

Murray Town Board Meeting
April 13, 2010

Present: Supervisor John Morriss, Councilpersons Ed Bower, Kathy Case and Paul Hendel, Town Clerk Cindy Oliver, Highway & Water Superintendent Ed Morgan, Assessor Lynn Wood, Nick Quaranto, Attorney Jeff Martin, Deputy Clerk Sally Naomi Shiffer, Zoning Officer Lynda Woolston, Code Enforcer Ron Vendetti, Anthony Shoap, Molly Westfall, Amy Rosier, George Karpenko, Joe Sidonio, Stan Kemp, William Coots, Kathy Britt, Tony Gianni, David Paul

Absent: Councilman Christ

Bids for the clean-up and air monitoring of the Wishing Well Hotel property were opened at 6:50 p.m. The Town Board took no action.

Pledge to the flag.

Meeting opened at 7:00 p.m.

Motion by Bower, Seconded by Hendel approving the March 9, 2010 Town Board meeting minutes. Motion Carried

Written report from the Holley Fire Department was previously submitted to Supervisor Morriss. No report given from Fancher Hulberton Murray Fire Co.

Assessor: The reassessment is completed and the office has been busy conducting informal hearings. Four people to date are scheduled to go in front of the Board of Review.

Zoning and Code Enforcement: Lynda reported with the good weather we have had a few stands have appeared on Route 104. She is working on getting proper documentation from the stand owners. A few letters have been sent to campers informing them that there is a 45 day limit that they can be set up on vacant land. There isn't a big issue with these campers to date, but she doesn't want it to get out of control. Lynda will address these concerns in the next newsletter.

Old Business:

Wishing Well Clean-up - Brief discussion regarding the cost (\$40,000 and upwards) of the Wishing Well property clean-up and removal, asbestos and air monitoring of this site. Attorney Jeff Martin discussed the possibility of the executor of the estate deeding the property to the Town. The 2010 taxes are not paid and this also

includes a school tax relevy which equals about \$4,500. George Herring estimated the worth of the property after clean up is between \$10,000 - \$20,000. If the Town pays for the clean-up, what are the chances of recouping the cost? Jeff explained the process of charging the clean-up cost onto the tax bill and the county make the Town whole but if, after three years the taxes are not paid, they would charge it back to the Town. We could file a \$40,000 claim against the estate, but with more debts than assets it is pointless. Town Board is in agreement not to make a decision tonight, as the expense is so high. Ron will contact the Department of Labor Asbestos Control and ask him to speak to the Board at the next meeting.

Motion by Hendel, Seconded by Bower that the Board enters into an executive session to discuss the Turkstra property litigation
Motion Carried

Board entered into executive session at 7:45 p.m.

Motion by Bower, Seconded by Case to return to the regular meeting
Motion Carried

Board returned to regular session at 8:01 p.m.

DePalma Property – Jeff Martin updated all on the status of the property. The attorney for the estate contacted him and stated there is a purchase offer and a contract with a company in Rochester for the asbestos samples. Thursday, samples will be taken and we should know something about the asbestos by next meeting. We need to be provided with documentation of any kind letting the Town know that this is moving forward. This information can be faxes or dropped of at Jeff's office and he will make sure Ron receives a copy.

Turkstra Property – Jeff received a fax from the property owner stating that he is in the process of trying to demolish and remove the fire damaged structure. The property owner is in the same position as the others and an asbestos survey must be done. He will keep the town informed of his progress in doing this.

Ron stated that dealing with these buildings is time consuming. He has been talking to people about clean-ups and explaining the codes as Spring is here.

Stan Kemp asked what has been done about the number of cars at A & M Automotives. Ron explained that Lynda would have to take care of

this issue as it is a zoning matter. Ron said he is willing to help but it is a zoning issue. Ron will be putting an ad in the paper asking for prices for mowing. We need to get new quotes every year for this.

The next Supervisor/Legislator meeting is Tuesday, the 27th. Cindy will send reminders to all.

New Business: Due to the severity of the winter and the high cost of fuel during 2006/2007, the total cost for the season was \$16,845.06 higher than was estimated.

Councilperson Case moved the adoption of the following resolution; Councilman Bower seconded the motion:

WHEREAS, the Town of Murray is under contract with the New York State Department of Transportation to provide snow & ice control on specified State roads within the Town; and

WHEREAS, the base agreement was extended for the 2006/2007 season by Resolution of the Town Board of the Town of Murray, dated June 13, 2006, setting an estimated total cost for the season at \$69,607.69; and

WHEREAS, due to the severity of the winter and the high cost of fuel during 2006/2007, the total cost to perform this service is estimated at \$86,452.75;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for 2006/2007 by \$16,845.06.

Upon being put to a vote, the following voted in favor of adoption; Councilmen Bower, Hendel and Councilwoman Case, Supervisor Morriss

The following voted against adoption: None

The following was absent from the meeting: Councilman Christ

The resolution was thereupon declared adopted.

BAN interest for Murray water district 14 and Gaines water district 9 is due. As Murray has 1/3 of the customers in this shared district, we

need to pay 1/3 of that interest payment that is due. Motion by Bower, Seconded by Case to reimburse the Town of Gaines for \$1,708.33 which is the Town of Murray's share of this interest payment. Motion Carried

The Sheriff's Department inquired if the Town of Murray had any available work sites where individuals could be offered the opportunity to perform community service in lieu of being incarcerated in the County Jail. These individuals would be supervised by an employee of the Sheriff's Office and for the most part no additional town personnel would be required to be on the location of the work site, but the Town would have to provide any tools or materials needed. Supervisor Morriss will contact the Coordinator of this program, Michael Furness, and ask that he attends the next board meeting to discuss the program.

The lease for our copier is just about to end and we have been having numerous problems with it. Supervisor Morriss would like to set up a committee to work with Cindy to look at different copiers that would be more efficient.

Motion by Hendel, Seconded by Bower appointing Valerie Mauro as Deputy Town Clerk Motion Carried

Discussion of the bill from RJ Reynolds for the Justice Court work being done that is being paid for by the grant money received from the State. Anything over \$3,000 needs to have three verbal quotes documented. Ted Spada, Town Justice informed all that they went out for three quotes and received only one response. That quote was submitted to the Unified Court System. Councilman Hendel would like to see invoices, purchase agreements or receipts before we release the money. Discussion of our procurement policy. At the end of the project RJ Reynolds can supply the Town with a copy of the invoices before the balance of his payment is released.

Attorney Jeff Martin:

Water District – Discussion of how to proceed with proposed water district 15. The Controllers Office informed Jeff Martin that the best way to proceed would be to do an extension to water district 10 which could possibly cover Carton Rd, Lynch Rd., N. Main St. Rd., Telegraph Rd., Hurd Road. It would be a stand-alone extension which wouldn't change the cost to the original district. Discussion of more surveys being sent to these residents. We are now focusing our attention on getting the grant through Rural Development as previously we were

going through small cities which have much higher criteria. We are trying to make certain in advance, exactly what they are going to be looking at. Ed Morgan stated that in order for Chatfield Engineers to do an effective cost-analysis he will need to know where the water line will be going. It is difficult to get survey responses returned if residents do not know the cost involved.

Town Clerk: Receipts for March totaled \$407 and the general fund received \$219. To date, 75% of taxes have been collected. Last year at this time, 75% had been collected. Unpaid tax reminders will be sent to property owners who have yet to pay. There is over \$867,000 in taxes that are still unpaid.

Highway and Water Superintendent: Discussion regarding hydrant meters. Last year we had only one regular user so Ed is suggesting a new \$100 meter rental maintenance fee. This would at least cover the maintenance. The board previously discussed this but never initiated it. With the farmers that use these, we are just concerned with covering our cost. We could charge an annual \$100 fee that could be added to their first bill. Motion by Case, Seconded by Bower authorizing the Water Department to charge hydrant meter users a \$100 annual maintenance fee. Motion Carried

Chris Haines is available to review our insurance policies and will meet Supervisor Morriss and Ed at the Town Hall on Friday at 9:00 a.m.

Motion by Bower, Seconded by Case approving the Supervisor’s financial report and that the following bills be approved and paid:

General Fund	Claims 96-137	Total \$23,767.20
Highway Fund	Claims 74-91	Total \$33,227.20
Water District No. 1	Claims 9-10	Total \$ 1,039.66
Water District No. 2	Claims 15-19	Total \$ 6,698.65
Water District No. 3	Claims 10-16	Total \$ 3,994.76
Water District No. 4	Claims 6-7	Total \$ 947.37
Water District No. 5	Claims 6-7	Total \$ 362.01
Water District No. 6	Claims 15-20	Total \$ 4,460.31
Water District No. 7	Claims 6-7	Total \$ 3,315.42
Water District No. 8	Claims 8-11	Total \$ 2,246.99
Water District No. 9	Claim 3	Total \$ 748.92
Water District No. 10	Claims 11-13	Total \$ 318.35
Water District No. 11	Claims 17-24	Total \$ 4,768.62
Water District No. 12	Claims 6-7	Total \$ 541.23
Water District No. 13	Claims 8-9	Total \$ 635.87

Water District No. 14	Claim 1	Total \$ 1,708.33
Water District No. 15	None	Total \$ 0.00
Water District No. 20	Claim 2	Total \$ 839.91

Motion by Hendel, Seconded by Bower to adjourn the meeting
Motion Carried

So adjourned at 9:44 p.m.

Respectfully Submitted,

Cynthia L. Oliver