

**Town of Murray Board Meeting**  
**October 13, 2009**

Present: Deputy Supervisor Henry Wagner, Councilmen Lloyd Christ, Ed Bower and John Morriss, Attorney Jeff Martin, Highway and Water Supervisor Ed Morgan, Town Clerk Cindy Oliver, Assessor Lynn Wood, Nick Quaranto, Paul Hendel, Joe Sidonio, Anthony Gianni, Richard Downey, George Karpenko

Absent: Supervisor Lehning

*Hearing: Wishing Well Demolition*

Jeff Martin asked if Henry Bruan Sr. or Jeanette King were present. They were given notice of the hearing but were not present. At last month's meeting the board adopted an order directing the Wishing Well Motel property be demolished. The purpose of tonight's hearing is to give the owner an opportunity to appear and be heard. As the owner is not present, we can proceed by default. The owner will receive a letter stating that they have to complete the demolition of the property within 30 days. If not completed by then, the Town can do so and attach the cost to the tax bill. Jeff will follow up with this and keep the board informed. Jeff called once again to be certain Mr. Braun or Ms. King were not present. Since there was no appearance, by Town order we will be proceeding by default.

Motion by Christ, Seconded by Bower approving the minutes of the September board meeting as submitted Motion Carried

Joe Sidonio asked about the law that the D.E.C. has instituted prohibiting open fires. Code Enforcement Officer Ron Vendetti has heard the same but the Town has not received any official notice. Attorney Jeff Martin will inquire about it and let the board know.

**Assessor:** Lynn and Nick have been out in the field checking on properties for anything that may change assessments. Working on land updates for the 2010 update. Lynn recommended Nicholas Christopher of 15662 Ridge Road as a candidate for the Board of Assessment Review. Motion by Christ, Seconded by Bower appointing Nicholas Christopher to the Board of Assessment Review to a term beginning October 1, 2009 and ending September 30, 2014. Motion Carried

The 2010 tentative budget was presented to the board. The Public Hearing for the 2010 budget will be held on November 2<sup>nd</sup> at 7:00 pm.

**Code Enforcement:** Ron is using his new laptop computer and the code enforcement software. This will be a more effective way to deal with the properties. Work is going on at the old DePalma property on the Fancher curves. They are hauling junk out and scrapping. An asbestos survey is required but they claim they were unaware of this. The Health Department has contacted them about this. Ron made them aware that things could not be buried on site as this can only be done with single-family homes.

Deputy Supervisor Wagner questioned Ron if he was aware of the situation between the neighbors on Ridge Rd next to Marshall Trucking. A residence is complaining of noise/activity at night. Ron was not aware of this but he will take a ride after tonight's meeting and see if he notices anything.

**Correspondence:**

- Time Warner channel changes
- Request for donation to 'Go Art' Genesee Orleans Regional Arts Council
- NYS DOT workshop
- Computel Consultants – utility bill analysis specialist. Jeff looked this over. If they find there are unpaid finance fees the Town will have to pay them a one-time 50% fee. There is no upfront cost so the Town will not lose anything. Jeff will follow up on this for the November meeting.
- Letter from Bryan Cole. There is a convention every 20 years regarding revisions to the NYS Constitution. He is asking for Town Board support to convene before the scheduled 2017 convention. Tabled until next month.

**Old Business:**

Jeff prepared a new Fire Protection Contract that will be in effect until 2012 with 5% increases each year. He did the same with the new Rescue Contract. The Town pays nothing for the existing HVA contract but we still need to renew for another three years with them also. There will be a Public Hearing before the November meeting on these proposed contracts.

**Attorney:** Previously, Jeff was under the impression that the Freisland Article 7 was going to be settled. Anna Berklew was in agreement to the 15% decrease in assessment but her husband was not. Presently, their attorney seems to think that the 15% will be agreed upon. In order to avoid a refund of prior year's taxes that they

have already paid, we would propose a larger reduction of assessment in year one in order to avoid having to issue a refund. Board was in agreement that this is the practical way to go. All are in agreement for Jeff to proceed with trying to work out this agreement.

Judge Punch previously dismissed the Richardson Article 78. It is now going to the Appellate Division as Mr. Richardson is appealing Judge Punch's decision.

Jeff informed the Board that he referred Mr. Frawley to Lynda. Matt Frawley is the resident from Sandy Creek Lane who wanted to apply for a special use permit for a canoe rental business. Lynda should get his application together along with the pertinent information needed. Ron will contact Lynda to let her know this was discussed at the meeting.

Brief discussion regarding farm produce stands. You must grow 60% of the produce you are selling from the stand.

**Town Clerk:** October receipts totaled \$1,963.40. The general fund received \$327.83. Cindy reminded all that the audit review is scheduled for October 21<sup>st</sup> at 7:00 p.m.

**Highway and Water Superintendent:** Discussion of Murray taking over the operation of the water system in the IDA Park. This issue is in front of the Village Board tonight. Motion by Morriss, Seconded by Bower that the Town of Murray service the existing water customers in the IDA park which would entail moving the meter pit Motion Carried

Motion by Morriss, Seconded by Christ authorizing Deputy Supervisor Henry Wagner to sign the water purchase agreement with the Village of Holley Motion Carried

Councilman Christ asked Ed about one of the Town truck springs repair Ed explained that it was the Ford truck and the springs were broke/corroded. Ed said this is the first time the truck has had any springs replaced and it being a 1995, \$5,000 in fifteen years for spring work is not bad.

Councilman Christ stated that the last supervisor/legislator meeting was very poorly attended.

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

General Fund	Claims 315-344	Total \$14,095.92
Highway Fund	Claims 229-248	Total \$18,483.76
Water District No. 1	Claim 24	Total \$ 728.75
Water District No. 2	Claims 45-50	Total \$ 8,757.74
Water District No. 3	Claims 38-39	Total \$ 2,658.50
Water District No. 4	NONE	
Water District No. 5	NONE	
Water District No. 6	Claims 46-50	Total \$23,717.28
Water District No. 7	Claim 20	Total \$ 114.00
Water District No. 8	NONE	
Water District No. 9	NONE	
Water District No. 10	Claims 31-33	Total \$ 328.68
Water District No. 11	Claims 61-65	Total \$ 595.95
Water District No. 12	NONE	
Water District No. 13	Claims 21-22	Total \$ 1,825.00

Sandy Shaw of the Holley Community Free Library thanked the Board for the Town of Murray support of the library. Membership is up considerably since this time last year. She asked the Board to please consider the Library in the 2010 budget.

Motion by Bower, Seconded by Morris that the meeting be adjourned at 7:50 p.m. Motion Carried

So adjourned.

Respectfully Submitted,

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Cynthia L. Oliver