

**Town of Murray Public Hearing Minutes  
October 10, 2006**

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, John Morriss and Ed Bower, Highway & Water Superintendent Ed Morgan, Assessors Lynn Wood and Nick Quaranto, Attorney Jeff Martin, Town Clerk Cindy Oliver, Karen Clark, Bob Cone, Richard Downey

Public Hearing opened at 7:00 p.m.

Local Law No. 3 of 2006 extends the Moratorium on Wind Energy Deriving Towers and Transmission Facilities that is currently in place. This 180 day extension would be sufficient time to get whatever regulations we are going to adopt in place. The Town of Murray has not been approached regarding wind towers. No questions or input from the public.

Public Hearing closed at 7:08 p.m.

**Town of Murray Regular Board Meeting Minutes  
October 10, 2006**

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, John Morriss and Ed Bower, Highway & Water Superintendent Ed Morgan, Assessors Lynn Wood and Nick Quaranto, Attorney Jeff Martin, Town Clerk Cindy Oliver, Karen Clark, Bob Cone, Richard Downey, George Karpenko, Taryn Hilliker, David Paul

Pledge to the flag.

MOTION by Wagner, SECOND by Bower that the minutes of the September meeting be approved and accepted as presented. CARRIED

**Assessor** – Lynn Wood turned in board member's addresses so they can receive an invitation to a presentation by the Orleans County Assessors Association. The presentation is on October 19<sup>th</sup> from 7:00 p.m. – 8:00 p.m. at the Albion High School. It will explain the processing of assessing properties. Lynn passed around an agenda of presentation. This first presentation will be for officials. There will be three others at later dates for residents. One of these will be held at the Holley school.

Assessors are continuing work on the update, reviewing comparable sales to subject properties. Nick and Chipper were out today looking at completions.

STAR rebate checks for Orleans County should be mailed out on October 16<sup>th</sup>. Every check will be a different amount as it is based on the school levy. Lynn gave the figures for each town. Those who are in the Holley school district will be receiving the highest rebate in all of Orleans and Monroe County.

The Orleans County Assessors Association is putting together a bus trip to Tug Hill to view Maple Ridge Wind Farm. It is tentatively set for October 25<sup>th</sup> and would be a full day trip. Dan Strong added that there will be an Assessor from the area and three Supervisors from nearby to speak to all regarding the impact and planning of wind farms. The Association is hoping to get four to five interested people from each town. Cost per person is uncertain at this time. After brief discussion it was decided that the Town would have four to five people interested in taking the bus trip.

Lynn gave information about a wind farm in Eagle, Wyoming County. They are putting up 67 wind turbines. The individual property owner will receive \$15,000 per year and the town will receive \$967,000 per year for 15 years which would eliminate town taxes as the town budget is \$400,000.

Lynn reported on the State Conference. Several Real Property Tax Laws have been passed; changes in ag. exemptions, municipality that has an elected Board of Assessors is now allowed to change to an appointed assessor without a referendum. Conference was well attended.

**Supervisor** – Last Tuesday evening Supervisor Lehning attended a seminar for small cities grants.

Reminder that tomorrow at 7:00 p.m. we are having our budget workshop to get the budget ready for final approval.

The Supervisor Legislator meeting is at the Village Inn on October 24<sup>th</sup>. There will be two presentations that evening.

**Code Enforcement/Zoning** – Dan reported that eight permits were given in September; three garage/pole barns, one new home (Groth Rd), one utility shed, one deck and two wood stoves. A new home on W. Kendall Rd should be completed this month. Dan spoke briefly about Kevin Diehl's plans for an RV park.

Dan met with a resident of County Line Mobile Home Park who was concerned about some electrical lines. The resident will fill out a complaint form, give the form to Dan, Dan will get in touch with Jay Gelb and tell him it needs to be addressed. Dan will follow up to make sure all complaints are taken care of.

#### **Correspondence**

- July 27<sup>th</sup> minutes of the County Planning Board meeting
- Two notices of claim; one that was talked about at last meeting, and one regarding the fatality at Hulberton Rd/Lynch Rd intersection.
- Letter and final payment from David Paul
- Letter from Rochester-Genesee Regional Transportation Authority announcing that Orleans Transit Service served more than 119,000 customers since its inception one year ago.
- Letter from the Town of Sweden; they offer daily lunch for seniors over 55 at the Sweden Senior Center. They are asking for a contribution from the Town for the people they serve from the Town of Murray.
- Regional Planning Council workshop registration for Fall training sessions. Workshop is on November 17<sup>th</sup>. Schedule available for all to see.

**Old Business** – The Environmental Assessment Form (EAF) for Water District No. 12 needs to be approved. The EAF basically states that there is no substantial harm to the environment in the construction of this water district. Supervisor Lehning read letter from Stu Brown.

MOTION by Morriss, SECOND by Bower appointing the Town of Murray as lead agency to conduct an environmental review for Water District No. 12. and to accept and sign the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc. CARRIED  
(Resolution on file in Town Clerk's office)

There are still some things that need to be taken care of with Water District No. 11 before the last amount to be used for the electronic meter readers is released. We have verbal approval from Rural Development but they may need some additional paperwork. Hopefully it will be done this week.

Discussion regarding the Town of Sweden's request that we contribute up to \$1,000 to help with the cost of running the Sweden Lunch Program. They serve about 50 meals daily and only 25 of them are Sweden residents. Board agreed to contribute \$1,000.

MOTION by Bower, SECOND by Christ that the Town of Murray contributes \$1,000 to the Sweden Lunch Program for the year 2007. CARRIED

**Attorney**

MOTION by Morriss, CARRIED by Christ, adopting Local Law No. 3 of 2006 – *Extension of the Town of Murray Moratorium on Wind Energy Deriving Towers and Transmission Facilities Law.* CARRIED

Jeff handed out proposed Local Law No. 5 - *A Local Law Providing for the Administration and Enforcement by the Town of Murray of the New York State Uniform Fire Prevention and Building Code.* There have been some revisions to the code that go into affect January 1<sup>st</sup>. This local law provides that the Town will administer it locally as done in the past, but for the revised code. Dan Strong stated that these revisions were brought to Code Enforcement Officers attention during their spring training. Dan is aware and familiar with these revisions.

MOTION by Christ, SECOND by Wagner, to introduce Local Law No. 5 of 2006 – *A Local Law Providing for the Administration and Enforcement by the Town of Murray of the New York State Uniform Fire Prevention and Building Code* CARRIED  
(Resolution on file in Town Clerk's office)

Jeff has prepared the deed to re-convey the parcel of land in Brockville from the Town of Murray to the Legion. This was discussed at last week's meeting and all were in agreement that this be done.

Jeff wrote letters to two residents with outstanding water bills. After the letters were written, a payment was made on one bill and Jeff reached an agreement with the other to pay one half.

Jeff has the Germeo Article 7 information for Lynn Wood so he can work on the refunds for those properties.

There are two public hearings scheduled before the Planning Board next Tuesday. One is on Kevin Diehl's application for a special permit for an RV park on the east end of the golf course. The other is on Dave Gustke application for truck and equipment sales on Ridge Road just west of Sandy Creek Cemetery. Notices have gone out to all of the property owners within 500 feet. County Planning has recommended approval on both applications subject to a couple of conditions.

Regarding Water District No. 13 (E. Transit Church Rd., Creek Rd., W. Kendall Rd) - Jeff is still waiting for Stu Brown to get the information from Rural Development of how much grant money we can get and how much the loan will be. Nothing more can be done until we have the amounts from Rural Development.

**Town Clerk** – Reported that receipts for September totaled \$2,662.20. Revenues totaled \$775.11.

November 1<sup>st</sup> is the first day of first-come first-serve deer management permits for hunters. This is when hunters can come into the office and get extra deer management permits until there are no more available. This falls on a Wednesday, but the Town Clerk's office will be open on this day.

The Town Clerk's office will be closed on Tuesday, November 7<sup>th</sup> as this is Election Day.

**Highway & Water Superintendent** – The parcel that Kevin Diehl is proposing to put an RV park on is part of Water District No. 11. He is requesting that the water line be extended from the center line of Route 31 W. to 500 feet down Lynch Road and then he would tie into it and go onto his property. Kevin has agreed to service the one house on Paddleford Rd. and bill that resident directly off that. Ed is asking for authorization to go ahead and put that 500 ft. in. It will just basically be time; a two-day project if they don't hit rock. If so, they'll have to address it then.

Ed reported on topics discussed at the August 22<sup>nd</sup> Water Advisory Committee meeting. They came up with a list of concerns. Largest cost of producing water is labor, second is energy and third is taxes. Ed spoke about the ideas that were discussed to try and keep costs down.

Ed reported that paving is done. They are doing a little work in the IDA Park on some drainage at no cost to the town; the county is supplying all trucks and materials.

Ed discussed some work they did at the elementary school. The school had some mold and air quality problems in one of the classrooms. Water was sitting against the school as a result of how it was graded. The dirt in that area had to be re-graded.

MOTION by Christ, SECOND by Morriss authorizing Highway Department to install 500 feet of water main from Route 31 W. down Lynch Rd. in Water District No. 11.  
CARRIED

David Paul spoke about his property on Gulf Road. He questioned what Jeff Martin told Susan Bauerle about Mr. Paul's trucks driving on Gulf Road. Jeff Martin stated he told Mrs. Bauerle that it is a condition Mr. Paul's special permit that trucks to the business are to enter and exit via County Line Road. Mr. Paul explained that the driveway from Gulf Road property to County Line Road driveway is only three quarters finished and it probably won't be finished this year. Mr. Paul said he called every board member and asked them to stop by his property to have a look. Councilman Christ did come. Councilman Wagner said he never received a call. Mr. Paul thought he called and apologized. Mr. Paul listed some things he has done for some of the neighboring property owners. He informed the Board that when he put in the Gulf Rd. driveway he also put in a french drain to prevent flooding in the trailer park. The water now flows downhill to a culvert pipe and into the stream. Mr. Paul spoke about problems with a culvert pipe that is underneath the road; water sitting there and not going anywhere. He talked about possible solutions. He said the Town needs to get involved because he's had many problems with the Bauerles. Ed said that all he is responsible for is making sure that pipe runs water, and the way it runs to the north within the right of way. Mr. Paul said DEC and Soil/Water Conservation has been to the property. They've all said he is not doing anything wrong. He spoke of the problems he has had with the Bauerles. If anyone on the Board is in any doubt about anything he has done or is doing on the property, please give him a call, he'll meet them there and they can check it out. Supervisor Lehning told Mr. Paul he wishes that he and the Bauerles would try to get along because the Town cannot be a mediator between them.

MOTION by Christ, SECOND by Bower to approve the Supervisor's Financial Report and to pay the following bills: CARRIED

Highway Fund	Claims 291 – 305	Total	\$35,375.63
General Fund	Claims 316 – 358	Total	\$13,986.03
Water District No. 1	Claims 45 - 48	Total	\$ 571.06
Water District No. 2	Claims 55 - 59	Total	\$ 507.91
Water District No. 3	Claims 53 - 56	Total	\$ 4,299.70
Water District No. 4	Claims 39 - 41	Total	\$ 199.66
Water District No. 5	Claims 36 - 39	Total	\$ 175.83
Water District No. 6	Claims 54 - 58	Total	\$ 1,701.78
Water District No. 7	Claims 42 - 45	Total	\$ 558.05
Water District No. 8	Claims 42 - 44	Total	\$ 200.40
Water District No. 9	Claims 39 - 42	Total	\$ 107.25
Water District No. 10	Claims 60 - 66	Total	\$ 852.83
Water District No. 11	Claims 64 - 68	Total	\$ 727.86

Meeting recessed at 8:10 p.m. until tomorrow, October 11<sup>th</sup> at 7:00 p.m.

**Reconvened Town Board Meeting  
October 11, 2006**

Public Hearing and Board Meeting Minutes  
10/10/06 and 10/11/06

Present: Supervisor Henry Lehning, Councilmen John Morriss, Henry Wagner, Ed Bower and Lloyd Christ, Highway and Water Superintendent Ed Morgan, Assessor Lynn Wood, Town Clerk Cindy Oliver

Supervisor Lehning opened the meeting at 7:00 p.m.

All present have copies of the 2007 budget report. Supervisor Lehning stated the Town Board needs to review it, fine tune it, have it on file by the end of this month as the preliminary budget and approve it in November. Councilman Christ said hopefully things can be lowered as there are many houses for sale in Murray. Lynn Wood stated it is the school taxes that are the burden for the residents. Supervisor Lehning said the Town had no increase in taxes for 2006 and hopefully this year will be the same.

Board reviewed each departmental request for 2007. Also went over and discussed each item on the 2007 budget report.

Councilman Morriss questioned what comes out of the Town Board Contractual Meetings, trips, Town Board legal notices in the newspaper.

The regular Town Board meeting will be held on Wednesday, November 8<sup>th</sup> instead of November 14<sup>th</sup>. A Public Hearing on the preliminary budget will be scheduled for the same evening at 7:00 p.m. before the regular board meeting. Cindy will put legal notice in paper.

MOTION by Bower, SECOND by Morriss that the revised and modified tentative budget be approved and shall become the preliminary budget for the fiscal year beginning January 1, 2007. CARRIED

MOTION by Wagner, SECOND by Bower to adjourn the meeting. CARRIED

Meeting adjourned at 8:52 p.m.

Respectfully Submitted,

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Cynthia Oliver