

Town of Murray Board Meeting Minutes

October 14, 2008

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower, and John Morriss, Town Clerk Cindy Oliver, Assessor Lynn Wood, Nick Quaranto, Code Enforcer & Building Inspector Ron Vendetti, Stanley Kemp, Mark Taylor, Joseph Sidonio, Legislator Ken Rush, Patti Moore, Alexander Salamaca, Hunter Salamaca, George Karpenko

Meeting called to order by Supervisor Lehning.

Pledge to the flag.

Motion by Wagner, Seconded by Bower accepting the minutes of the September Town Board Meeting as submitted Motion Carried

Tony Manno of A&M Automotives spoke of the meeting he had with Code Enforcement Officer and Zoning Officer. The Code Enforcement Officer is required to visit all businesses and make sure they are up to code. Mr. Manno was unhappy as Mr. Vendetti told him he was not there to write tickets. During their meeting, Ron spoke of the peeling paint on the front of the building and needing a permit for remodeling. Ron said he would be back in 30 days but after two weeks Mr. Manno received three citations in the mail. It was explained to Mr. Manno that these were not citations, but notices of the things that were not in code that needed to be addressed. Discussion of the amount of cars he has on the property and how many he is legally allowed. Mr. Manno said he applied for a special permit for 45 cars and the Town never acted on it. His attorney Bob Slocum told him if the Town didn't act on it, he is granted the variance. Attorney Jeff Martin explained that the only records that Mr. Slocum or the Town have is an incomplete application signed by Tony Manno D/B/A A&M Automotives for a special use permit. A special use permit application wouldn't be a correct application for a variance. Mr. Manno stated that there was an agreement in 1999 or 2000. Jeff Martin explained that there is a difference in applications to the Planning and Zoning Boards. Mr. Manno said he didn't care about that, he applied for 45 cars. Councilman Bower asked how many cars he had on the property presently. Mr. Manno said he has about 50-55 cars. It is apparent that the variance was never granted. Where do we go from here? Instead of a variance, the Board should consider revisions to Section 716 of the Town Ordinance to allow more vehicles per bay. Mr. Manno

said that none of the cars out back are used for dismantling. Mr. Vendetti said if the board is going to be revising the zoning ordinance he will hold off on that violation. Mr. Manno's painter said that as long as the weather holds, the painting should be done within a week. Ron gave them until October 31st to have the painting finished.

Patty Moore of Fancher Road spoke of her dealings with Mr. Vendetti. Her home has a problem with one of the columns and solar units on the property. She has no money and she said Mr. Vendetti is not allowed on her property.

Alex Salamaca spoke of state hardship programs that can be applied for. Mr. Salamaca discussed the inspection of Murray Superette. Mr. Vendetti told him he needed an ansel system. Mr. Salamaca stated that the state law says we cannot require him to install an ansel system because the law went into effect after he had the stove put in. Mr. Salamaca also stated he read if a swimming pool has been installed before 12/14/06, they do not need a pool alarm. He gave copies of this information to the Board. He also stated that the inspection was incomplete as Mr. Vendetti would not go up above to check out the electrical wiring.

Assessor – Lynn spoke of the day to day operations in the Assessor's office. He informed the Board that he submitted an article for the next Town newsletter. Discussion of the amount of exemptions town, county, and state-wide. If these exemptions were taken out, taxes would probably be 1/3 less. Lynn said agricultural exemptions are the most. Lynn stated the requirements for these exemptions.

Supervisor – Supervisor Lehning will be meeting with the Office of Community Renewal to discuss the next round of community renewal grants that have to be in by next April. He will also meet with one of the officials and discuss the application we were turned down for to see where our weaknesses were. He will also be having our scheduled civil rights meeting at the end of the month. There will be a budget workshop on Thursday evening at 7:00 p.m. to go over the budget and come up with a preliminary budget for 2009.

Code Enforcement - Ron spoke of granting Patty Moore an extension at the Supervisor's request. She was given an extension until August 30th. Ron updated Board on activity in Code Enforcement and Zoning Depts. David Paul asked about previously mentioned church organizations to give her a hand with cleaning up her property. Ron said he had already previously supplied her with that information.

Mark Taylor commented that he has had problems with the neighboring property for a long time. Since Mr. Vendetti has been hired, the problems have been taken care of. He is just doing the job he was hired for.

Correspondence –

-Robert D'Angelo, Superintendent of Holley Central School District has signed the completed contract for the feasibility study for transportation center for the Village, School and Town of Murray. The school is the lead agency. Hopefully, we will have an answer by March.

-Letter from Canal Corp. asking for information regarding winter activities taking place along the canal for their activity calendar.

-Copy of approved intermunicipal agreement for the county wide shared services, between the Orleans County Soil and Water Conservation District and the Town of Murray for shared use of brush cutter.

-Notice from NYS DEC of grant funds available.

-Local Government Workshops on November 6th in Mount Morriss.

-Legislator/Supervisor's meeting on 10/28. Info will be given from County Personnel Director of Self Insurance

-Joe Sidonio informed all that the Amadeus Choir will be performing at the Presbyterian Church at 3:00 p.m. on Sunday. Hurd Orchard's will be providing the food. There will also be a pie auction. Everyone is invited to attend.

Old Business – Please have newsletter information to Councilman Morriss or Cindy by October 20th.

New Business – Motion by Bower, Seconded by Christ reappointing Joseph Wahl to the Board of Assessment Review for a 5-yr. term beginning October 1, 2008 and ending September 30, 2013

Motion Carried

Motion by Christ, Seconded by Wagner authorizing Supervisor Lehning to sign the Educable contract. Motion Carried

Discussion of next water district will be put off until tomorrow when Hank meets with Community Renewal to see if it would be favorable to reapply with them or look at Rural Development. The numbers we have gotten for Rural Development are not favorable per payment unit. We will see what the possibilities for Small Cities are.

Attorney – John Gavenda, attorney for the Town of Albion had to revise the intermunicipal agreement between the Town of Murray and Albion where we provide water for some of Albion’s residents and they provide water for some of ours. This revised agreement is needed in order to satisfy the requirements of the State Comptrollers office because the Town of Albion’s water district was formerly named *Albion Water District No. 7* but has recently been renamed *Albion Water Improvement Areas 7A, 7B, 7C and 7D*. Motion by Wagner, Seconded by Morriss authorizing Supervisor Lehning to sign the revised intermunicipal water agreement with the Town of Albion. Motion Carried (on file in Town Clerk’s office)

Brief discussion regarding the joint application for feasibility study for a Town of Murray, Village of Holley and Holley Central School shared transportation facility. This joint application has been approved and we have been awarded a grant in the amount of \$32,385.15 with the municipalities contributing a combined local share of \$3,598.35. Town of Murray will be contributing our local share of \$1,199.45. Motion by Bower, Seconded by Christ committing to pay the Town’s local share of \$1,199.45 and authorizing Supervisor Lehning to sign the agreement on behalf of the Town of Murray Motion Carried (on file in Town Clerk’s office)

Motion by Christ, Seconded by Morriss authorizing Supervisor Lehning to sign the water purchase agreement for water district no. 13. Motion Carried

Town Clerk – September receipts totaled \$2,670.76. Revenues for the general fund totaled \$936.17. Cindy is still working on dog census letters and post cards. It is taking more time than expected.

No report from the Highway & Water Superintendent as Ed Morgan is out of state.

Motion by Christ, Seconded by Morriss approving the Supervisor’s Financial Report and approving payment of the following bills:

General Fund	Claims	343-382	Total	\$18,686.22
Highway Fund	Claims	232-249	Total	\$14,171.60
Water District No. 1	Claims	39-40	Total	\$ 331.83
Water District No. 2	Claims	53-57	Total	\$ 5,082.56
Water District No. 3	Claims	54-56	Total	\$ 158.28
Water District No. 4	Claims	31-31	Total	\$ 8.66
Water District No. 5	Claims	32-32	Total	\$ 5.77

Water District No. 6	Claims	64-67	Total \$	112.18
Water District No. 7	Claims	31-31	Total \$	31.74
Water District No. 8	Claims	31-32	Total \$	51.49
Water District No. 9	Claims	31-31	Total \$	5.77
Water District No. 10	Claims	56-59	Total \$	313.93
Water District No. 11	Claims	79-84	Total \$	1,062.66
Water District No. 12	Claims	32-34	Total \$	9,169.41
Water District No. 13	Claims	35-36	Total \$	4,961.66

The public hearing for the budget is scheduled for November 6th at 7:00 p.m.

Legislator Rush asked Supervisor Lehning if the Town had sent a copy of our hazardous mitigation plan to the county. Supervisor Lehning will call Nadine this week and speak to her about it. Joe Sidonio asked Legislator Rush how the county is doing financially. Legislator Rush spoke briefly about the county and informed all that the county is going through a feasibility study with Genesee County for a jail.

Councilman Morriss – asked fellow board members if they wish to go ahead with a joint celebration with the Village. The Town and Village each contributing \$5,000 to go into a community celebration fund. Board is in favor of this. The committee is looking at the first weekend in June before any carnivals, or other festivals. Supervisor Lehning said to make sure the date gets put on the canal calendar when the date is finalized.

Councilman Morriss informed Supervisor Lehning that the Justice Court audit has been completed by the Councilmen. All items for both Justices are in order. Motion by Christ, Seconded by Wagner acknowledging and accepting the Justice Court audit.

Motion Carried

Motion by Wagner, Seconded by Christ to adjourn meeting at 8:55 p.m. Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver