

Town of Murray Board Meeting Minutes

October 9, 2007

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, and John Morriss, Assessors Lynn Wood and Nick Quaranto, Code Enforcement/Zoning Officers Lynda Woolston and Dan Strong, Attorney Jeff Martin, Town Clerk Cindy Oliver, Kathleen Bates, David and Jamie Orians, Pat and Tim Johnson, Mark Taylor, Lori Rife, Brand Strang, Kathleen Ehmiestrant, Kellie Gregoire, Leon Randall, Joe Sidonio, Richard Downey, Charles Marriott, Alexander Salamaca, Hunter Salamaca, Devin Salamaca, Ray Gardner, George Karpenko, Amy Machamer, David Paul, Paul Hendel, Gail Kihn, Dale and Charlotte Rodas

Absent: Councilman Ed Bower, Highway/Water Superintendent Ed Morgan

The Comprehensive Plan Review Committee was present. This committee has been meeting since the Spring of 2006. Paul Hendel is Chairman of the committee and provided the Town Board with a copy of their vision statement and the committee's suggested additions/changes to the Town's present Comprehensive Plan. Mr. Hendel went through all suggestions. Throughout the review process, the committee continually asked themselves "what is the best for the Town of Murray?" The committee suggested the Town hire someone to re-write the Comprehensive Plan. Committee member Amy Machamer stated she hoped that the person we hire keeps their core vision statement in mind during the process as preserving the rural character of our region along with economic growth is important. Mr. Hendel stated that if the changes are adopted, the committee would like to be a part of the re-writing process. Supervisor Lehning thanked the committee for the many hours they spent volunteering on this committee.

Assessors: Lynn Wood reported on last month's activity. The town prevailed in the six small claims cases regarding property assessments. One other is pending. Lynn spoke briefly about shared services and county-wide assessing.

Supervisor: Supervisor Lehning, the village and school attended a meeting regarding a joint transportation facility. The school is going forward with a grant application for a feasibility study. The cost to the Town at this point would not be a large amount as the grants would cover 80% and the school, village and Town would pick up the rest.

Supervisor Lehning and Cindy attended the Clarendon Town Board meeting where a representative from Systems East, Inc. was present. Systems East, Inc. offers municipalities the capability of allowing residents to pay for water bills, taxes, etc. by credit/debit card.

Leon Randall of 16566 Ridge Road spoke of his concerns regarding the intersection of Rts. 104 and 237. Vehicles and tractor trailer speed is excessive and he thinks the 40 mph speed limit should be reduced. The corner of Groth Rd. is dangerous also. Drivers cannot see west, especially when signs are placed at the corner. The tractor trailers are also very loud and Mr. Randall spoke about a noise ordinance.

Mr. Randall spoke regarding the need for youth and senior citizen programs in the Town of Murray. Youths need activities as do the senior citizens. He stated that there is state and federal money for both. Transportation for shopping, parks and recreation areas are needed.

Mr. Randall commended the Highway Superintendent for getting the ball rolling on a speed limit on Groth Rd and asked the Board to please do the same for Ridge Rd.

David Orians of 16339 Ridge Road spoke of his concerns regarding the on-going problems and altercations between his neighbor's house and Pasquelly's Pizza. It has gone too far when his neighbor's house is bombarded by rocks at 10:30 pm. These problems all started because of one light. Something needs to be done about this. Also, the Pasquelly's signs that were supposed to be removed because permission was not given by the Planning Board have not been taken down. These signs are still up. Mr. Orians talked about the fence permit that was supposed to have been revoked after one year. He wants his neighborhood back without tire squealing, cars turning around in his driveway, and the revving of engines.

Lori Rife of 16351 Ridge Road spoke and informed the Board that Mark Taylor has her permission to speak about any matter regarding her property. At last meeting Supervisor Lehning said this situation needs to be addressed with the parties involved. Since then she has not heard from Dan or Lynda. Nothing has been resolved. Ms. Rife clarified that the light they've been speaking of is the lit up Pasquelly/Pepsi sign. George said he's been turning the light off but he has not been. This whole situation started with a light and has escalated. She wants these problems addressed and resolved. Jeff

Martin stated that at the last meeting Dan reported that all of Ms. Rife's complaints had been addressed. The Supervisor and Town Board are not charged with Code Enforcement duties.

Mark Taylor of 16351 Ridge Road informed all that everyone present was safe as there was false talk about a gun last meeting. Mr. Taylor asked if the Board knew what the Code of Ethics is and stated he has a problem with Mr. Strong working at Stockham Lumber where George Marriott buys all of his materials and discusses his business. He has been to four meetings to discuss lights. He has a medical condition that this problem is affecting and he has gotten no sleep in the last four months. Particularly last month as the light was left on intentionally. Mr. Taylor showed pictures of Christo's lights and Pasquelly's. Pasquelly's does not have a commercial garbage service picking up the garbage as reported last month. Mr. Marriott hauls his own garbage away. Pictures of garbage, report from Health Dept. were given to Board. These people are appointed by the Board and they are not doing their jobs. Mr. Taylor said there has been no burglaries or larceny at Pasquelly's although Mr. Marriott reported this was the reason the light needed to stay on. The cooler still has not been moved.

Charlotte Rodas of 16578 Philipps Road said she does not understand how George Marriott is being made to go through the expense of changing signs and lighting when he has already received permission from the Town, State of New York and others. People should not be able to go to any established business and request that changes be made on their property when approval was previously given. He complied long ago with everything that has been asked of him. Businesses should not be made to go through the process again. Time and taxpayer dollars are being wasted. Ms. Rodas asked the Board to put an end to the nonsense of Mr. Taylor's continued complaints.

Zoning/Code Enforcement: Lynda Woolston stated that George Marriott went through the Town Zoning and Planning Boards and the County Planning Board for his business. George has made application with the Planning Board for his off-premises signs. If George is taking garbage off site, that is a DEC issue. Supervisor Lehning said until there is a decision about the signs, they need to be taken down. Lynda stated that noise, squealing of tires has nothing to do with Town Zoning. You must contact the Sheriff's Dept. for those issues.

Twelve permits were issued since last meeting. Several for large barn structures. One Special Event Permit, one Planning Board application,

one Zoning Board application and a Junk Yard application for Mr. Moyer.

Dan Strong stated that if a sign is 11 ft. 5 in. high and a building is 11 ft. 8 in. high, then the sign is not higher than the building. He spoke with the Health Dept. and has a copy of a letter from them dated September 28th stating the issues have been resolved to the satisfaction of the Health Dept. Dan drove by Pasquelly's on the 22nd and the 28th around 9:30 pm – 10:00 pm. The lighted sign was off. Dan asked if the Town was willing to fund an engineer to measure the amount of light to see if this is excessive. Jeff Martin asked about the number of tubes and watts that are in this sign. Dan will find out. Dan asked if he was to approach George about putting the light on a timer, would this satisfy Mr. Taylor? Mr. Taylor said it is not like it would be a favor to him because this should have been done long ago. It would be a start.

Earl Sands contacted Lynda about a clean up effort at the junkyard on Transit Rd. He is in the process of getting a DEC grant to clean it up and restore it back to a residential property.

Correspondence:

- Town of Gaines has been turned down for their Small Cities Grant.
- Time Warner-list of programmer agreements due to expire.
- 531 extension project
- Genesee Transportation Council, grant application workshops
- Next Supervisor/Legislator meeting will be on 23rd for a tour of the ethanol plant in Medina. The Town of Barre needs to know who will be attending both the tour and the catered dinner at the Shelby Town Hall after the tour. Dinner cost is \$10-\$15/plate.
- County Planning Board minutes

Old Business:

Motion by Morriss, Seconded by Wagner that for reasons of economy, efficiency, convenience and long-term cost savings, the Town of Murray hereby commits that for all existing water districts and any water district or water district extension constructed in the future, only hydrants and valves manufactured by Mueller Corporation, or Mueller's successor in business will be utilized.

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

Ayes	4	Lehning, Wagner, Christ, Morriss
Nays	0	
Absent	1	Bower

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

We have received Pay Estimate No. 2 for Water District No. 12. The amount to be paid to Pilon Construction is \$160,191.80. Motion by Wagner, Seconded by Christ to approve payment no. 2 for \$160,191.80 to Pilon Construction. Motion Carried

Brief discussion about the tentative budget. At this point there are no changes to be made. Motion by Christ, Seconded by Morriss that the tentative budget be approved and shall become the preliminary budget for the fiscal year beginning January 1, 2008 Motion Carried

A budget hearing will be scheduled for 7:00 pm before the next board meeting. After the November board meeting we will go over and review the Town and Justice Court audit report.

New Business:

Gail Kihn of 16157 Canal Road informed the board about her dog being attacked by her neighbor’s dog. The Animal Control Officer said that the Town’s dog control local law states nothing about an animal attacking another animal. She is asking that this be added to our local law. Jeff Martin stated that the Board could amend the present local law and incorporate that provision into it.

Motion by Christ, Seconded by Morriss that the Town of Murray continue our participation in the Joint Youth Recreation Program as we have in the past, along with the Village of Holley and the Town of Clarendon and to pay \$4,500 towards the operation of the programs planned.

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

Ayes	4	Lehning, Wagner, Christ, Morriss
Nays	0	
Absent	1	Bower

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

Attorney Jeff Martin: Motion by Christ, Seconded by Morriss authorizing the issuance of the \$614,809 in bond anticipation notes for Water District No. 13.

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

Ayes	4	Lehning, Wagner, Christ, Morriss
Nays	0	
Absent	1	Bower

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

The Town of Kendall received a small cities grant for their water line on Petersmith Road.

Town Clerk: Receipts for September totaled \$2,293.20. Revenues for the General Fund totaled \$451.86.

The Town website has had over 2,000 hits since its inception. Cindy reminded all departments to send her or Michael any changes or information you'd like posted on your page. It is a great way to get information out to the residents. Also any meetings planned can be added to the website calendar.

The office has still been quite busy with hunting license sales. September sales totaled \$1,621.00.

Brief discussion regarding the newsletter and how it could be printed at less cost.

Kathleen Bates mentioned that she thinks the Suburban News announces scheduled Town Board meetings free of charge. Cindy will look into this.

Highway/Water Superintendent: Ed Morgan was not present. Supervisor Lehning read his written report.

- The bid opening for the mini excavator will be Oct. 29th at 10:00 am.
- Mower tractor is working great and using about 1/3 less fuel
- The used equipment went to Monroe County Municipal Auction on the 6th. Will report proceeds next month.
- Water District No. 12 is complete, other than restoration. Many hook-ups already.
- Water District No. 11 as-built drawings have still not been received by the Town or the Health Department. Jeff will send a letter to Frank stating he has two weeks to get us the as-builts or we will be filing a complaint with the New York State Education Dept.
- The Town still has a two year old outstanding water bill (\$718.30) for hydrant usage by an out of district farmer. Jeff will send a letter. If no payment is received we will take him into our local court.
- Water District No. 13 pre-bid meeting is scheduled for October 19th at 10.00 am. Bid opening will be October 26th at 10:00 am.

Motion by Wagner, Seconded by Christ to that the following bills be paid and to approve the Supervisor’s financial report. Motion Carried

General Fund	Claims 316-350	Total \$26,423.84
Highway Fund	Claims 228-241	Total \$68,878.72
Water District No. 1	Claims 51-54	Total \$ 559.43
Water District No. 2	Claims 68-71	Total \$ 476.01
Water District No. 3	Claims 72-75	Total \$ 1,447.51
Water District No. 4	Claims 43-45	Total \$ 120.84
Water District No. 5	Claims 38-40	Total \$ 66.42
Water District No. 6	Claims 76-79	Total \$ 3,728.00
Water District No. 7	Claims 46-48	Total \$ 311.31
Water District No. 8	Claims 44-46	Total \$ 202.47
Water District No. 9	Claims 44-46	Total \$ 66.42
Water District No. 10	Claims 68-74	Total \$ 212.40
Water District No. 11	Claims 83-88	Total \$ 1,221.18
Water District No. 12	Claims 1-2	Total \$ 7,845.75

Motion by Morriss, Seconded by Wagner that meeting be adjourned.
Motion Carried

Meeting adjourned by Supervisor Lehning.

Respectfully Submitted,

Cynthia Oliver