

Town of Murray Board Meeting

March 20, 2023

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower, Lloyd Christ, Michael Mele and Gerald Rightmyer, Town Clerk Cindy Oliver, Highway and Water Superintendent Dirk Lammes, Highway and Water Clerk Alexis Penna, Legislator John Fitzak, Sandy Shaw, Brian Fauci, Wayne Fauci, Carol Liese, Wally Liese, Michael Christopher, Elaine Berg, Mark Scarborough, Donna Smith, Stacey Keon, Dave Knapp, Tamara Leach, David Piedmonte, Amy Machamer, Art Knab.

Meeting called to order.

Moment of silence and pledge to the flag.

Motion by Mele, Seconded by Christ approving the minutes of the February board meeting as submitted Motion Carried

Town Clerk

February receipts totaled \$351.00 with \$327.00 going into the general fund.

Late notices for taxes will be mailed on April 14th for those who have a balance remaining. The clerk's office continues to collect until April 30th.

Highway and Water Superintendent

Dirk reported of no major highway work but the department has been working on projects at the building, e.g., toilets, cleanouts of grease trap, some repairs to one of the trucks. The guys also repaired four hydrants.

Code Enforcement

Written report submitted:

- 6 building permits were issued
- 1 special use permit was approved (Bell Design & Landscape)
- 1 site plan review approved – (Bell Design & Landscape)
- 11 building inspections were completed
- 1 certificate of occupancy issued
- 3 certificates of compliance issued
- 9 violations were issued
- 1 incident report/fire call

Standing Committee Reports

Councilman Rightmyer has been working with Dirk regarding the public water request on W. Brockville Rd. He has spoken with the surrounding residents. Mrs. Plummer wants public water. Mr. Buell does not and the Howards already have public water. They both have been getting numbers together and will come up with something soon to see where we're at regarding the request.

Legislator

Legislator Fitzak spoke briefly about Congressman Morelle’s visit to Orleans County. They are waiting to see what happens with the state budget. They are also trying to put together another visit from Congressman Morelle where he can visit the southern half of the county.

New Business

Motion by Mele, Seconded by Bower to amend the agenda by removing the item: *Adopt revised zoning regulations as Local Law No. 2 of 2023*

Upon being put to a vote, the vote was as follows:

| | | |
|-----|---|--------------------------------|
| Aye | 4 | Bower, Christ, Mele, Rightmyer |
| Nay | 1 | Sidonio |

Motion Carried

Discussion regarding the zoning local law and when the suggested revisions will be completed by the Planning Board. The Board received the agenda for tonight’s meeting a few hours ago. Board members need more time prior to a meeting. 30 days was mentioned. Councilman Bower is concerned that 30 days is not enough time. He is in favor of granting 60 more days to the planning board to suggest their revisions.

Motion by Christ, Seconded by Mele to grant the Planning Board 30 days to provide the Town Board with their recommendations on the Zoning Ordinance/Local Law.

Upon being put to a vote, the vote was as follows:

| | | |
|-----|---|----------------------------------|
| Aye | 4 | Christ, Mele, Rightmyer, Sidonio |
| Nay | 1 | Bower |

Motion Carried

RESOLUTION 2023-009

At a meeting of the Murray Town Board held on March 20, 2023, the following resolution was duly moved, seconded and adopted by the affirmative vote of a majority of the Board:

WHEREAS, pursuant to the Orleans County Treasurer records, in 1996 the Orleans County Legislature distributed 14% (1,366,671) of the total sales tax revenue collected (\$9,499,138.31) to the towns and villages in Orleans County; and

WHEREAS, said dollar amounts have remained the same for town and village revenues from sales tax revenue collected; and

WHEREAS, there has been no revenue increase to the towns and villages since then, even though the sales tax revenue collected by the county has increased more than 40%;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Murray does hereby request consideration from the Orleans County Legislature to share 14% of the total sales

tax revenue collected with the towns and villages each year here and after, to be utilized in the best way to benefit said communities to its governing bodies.

RESOLUTION 2023-010 *RESOLUTION RESCINDED BY TOWN BOARD ON PAGE 5

At a regular meeting of the Murray Town Board duly held on March 20, 2023, Councilman Randall Bower moved adoption of the following resolution; Councilman Gerald Rightmyer seconded the motion:

RESOLVED, that proposed Town of Murray Local Law No. 1 of the Year 2023 entitled “A Local Law to Set the Annual Date for Grievance Day to be the Fourth Friday in May” be and the same hereby is introduced, and a public hearing shall be held on April 17, 2023 at 7:00 p.m. to consider the adoption of such local law; and it is further

RESOLVED, that Cynthia Oliver, Town Clerk of the Town of Murray, shall attend to publishing a legal notice in The Batavia Daily News at least five (5) days in advance of such public hearing.

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

RESOLUTION 2023-011

At a meeting of the Murray Town Board duly held on March 20, 2023, Councilperson Gerald Rightmyer moved adoption of the following resolution; Councilperson Randall Bower seconded the motion:

RESOLVED, that the Town Board of the Town of Murray hereby accepts the audit report for the Town of Murray Justice Court for the fiscal year ending December 31, 2022 performed on March 8, 2023 by Councilpersons Michael Mele and Lloyd Christ.

Upon being put to a vote, the vote was as follows:

| | | |
|---------|---|---------------------------|
| Aye | 3 | Bower, Rightmyer, Sidonio |
| Nay | 0 | |
| Abstain | 2 | Christ, Mele |

The resolution was thereupon adopted.

As water costs are increasing, Water Superintendent Lammes is asking the board to approve an increase in water rates. Councilman Mele stated that the water department has been criticized for water loss and lost revenue but at the end of 2022 the department was in the black. He commended the department for finding and fixing leaks and putting the water department on the right track. We would not be raising rates if we didn't have to. We do have a better handle on the department and losses are down. The cost of water we purchase from other municipalities continues to rise and we cannot sell water to residents for less than our cost. Supervisor Sidonio stated we have tried from the outset to include the operation and maintenance in the cost of the

water so everyone will pay their share. Dirk feels the water loss has stabilized. Looking and listening for leaks is not an easy job with wind, snow and rain. It is a constant job. He believes the suggested rate is fair.

RESOLUTION 2023-012

At a regular meeting of the Murray Town Board, duly held on March 20, 2023, Councilperson Lloyd Christ moved adoption of the following resolution; Councilperson Randall Bower seconded the motion:

RESOLVED, that the Town Board of the Town of Murray hereby approves the change in water rates for residential and commercial to \$6.00 per thousand gallons.

BE IT FURTHER RESOLVED, this rate shall go into effect for the first quarter billing.

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

Dirk informed all that the last time the water rules and regulations were amended was 2017. There are some fees that need to be changed as costs have gone up or the equipment has changed. Freeze plate replacement is listed as \$25 but there are no longer freeze plates. Now the freeze plate is part of the meter so that should be removed. Dirk informed the board of his suggested changes.

RESOLUTION 2023-013

At a regular meeting of the Murray Town Board duly held on March 20, 2023, Councilperson Michael Mele moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

RESOLVED that the Town Board of the Town of Murray hereby approves the following amendments to the Town of Murray Water Rules and Regulations:

- Freeze Plate Replacement: REMOVED FROM RULES AND REGULATIONS
- Meter Replacement: \$ 250
- Turn-off/Turn-on Fee: \$ 75 (one fee)
- Tap-In Fee: \$1,800 short side
 \$2,500 long side

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

Motion by Rightmyer, Seconded by Christ that the bills to be paid and the meeting agenda be prepared and completed by the end of the work day on the Thursday before the board meeting.
Motion Carried

Old Business

Brief discussion regarding the Volunteer Fire Fighter's property tax exemption. New York State allows a \$200 income tax credit for first responders. Town Boards can also adopt up to a 10% property tax exemption for fire fighters. Supervisor Sidonio stated he believe it is better for them to keep the \$200 income tax credit.

Supervisor Sidonio gave permission for the USDA to put their pesticide traps on town owned property as there is a box tree moth and European cherry fruit fly problem.

Public Comment

Art Knab of Hindsburg Road asked Dirk what is included in the \$6.00 per thousand gallon water charge. Dirk said many things go into determining what the town needs to charge residents such as upkeep, maintenance of equipment. There are many operating costs. We cannot charge residents less than what we purchase the water for.

Stacey Keon of West Brockville Road thanked the water department for working so hard in the water department, thanked the highway crew for keeping the roads clear this winter and for fixing her mailbox right away.

Elaine Berg who serves on the Board of Assessment Review questioned the proposed local law regarding the change of date for Grievance Day. This would be changing it to the Friday of Memorial Day weekend. Board discussion followed.

Motion by Mele, Seconded by Rightmyer to rescind the resolution introducing Local Law No. 1 of 2023
Motion Carried

RESOLUTION 2023-014

At a regular meeting of the Murray Town Board duly held on March 20, 2023, Councilman Randall Bower moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

RESOLVED, that proposed Town of Murray Local Law No. 1 of the Year 2023 entitled "A Local Law to Set the Annual Date for Grievance Day to be the Tuesday After the Fourth Tuesday in May" be and the same hereby is introduced, and a public hearing shall be held on April 17, 2023 at 7:00 p.m. to consider the adoption of such local law; and it is further

RESOLVED, that Cynthia Oliver, Town Clerk of the Town of Murray, shall attend to publishing a legal notice in The Batavia Daily News at least five (5) days in advance of such public hearing.

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

Public Comments Continued

Amy Machamer of Hurd Road stated that as of 2022 all of Orleans County is under quarantine regarding the European Cherry Fruit Fly.

Ms. Machamer said that in the Planning Boards revisions to the zoning regulations, she would like to make sure that each of the board members read in detail what is proposed. Make sure the comprehensive plan is not undermined by any of the changes. It is a document that is incredibly worthy and it is imperative that the zoning goes along with it.

She asked that each person on the Town Board, with every decision they make, to work studiously towards lowering town expenses. She spoke of a fruit farm comparable to hers that is for sale in the Town of Marion and she was alarmed that the taxes were exactly half of what is paid on a parcel in Murray. Please be conservative and prudent in expenditures.

Councilman Mele asked if the Marion tax rate she spoke of was town, school, village and/or county? The Town of Murray only has control of the town tax rates. Ms. Machamer stated she wasn't sure and that she didn't delve that far into it but she could find out.

Supervisor Sidonio said they work very diligently on the budget. We lowered taxes and increased our savings account townwide. That, in this environment is pretty noteworthy. The town of Murray is the smallest portion of our tax bills.

David Piedmonte of Lynch Road spoke of tourism and needing a dock on the canal that belongs to the Town of Murray. He spoke of the poor condition of the Hulberton cemetery and anything the town could do would be appreciated. Dirk said they have taken some trees down but many of the stones are down or broken and it's difficult. He thanked Dirk and also Joe as he brought the water issue to the attention of the town.

Sandy Shaw reminded all of the library wine tasting on April 28th from 7 to 9 p.m. They will also be highlighting local businesses. Funds raised will go to summer programs.

She informed all that on April 10th at 6:30 there will be a private training event given by the NYS Citizen Preparedness Corps. They will be training people how to prepare if there is a severe weather event.

Art Knab said that the company that installed the live streaming equipment should get it working. Last meeting there were 44 people waiting to connect to the meeting.

Stacy Keon asked who would someone go to if someone had tourism suggestions. Supervisor Sidonio told her to contact the Town Clerk and she could relay the message to the planning board.

Motion by Mele, Seconded by Bower to close public comments Motion Carried

Motion by Bower to approve the supervisor's financial report and that the following bills be paid, subject to Councilman Mele and Supervisor Sidonio's review Motion Carried

| | |
|-----------------------|-------------|
| General Fund | \$24,648.55 |
| Highway Fund | \$53,140.85 |
| Street Lighting Fund | \$755.38 |
| Water District No. 1 | \$600.88 |
| Water District No. 2 | \$3,675.77 |
| Water District No. 3 | \$1,893.15 |
| Water District No. 4 | \$525.74 |
| Water District No. 5 | \$272.47 |
| Water District No. 6 | \$1,896.70 |
| Water District No. 7 | \$1,253.12 |
| Water District No. 8 | \$1,110.85 |
| Water District No. 9 | \$235.49 |
| Water District No. 10 | \$620.98 |
| Water District No. 11 | \$4,035.88 |
| Water District No. 12 | \$241.86 |
| Water District No. 13 | \$737.22 |
| Water District No. 14 | \$2,772.17 |
| Water District No. 15 | \$1,364.12 |
| Water District No. 16 | \$336.59 |
| Water District No. 20 | \$880.39 |

Motion by Christ, Seconded by Mele that the meeting be adjourned at 8:27 p.m.

Motion Carried

So, adjourned.

Respectfully Submitted,

Cynthia L. Oliver