

### Town of Murray Public Hearing

November 2, 2009

Present: Supervisor Henry Lehning, Councilmen John Morriss, Henry Wagner and Lloyd Christ, Highway and Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Town Justice Gary Passarell

#### Public Hearing – 2010 Preliminary Budget

No residents were present. Town Board went over each line item of the preliminary budget. Judge Passarell was present to ask the Board to consider a larger raise for the two Court Clerks as their job has gotten more involved within the last few years with a greater responsibility. After looking at the contractual budget for 2010 there should to be enough in order to increase the Court Clerk hourly pay to \$10.75.

Hearing closed at 7:55 p.m.

### Town of Murray Public Hearing and Board Meeting

November 10, 2009

Present: Supervisor Henry Lehning, Councilmen Hank Wagner, Lloyd Christ, Ed Bower and John Morriss, Town Clerk Cindy Oliver, Attorney Jeff Martin, Zoning Officer Lynda Woolston, Assessor Lynn Wood, Paul Hendel, Kathy Case, Richard Downey, George Karpenko, Joe Sidonio, Legislator Ken Rush, David Paul

#### Public Hearing – Fire Protection, Rescue Service, Emergency Medical Service Contracts

All three contracts were discussed.

Fire Protection Contract: The contract is virtually identical to what we have used before with 5% increases each year from 2010 through 2012. Murray will be paying the following amounts to the Village for fire protection:

2010	\$56,522.00
2011	\$59,348.00
2012	\$62,315.00

Rescue Contract: The proposed contract is the same we've used before with 5% increases each year from 2010 through 2012. Murray will be paying amounts for rescue services: 2010 \$6,077.00

2011	\$6,381.00
2012	\$6,700.00

The Pre-Hospital Emergency Medical Service was discussed. There is no contract amount to be paid as this a direct billing, where they bill the insurance carriers.

Public Hearing closed.

Regular Town Board Meeting

Present: Supervisor Henry Lehning, Councilmen Hank Wagner, Lloyd Christ, Ed Bower and John Morriss, Town Clerk Cindy Oliver, Attorney Jeff Martin, Zoning Officer Lynda Woolston, Assessor Lynn Wood, Paul Hendel, Kathy Case, Richard Downey, George Karpenko, Joe Sidonio, Legislator Ken Rush, David Paul

Pledge to the flag.

Motion by Christ, Seconded by Morriss that the minutes from the October board meeting be accepted with the following correction made on page 3 under the Highway and Water Superintendent report: *Councilman Christ questioned Ed about a bill from Thruway Springs for one of the Town trucks* Motion Carried

Assessor

Work is continuing on land updates. They are about 80% finished. Based on land sales coming in over assessment, all types of land assessments will increase.

Supervisor

The Town will begin receiving a small amount of money from the Genesee Valley Railroad. Murray will receive about \$247. This is from a total amount of the \$12,000 that is being split between all of the towns.

Zoning Officer

Lynda has been working in Countyline Mobile Home Park, photographing everything so the Town has a document of what structures are there and their conditions. Lynda thinks there has been improvement in the park. There has been a noise complaint from a resident on Route 104 in the business district. Elaine Beaupre is opening up a daycare at her home on Fancher Road. This was

approved by the county. Lynda has been working with a resident who would like to open a canoe rental. Lynda stated that during the upcoming year, she would like the board to go over the farm stand and garage sale laws.

Councilman Christ informed Lynda that there are still signs on the telephone poles on Ridge Road. Lynda sent notice to the residents but nothing has been done. Lynda will do another sweep through town and see if she can get something done. The farm market stand law was briefly discussed. Jeff Martin reminded all of our Right to Farm Law which is supposed to encourage farming.

Jeff had a call from Pat Ezrow with a complaint about the noise at Bowen/Marshall Trucking at night. This is the resident Lynda was speaking of earlier. Jeff explained to her the location is in a business district. Marshall's were brought into court on a noise violation years ago as they were allegedly allowing refrigerated trailers to run during the night. The case was dismissed because the business is located in the business district. Lynda said she has yet to see any operations going on in the evenings and there are no other neighbors complaining.

Joe Sidonio asked about the sign laws. Signs nailed to electric poles is not allowed. This is against our zoning regulations. These poles cannot be used to advertise anything at all.

### Correspondence

- Time Warner – As of October 1<sup>st</sup>, Time Warner has been providing the playback of tapes on the Government and Public Access channels. If a resident wishes to have programming aired on the channel, a programming request form needs to be submitted. These forms are available at the Town Clerk's office.
- USDA – various compliances that the Town needs to maintain. There is an annual review that the Town has to complete.
- Genesee Regional Transportation Authority Annual Report
- Supervisor/Legislators meeting, Tuesday, November 24<sup>th</sup>

### Old Business

Our Public Hearing on the 2010 budget was held last Monday. Motion by Bower, Seconded by Morriss approving the 2010 Town of Murray Budget.

After being put to a vote, the vote was as follows:

Ayes            4            Lehning, Wagner, Bower, Morriss

Nays           1       Christ  
Absent        0

Motion was thereupon declared adopted

Motion by Wagner, Seconded by Christ approving the Fire Protection contract   Motion Carried

Motion by Christ, Seconded by Wagner approving the Rescue Service contract. Supervisor Lehning commented that the rescue squad is an integral part of the fire dept. and doesn't see the reasoning for a separate contract for each. According to the contracts, the Town is to be supplied with information but the fire department fails to do this.

Motion Carried

Motion by Bower, Seconded by Morriss approving the Pre-Hospital Emergency Medical Services contract.   Motion Carried

Discussion of a county-wide cable contract and obtaining the service of a professional and negotiate a new contract. Hopefully with someone negotiating for us, we can fill in some of the blank spots in the Town that do not have cable.

Motion by Morriss, Seconded by Christ that the Town of Murray supports negotiations for a master contract for all municipalities in Orleans County for cable television service with Time Warner; and that the Town of Murray agrees to pay the same amount as the other participating municipalities for the cost of negotiations, not to exceed \$500.

After being put to a vote, the vote was as follows:

Ayes           5       Lehning, Wagner, Christ, Bower, Morriss  
Nays           0  
Absent        0

Resolution was thereupon declared adopted (On file in Town Clerk's office)

Discussion of Water District No. 13 budget adjustments. The cost for Bond Counsel Services for the Rural Development closings for the water district have increased as there are two Rural Development loans and therefore two closings; and the Town has determined that the balance of funds budgeted for net interest and miscellaneous expenses will not be needed for these activities. Motion by Christ, Seconded by Bower authorizing the Supervisor to submit these budget revisions to Rural Development for approval.

Upon being put to a vote, the vote was as follows:

Ayes	5	Lehning, Wagner, Christ, Bower, Morriss
Nays	0	
Absent	0	

Resolution was thereupon declared adopted (On file in Town Clerk's office)

**New Business**

NYS DOT has posted detour signs because of the work taking place on the Route 31 canal bridge. Instead of taking the detour the total distance as directed, some trucks are turning onto Gulf Road to get back to Route 31. This has caused major traffic problems when these trucks cannot get over the Bennetts Corners Road bridge. Ed would like to have signs made to keep trucks from turning down Gulf Road to prevent further problems. Motion by Morriss, Seconded by Bower authorizing the Highway Superintendent to have signs made and posted, to prevent trucks other than local deliveries from turning down Gulf Road and these signs are to be posted until the Route 31 bridge work is completed. Motion Carried

Motion by Wagner, Seconded by Christ that any further demolition permits are subject to a \$50.00 fee. Motion Carried

**Attorney Jeff Martin**

Brief discussion regarding Wishing Well Motel property. A notice of default needs to be served on Jeannette King, daughter of Henry Braun Sr. The notice is prepared. Ms. King will have 60 days after receipt of the notice to complete the clean up. If this is not done, the Town can complete the clean up and attach the cost to the taxes.

The owner of fire-damaged structure at 3383B Canal Road lives in Canada. The Code Enforcement Officer has to sign and submit a report of findings to the Town Board. This can be done in December and in the meantime Ron can make sure structure is not salvageable before we begin the process of getting the property cleared.

Discussion of Water District No. 13 left over money, and renewing the BANS for six months with the right to prepay. In a few weeks we will know if this needs to be done.

David Paul asked Jeff if Ron had spoken to him about the condemned trailer on Countyline Road. People are presently living in the trailer. Jeff has not spoken to Ron about this.

**Town Clerk**

October receipts totaled \$1,963.40. \$327.83 went into the general fund.

Cindy needs to submit a resolution to the Director of Real Property appointing George Herring to the Board of Assessment Review.

Motion by Christ, Seconded by Wagner appointing George Herring of 16584 Ridge Road, to the Town of Murray Board of Assessment Review, to complete the vacated term of Joseph Wahl that will expire on September 30, 1013.

After being put to a vote, the vote was as follows:

Ayes	5	Lehning, Wagner, Christ, Bower, Morriss
Nays	0	
Absent	0	

Resolution was thereupon declared adopted (On file in Town Clerk's office)

Councilman Morriss asked that submissions for the next Town Newsletter be turned in to himself or Cindy by November 20<sup>th</sup>. Cindy thought posting the newsletter on the Town website would be a good idea.

Legislator Kenneth Rush thanked the Town of Murray for support given to him. A public hearing on the County budget is scheduled for December 7<sup>th</sup>. Legislator Rush congratulated Supervisor Lehning on a job well done. He is sure Councilman Morriss will do a fine job as Supervisor.

Motion by Morriss, Seconded by Christ approving the Supervisor's financial report and that the following bills be paid Motion Carried

General Fund	Claims 345-404	Total	\$14,162.58
Highway Fund	Claims 255-266	Total	\$ 2,979.94
Water District No. 1	Claims 25-26	Total	\$ 820.00
Water District No. 2	Claims 51-55	Total	\$ 5,192.87
Water District No. 3	Claims 40-42	Total	\$ 2,801.77
Water District No. 4	Claims 15-16	Total	\$ 1,035.51
Water District No. 5	Claims 15-16	Total	\$ 443.71
Water District No. 6	Claims 51-56	Total	\$ 4,469.01
Water District No. 7	Claims 21-22	Total	\$ 3,405.85
Water District No. 8	Claims 17-19	Total	\$ 2,474.99
Water District No. 9	Claim 10	Total	\$ 3,860.40

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Water District No. 10	Claims 34-36	Total	\$ 313.19
Water District No. 11	Claims 66-74	Total	\$ 7,433.10
Water District No. 12	Claims 14-15	Total	\$ 650.31
Water District No. 13	Claims 23-24	Total	\$ 809.37
Water District No. 14	Claim 1	Total	\$ 120.05
Water District No. 20	Claim 1	Total	\$ 888.66

Next meeting: December 8<sup>th</sup>.

Motion by Bower, Seconded by Wagner that meeting be adjourned  
Motion Carried

So adjourned,

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Cynthia L. Oliver