

## Town of Murray Board Meeting Minutes

September 8, 2009

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Attorney Jeff Martin, Code Enforcer Ron Vendetti, Town Clerk Cindy Oliver, Highway & Water Superintendent Ed Morgan, Assessor Lynn Wood, Nick Quaranto, Legislator Ken Rush, Richard Downey, Kathy Case

Pledge to the flag.

Motion by Wagner, Seconded by Bower approving the August board meeting minutes as presented. Motion Carried

**Assessor:** Residents received school tax bills on the first of September so there have been many calls about assessments. The model is completed for comparing comparable properties; this is strictly for residential residences. The software either adds or subtracts points to come up with a comparable value. The county will be printing the comparables. Lynn and Nick have been checking properties for changes or any differences in their records. Nick picked up the sales today at the county and said every property was sold over assessment.

**Supervisor:** Last month we received a refund of \$1,396 from NYMIR. When we switched over to NYMIR in August of 1999, for the first three years as a new member, we had to pay into the capital. Now that they are financially strong, they are beginning to refund this money. We will continue to receive this amount for the next two years. This is a sign that we are with a good strong insurance company.

The next Shared Services Summit meeting is on September 28<sup>th</sup> at 6:00 p.m. in the Legislative chambers. Hank will need someone to attend that meeting as he will be out of the country.

The auditors had to postpone the audit report until October sometime. When Supervisor Lehning gets an exact date and time, he will let the Councilmen know.

The Village of Holley received a grant for \$24,000 to study the consolidation of their street department and our Highway Dept. Supervisor Lehning hasn't gotten word of a meeting to get this started.

Budget work has begun. All reports except for one department have been turned in. The tentative budget needs to be on file by the end of the month.

The town is still trying to get additional funding to complete water district 16 in its entirety. Rural Development will not increase the amount of money we will receive. We now have to go back to the drawing board and see how we can complete the town. We will move forward with this and Supervisor Lehning is sure the main district will include Rt. 237 North. It could also include Groth Rd. and Skillington Rd. This is a slow process and Hank was hoping to have this all lined up before his term ends but it doesn't look like that is a possibility.

**Zoning and Code Enforcement:** Ron informed all that Attorney Jeff Martin has some things to discuss with the Board regarding the Wishing Well Motel. Ron has had some conversations with the DePalma family who own the property on the Fancher curves. They seem amenable to destroy all structures on the property.

This month, notices to residents have been sent; follow ups, permits and answering questions and phone calls. The Code Enforcement software is just about ready and BAS should be installing it this week. Ron's laptop has arrived. Ron will now have a data base for all properties, with forms, notices; it will handle all of the paperwork. Ron is hoping to be able to issue notices out of his car.

George Karpenko entered meeting.

**Correspondence:**

- Notice from Stu Brown about the proposed water district.
- Niagara Mohawk expo at the Buffalo Convention Center (energy savings) at the end of October.
- We will no longer have to pay a fee for Time Warner Cable public access channels 12 and 15. All we need to do is send Time Warner a tape we would like aired and they will automatically air it on those channels. This will save several hundred dollars.

**Old Business:** Discussion on the standardization of fire hydrant marker signs and water valve marker signs for the Town's water districts which Rural Development is requesting.

Motion by Wagner, Seconded by Christ that for reasons of economy, efficiency, convenience and long-term cost savings, the Town of Murray commits that for all existing water districts and any water district or water district extension constructed in the future, fire hydrant marker signs and water valve marker signs shall be standardized.

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)

**New Business:** No new business.

**Attorney Jeff Martin:** The Richardson 78 Proceeding was dismissed by Judge Punch at the end of August. Mr. Richardson still has a couple more weeks to appeal if he chooses to do so. Jeff will keep the Board informed.

Regarding the Friesland (Brockport Country Club) proceeding; Jeff thought a deal had been worked out. Anna Berklew was willing to accept the 15% assessment reduction but her husband was not in agreement. There is now another court date at the end of October. Hopefully an agreement can be reached by then. Jeff will keep the Board informed.

Discussion regarding the fire and rescue contract. Jeff spoke of the meeting that took place three months ago and they were proposing a one year contract for 2009. We are now looking for a longer term contract. A public hearing will have to be held and the cost increase will have to be specified. Jeff is suggesting the Town go into a three-year contract instead of a yearly one. For budgeting purposes, we need to know the 2010 amount. Hank asked Jeff to contact Village Attorney John Sansone to get some numbers by the end of the month.

Jeff has supplied the auditors with the information they required from him.

Regarding Tony Piedimonte’s application for a special use permit for automobile sales at 15865 Route 31 that was discussed last month; the local Planning Board can take whatever action they feel appropriate without any formal recommendation from the County Planning Board. A Planning Board meeting is scheduled for next week.

Matthew Frawley has requested a special use permit for a canoe rental business. Jeff referred him to our website for information and suggested he meet with Lynda to make his application.

Discussion regarding the status of the Wishing Well Motel clean-up. Henry Braun Jr.'s father held the mortgage for the property for him. Henry Jr. defaulted so his father foreclosed. The father ended up taking the property back. Once the deed is recorded in the father's name, we can proceed with enforcing our zoning about collapsed structures. Jeff is in receipt of Ron's Notice of Determination that the property is beyond repair, is unsafe and dangerous and that the property cannot be safely and economically repaired. A public hearing will be scheduled before the October board meeting. Henry Braun, Sr. will be notified so he can be present at the public hearing if he chooses.

Motion by Christ, Seconded by Bower accepting the Code Enforcement Officer's Notice of Determination that the property at 15918 Ridge Road, assessed to Henry R. Braun is in unsafe and dangerous condition and cannot be safely repaired; that the property shall be demolished as soon as practicable; and that a notice containing the information set forth in Section 3, Paragraph C of Local Law No. 1 of 1999, entitled "A Local Law Providing for the Removal or Repair of Unsafe Buildings and Collapsed Structures in the Town of Murray" is to be served upon Henry R. Braun, Sr.; and that a copy of this notice shall be filed in the office of the County Clerk pursuant to the requirements of Section 3, Paragraph E of the Local Law.

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)

**Town Clerk:** August receipts totaled \$2,873.20. The general fund received \$469.48. Included in tonight's bills for the general fund are vouchers for the training of our election inspectors for the new voting machines. The Town of Murray will be the only town in Orleans County using the new voting machines in November's election.

**Highway and Water Superintendent:** Five or six months ago Ed handed out an employee's benefit package. There needs to be a resolution accepting this new employee's benefit package.

Motion by Christ, Seconded by Wagner accepting the new Town of Murray Employee’s Benefit Package. Motion Carried

Ed updated the Board of dealings with the Village of Holley and IDA. Precision Packaging wants to put on a substantial addition to their building. The village supplies the water through an old six-inch line. Murray supplies it when the village pressure falls below a certain line. Inside the IDA Park, the fire flow test was not good as it is being fed by a six-inch main, while Murray’s fire flow test was very good. The only way Precision Packaging’s expansion can happen is if Murray moves our meter pit from where it is to somewhere to the east end of the IDA Park. Discussion regarding the many options of supplying the water for the IDA Park. If Murray does not do this, the expansion cannot happen. The Board is not agreeing to anything at this time, but they are in agreement that Ed can proceed with discussions and he will convey our Board’s feelings and also make the village aware that the Town will not take over responsibility of the pump.

Everything in the Highway and Water Department is going well. We are under budget for CHIPs. A few minor projects need to be finished such as blacktop the end of a driveway, ditching, and road pipes to replace this fall that we are currently working on completing.

**Legislator Rush:** Work on the county budget has been ongoing. It has been going well. Much is involved in the process and each department has been told to reduce their budgets by 2 ½ %.

Legislator Rush asked if there was any new information regarding the old Holley High School. No new information since last meeting.

Legislator Rush informed all of the Dementia Walk that will take place at the nursing home this month.

All received copies of the Code of Ethics information received from the County. Please be aware of the information in these papers and all the procedures that go along with it.

Motion by Wagner, Seconded by Christ approving the Supervisor’s financial report and approving and paying the following bills:

Motion Carried

|                      |        |         |                   |
|----------------------|--------|---------|-------------------|
| General Fund         | Claims | 274-314 | Total \$29,733.89 |
| Highway Fund         | Claims | 207-223 | Total \$37,452.02 |
| Water District No. 1 | Claim  | 23      | Total \$ 811.25   |

|                       |        |       |          |          |
|-----------------------|--------|-------|----------|----------|
| Water District No. 2  | Claims | 42-44 | Total \$ | 331.38   |
| Water District No. 3  | Claims | 35-37 | Total \$ | 1,877.00 |
| Water District No. 4  | Claims | none  | Total \$ | 0.00     |
| Water District No. 5  | Claims | none  | Total \$ | 0.00     |
| Water District No. 6  | Claims | 42-45 | Total \$ | 78.97    |
| Water District No. 7  | Claim  | 19    | Total \$ | 85.50    |
| Water District No. 8  | Claims | none  | Total \$ | 0.00     |
| Water District No. 9  | Claims | none  | Total \$ | 0.00     |
| Water District No. 10 | Claims | 28-30 | Total \$ | 374.20   |
| Water District No. 11 | Claims | 57-60 | Total \$ | 175.00   |
| Water District No. 12 | Claims | none  | Total \$ | 0.00     |
| Water District No. 13 | Claims | none  | Total \$ | 0.00     |

Motion by Bower, Seconded by Morriss that the meeting be adjourned.  
Motion Carried

So adjourned at 8:02 p.m.

Respectfully Submitted,

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Cynthia L. Oliver