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Murray Town Board Meeting

June 27, 2022

Present: Supervisor Joseph Sidonio, Councilmen Michael Mele and Randall Bower, Town Clerk Cindy Oliver, Code Enforcement Officer Mylynda Kuba, Highway and Water Superintendent Dirk Lammes, David Knapp, Donna Smith, Legislator John Fitzak, Jim Johnson, Mark Taylor, Brian Fauci, Elaine Berg, Louise Passarell, William Moroz, Flip Boyce, David Piedmonte, Marietta Fulks, Amy Machamer, Kerri Neale, Raymond Santoro, David Paul

Absent: Councilmen Lloyd Christ and Paul Hendel

Moment of silence and pledge to the American Flag.

Motion by Mele, Seconded by Bower approving the minutes of the May Town Board meeting as submitted Motion Carried

Supervisor Sidonio would like to clarify a comment Councilman Christ made at the last meeting stating that Mr. Sidonio went to the Trooper's barracks to inform them that Mr. Christ was allegedly stealing water. Mr. Sidonio has the incident report and it does not say that he went to the barracks but that the State Trooper was driving by at the time he made the report.

Councilman Bower reported that the Summer Recreation program is back to full activities. Youth softball and baseball camp beginning soon. Sign-ups are good and Hawks fitness camp will take place each Friday through the summer. There are four T-ball teams and two coach-pitch teams. Supervisor Sidonio stated the Town should go back to contributing the full amount to the program in the fall.

Councilman Mele has a meeting scheduled with Amy Ostrom to sort through all of the summer recreation equipment and craft supplies. There is much that is no longer needed. We will be finding a spot for everything so that the only thing in the records retention room is Town records. When the alarm system is updated, that room must be included. Supervisor Sidonio said we are required to maintain the Town's historical documents and the Town Historian has been gathering what she has. Maybe we can reach out to her to transfer what she has to the Town Hall.

Town Clerk

Receipts for May totaled \$812.40 with \$644.77 going into the general fund.

Both Cindy and Dirk spoke briefly about the new water program. There are still some bugs to work out. Shelby Bennett needs reports from Cindy each time payments are entered and the reports need to have specific data. With web payments, e-check payments it has been difficult to decipher the deposits. This was relayed to Diversified; that we need a specific report including certain data and they said there would be a charge. If this is needed, the cost could come from the COVID fund.

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Highway and Water

The Route 237 bridge has finally opened. They have been replacing hydrants that were shut down over the winter. The department has been mowing cemeteries and road work will begin around the end of July. Work will be done on Hindsburg, Brockville and possibly Lynch Roads. The stop signs on Gulf Road still need to be done. D'Andrea's permits for his front ditch should be coming.

Dirk spoke about the contract he received from the state as they would like his department to mow shoulders for them. In total it will be \$7,900 to mow twice through the year. It would take two tanks of fuel and two weeks to do it.

Supervisor Sidonio informed all that during the budget process the bond repayment was left off of eleven water users in district no. 14. The bond repayment units were not added to their tax bills. Brief discussion on how to proceed in charging these water users. Send each of them a bill for the bond repayment charge and/or give them a choice to pay now or double next year. Cindy said that cannot be done. It has to be one way or the other because when tax bills are printed, we will not be able to charge some in district 14 and not others.

Code Enforcement

Mylynda submitted a written report. In June seven building permits were issued, one fire inspection and twelve building inspections were completed. Seven certificates of compliance were issued, nine violations were issued and one incident report.

Code Enforcement has been receiving positive responses from residents to close out their 2021 building permits. Her office sent out twelve reminder letters and we have closed out eight of the twelve permits that were open from 2021.

Big Guys Campground received an approval signature from the Department of Health on their site plans.

Code Enforcement along with the Planning Board members have been having workshops about Regulating Solar Energy Systems and Facilities Law. So far, there have been two workshops with another one scheduled for July 5th before the Planning Board meeting.

ZONING BOARD OF APPEALS

There were no Appeals to the Zoning Board for this month.

PLANNING BOARD

The Planning Board did not receive any responses back about the board declaring Lead Agency on the Sam & Sons application. The deadline to reply was May 16, 2022.

In July we will have a pre-submission conference with Dollar General.

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Workshops are continuing on the Solar Energy Systems. After amending the Local Law it will be sent to the Town Board for review and comment. Ron Vendetti has been helping the Town with these workshops.

The Code Enforcement Officer researched into the Town of Murray Zoning Local Law and found out that it was never filed with the State and the copies that were made are all printed as *proposed* or *draft*. The Planning Board will be reviewing the Zoning Local Law for accuracy and conformity and will give the Town Board their recommendations and comments.

Mr. Scott Lang was welcomed to the board.

Mylynda complimented the highway department for their work on the Town sign out front.

She has spoken with Dirk about mowing properties when residents refuse to mow. These residents receive a couple violation letters and if the properties are not mowed, the Town will do it and charge \$150. If these invoices are not paid, the total owed can be re-levied onto their property taxes. We've only had to mow one property so far this year. All are in agreement that the charge for mowing these properties should be raised to \$200.

Discussion regarding the situation with the local zoning law not being submitted to the state. Mylynda said that the Planning Board would like to review it before it is done. She has also found a couple of errors in it; for example, where the law refers to a certain section that is not even in the local law. Mylynda touched base with our attorney and he said that the last ordinance the Town had in place is what we are currently operating under.

Supervisor Sidonio said \$45,000 was spent on the document and it has gone to the county. Councilman Hendel gave us sheet after sheet of review and signed off on that. Chad Fabry chaired the steering committee for a year and a half. No document is perfect and he suggested that if there are minor revisions in the document, those can be taken care of in the comprehensive plan.

Mylynda said the rest of the town board, planning board and individuals who worked on the document have all said they'd like to review it prior to submitting it. There is also no area for businesses to come in. Supervisor Sidonio stated that we are a farming community. Mylynda said he has made her well aware of that many times. She is in no means trying to change it in a spectacular way but if individuals are approaching her asking for time to review it, that is her job and she doesn't think that her trying to do the right thing makes her 'suspect'.

Elaine Berg and Dave Knapp of the Planning Board were present and they are in agreement that with the confusion, they want to take pause to review and compare the versions. There was much confusion as to what the actual final document was.

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Supervisor Sidonio said he has the final version on his computer. Mylynda asked why he wouldn't have given her the correct version when she was appointed. He apologized and said he will get the final version to her.

Legislator Fitzak briefly reported on the EMS Task Force and that the meetings are getting more productive. Brief discussion regarding the possibility of District Courts.

New Business

RESOLUTION NO. 2022-028

At a meeting of the Murray Town Board held on June 27, 2022, Councilman Randall Bower moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

RESOLVED, that the Town Board of the Town of Murray approves and authorizes the following budget line transfers be made:

		<u>GENERAL FUND - TOWNWIDE</u>	
<i>Transfer From:</i>	AA.1355.400	Assessment, Contr Expend	\$24,000.00
	A1990.4	Contingency	\$19,500.00
			<u>\$43,500.00</u>
<i>Transfer To:</i>	AA.1320.400	Auditor, Contr Expend	\$1,500.00
	AA.1355.100	Assessment, Pers Serv	\$26,000.00
	AA1355.103	Assessment, Pers Serv, Clerk	\$4,000.00
	AA.1410.400	Clerk, Contr Expend	\$600.00
	AA.1420.400	Law, Contr Expend	\$10,500.00
	AA.1920.400	Municipal Assc Dues, Contr Expend	\$900.00
			<u>\$43,500.00</u>
		<u>GENERAL FUND-OUTSIDE VILLAGE</u>	
<i>Transfer From:</i>		UNANTICIPATED REVENUE	
	BB.2555.000	Building & Alteration Permits	\$1,500.00
	BB.5999.000	Unexpended Balance	\$2,000.00
			<u>\$3,500.00</u>
<i>Transfer To:</i>	BB3620.400	Bldg & Fire, Contr Expend	\$2,500.00
	BB8010.103	Zoning, Pers Serv, Clerk	\$1,000.00
			<u>\$3,500.00</u>
		<u>HIGHWAY FUND-TOWNWIDE</u>	
<i>Transfer From:</i>	DA5999.000	Unexpended Balance	\$69,000.00

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			<u>\$69,000.00</u>
	DA5130.200	Machinery, Equip & Cap Outlay	<u>\$69,000.00</u>
			<u>\$69,000.00</u>
		<u>WATER DISTRICT #1</u>	
<i>Transfer From:</i>		UNANTICIPATED REVENUE	
	SW1.5999.001	Unexpended Balance	<u>\$823.00</u>
			<u>\$823.00</u>
<i>Transfer To:</i>	SW1.8310.103	Water Admin, Pers Serv, Billing Clerk	<u>\$823.00</u>
			<u>\$823.00</u>
		<u>WATER DISTRICT #5</u>	
<i>Transfer From:</i>		UNANTICIPATED REVENUE	
	SW1.5999.001	Unexpended Balance	<u>\$1,158.00</u>
			<u>\$1,158.00</u>
<i>Transfer To:</i>	SW5.9710.600	Debt Principal, Serial Bond	<u>\$1,000.00</u>
	SW5.9710.700	Debt Interest, Serial Bond	<u>\$158.00</u>
			<u>\$1,158.00</u>
		<u>WATER DISTRICT #11</u>	
<i>Transfer From:</i>	SW11.8320.400	Source Supply Pwr & Pump, Contr Expen	<u>\$30.00</u>
			<u>\$30.00</u>
<i>Transfer To:</i>	SW11.8310.400	Water Administrative, Contr Expend	<u>\$30.00</u>
			<u>\$30.00</u>

After being put to a vote, the following voted in favor of adoption of the resolution:
 Councilman Randall Bower, Councilman Michael Mele and Supervisor Joseph Sidonio

The following were absent from the vote: Councilman Lloyd Christ and Councilman Paul Hendel

The resolution was thereupon adopted.

Brief discussion regarding developing an investment policy for the Town. Supervisor Sidonio met with NY Class, a firm that basically holds your funds and gives you a better rate of return. The county just signed with them and Bob Fox recommended we consider them but we would have to develop a basic investment policy for the Town. He asked the board to think about it and we can discuss it at another time.

Supervisor Sidonio informed all that the standard mileage rate has been raised to 62.5 cents/mile.

RESOLUTION NO. 2022-029

At a meeting of the Murray Town Board, held on June 27, 2022, Councilman Randall Bower moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

WHEREAS, in June of 2021, the Senate passed the Juneteenth National Independence Day Act, establishing Juneteenth as a federal holiday; and

BE IT RESOLVED, that the Town of Murray will recognize the Juneteenth holiday on our holiday schedule each year.

Upon being put to a vote, the resolution was thereupon adopted.

Councilman Bower stated that “No Unauthorized Vehicles” signs should be placed on the Town property in light of recent events. All in agreement for Mylynda and Dirk to put up appropriate signage where needed.

RESOLUTION NO. 2022-030

At a meeting of the Murray Town Board held on June 27, 2022, Councilman Michael Mele moved adoption of the following resolution; Councilman Randall Bower seconded the motion:

BE IT RESOLVED, that the Town Board of the Town of Murray authorize Highway Superintendent Dirk Lammes and Code Enforcement Officer Mylynda Kuba to place appropriate signage and/or placards on the Town of Murray property where they deem necessary.

After being put to a vote, the resolution was thereupon adopted.

Supervisor Sidonio stated that most other towns in the county have downsized their courts to one Justice. He doesn't know how to approach the board regarding this. Councilman Bower said the case load should be looked at and compared from year to year. Decision to have a conversation with them regarding this.

Brief discussion regarding Cindy's Water Collection Clerk salary. She was not given the agreed upon salary increase that all non-elected employees received. Supervisor Sidonio will look into this.

Public Comments

Marietta Holtz was told that the Town hires an independent auditing firm to conduct a yearly audit. She was also told that all of the Town's legal notices are published in the Batavia Daily News and on our Town website.

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Kerri Neale asked what the budget transfers were for. He was told this done twice a year at the request of our bookkeeper. Mr. Sidonio will give him a list of transfers after the meeting. He also questioned other than Juneteenth, which other federal holidays does the Town recognize. The holidays are listed on our website.

Ron Vendetti informed all that Mr. Hendel called and apologized to him for using his name as part of the resolution asking the Supervisor for his resignation. Ron accepted and said other apologies need to be made. He questioned that Mr. Mele stated at an earlier meeting that there were no other applications for planning and zoning boards and the BAR. Mr. Sidonio showed Ron where he forwarded Ron's email to the board. He was told that it was said that Ron embarrassed himself at the meeting. If there is something anyone would like to say, please say it to his face.

Mr. Vendetti stated there are supposed to be no parking signs along Canal Road.

David Paul suggested that a resolution implementing the rules and regulations that used to be in place for public comments during meetings be adopted. He also asked if you don't live in the town or pay taxes, why should you speak during public comment. Also, the podium should be in place and the speaker should only address the Town Board.

Mr. Paul addressed the Supervisor and stated that he and his wife supposedly love the Town of Murray, yet this town is a total disaster because of him. Kevin Moore told him things the Supervisor said to him and he thinks if he really loves the Town of Murray, he should just resign.

Amy Machamer stated that before taking on the mowing of Ridge Road, keep in mind that the right of way on Ridge Road is very big, a lot of beautiful soil is at the road's edge and it should be respected. She thinks it is very important that signs and road markings are properly maintained. This can cause a lot of difficulty and is a really big deal. She would ask that these things be considered.

Brian Fauci asked when the stop sign would be placed on Gulf Road. Dirk thinks by mid-July it will be done.

Councilman Mele said in reference to Mr. Vendetti's comment regarding his application. It was received by the Board but the spot was then filled. When we advertise for these positions, once those positions are filled, we don't keep the letters of interest. We advertise again when needed and use only the letters of interest we receive at that time.

David Piedmonte said that according to state law, the board has the right to recognize anyone at public comment time. Whether a resident or not.

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RESOLUTION 2022-031

At a meeting of the Town Board of the Town of Murray, held on June 27, 2022 Councilman Michael Mele moved adoption of the following resolution; Councilman Randall Bower seconded the motion:

BE IT RESOLVED, that the Town of Murray mileage rate be amended to 62.5 cents per mile. This rate will be effective July 1, 2022.

After being put to a vote, the resolution was thereupon adopted.

RESOLUTION 2022-032

At a meeting of the Town Board of the Town of Murray held on June 27, 2022, Councilman Randall Bower moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

BE IT RESOLVED that the Town Board of the Town of Murray authorizes the Highway Department to enter into an agreement with New York State for mowing services, subject to attorney approval of the contract.

After being put to a vote, the resolution was thereupon adopted.

Motion by Mele, Seconded by Bower approving the Supervisor's financial report and the payment of the general fund bills totaling \$37,923.43 Motion Carried

Motion by Bower, Seconded by Mele to adjourn the meeting at 8:22 p.m. Motion Carried

So, adjourned.

Respectfully Submitted,

Cynthia L. Oliver