia Oliver