

TOWN OF OAKFIELD

BOARD MEETING

DECEMBER 14, 2010

Supervisor Dodd called the meeting to order at 7:27 pm followed by the Pledge to the Flag.

PRESENT: Councilpersons Veazey, Glor and Cianfrini, Superintendent of Highways Dennis, Zoning & Code Officer Smith, Assessor Flansburg, Town Clerk Haacke, Brent Rosiek of Clark Patterson, Attorney Kevin Earl and Mark Mikolczyk.

DEC Encon Officer Rick Rauscher was present to make a brief statement regarding Mr. Dilcher and the Fox Creek RV Resort. Officer Rauscher stated he has conducted a survey of Non Conformance at Fox Creek. Officer Rauscher stated that this is not a wetland/the creek is not protected. Therefore SWPP doesn't fit the qualifications. He also stated that bringing in fill does not require permits; therefore there are no violations.

Mr. Rauscher gave the names of two others to contact with further questions. Tom Haley in the Department of Environmental Permits 585-226-5393. Craig Jackson, Water Division at 585-226-5448. Also, information can be obtained at DEC.NY.GOV.

Officer Rauscher also stated that in order to meet State Law qualifications for a wetland there has been at least 12.5 acres.

After the DEC officer left the following resolution was presented to the Board:

RESOLUTION TO DECLARE LEAD AGENCY STATUS

WHEREAS, on November 9, 2010, the Town of Oakfield Board passed a Resolution to seek Lead Agency status pursuant to the State Environmental Quality Review Act (hereinafter "SEQR"); and

WHEREAS, the Town Clerk has served by mail a "Notice of Intent to Establish Lead Agency" to all of the required six (6) involved or interested Agencies; and

WHEREAS, three (3) of these six (6) Agencies, namely, the Town of Oakfield Planning Board, the Genesee County Planning Board and the New York State Department of Agricultural Markets, have returned a document advising that each Agency has no objection to the Town of Oakfield Board assuming Lead Agency status for this project; and

WHEREAS, the Genesee County Health Department, the New York State Department of Environmental Conservation and the United States Army Corp. of Engineers have not responded within the required thirty (30) day period.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Oakfield, New York, that it does hereby establish itself as the Lead Agency for the SEQR review regarding the Application for a Special Use Permit, dated September 27, 2010, submitted by Michael Dilcher to establish up to 267 campsites on Fox Road in the Town of Oakfield.

Dated: December 14, 2010

MOVED BY: Councilman Veazey

SECONDED BY: Councilwoman Glor

Approved on Roll Call as follows:

Supervisor Kenneth A. Dodd	Yes
Councilman Michael Cianfrini	Abstain
Councilwoman Carol Glor	Yes
Councilman Timothy Kabel	ABSENT
Councilman James Veazey	Yes

Passed (3-0-1)

At this time Supervisor Dodd entertained a motion to declare either a Negative or Positive Declaration regarding the SEQR of Fox Creek RV Resort. The following resolution was presented:

RESOLUTION TO ADOPT A POSITIVE DECLARATION

WHEREAS, an Applicant, Michael Dilcher, has filed a new Application on September 27, 2010, requesting that the Oakfield Town Board grant a Special Use Permit for a project to establish up to 267 campsites for a proposed recreational vehicle resort to be located on a parcel of land owned by the Applicant consisting of a total of approximately 31 acres; and

WHEREAS, in accordance with the State Environmental Quality Review Act (SEQR), this proposed project entitled the “Fox Creek RV Resort” project is a Type I Action; and

WHEREAS, the Oakfield Town Board acting as Lead Agency has reviewed Part 1 of a Full Environmental Assessment Form submitted by the Applicant on October 13, 2010, and has further reviewed and prepared Part 2 and Part 3 of this Full Environmental Assessment Form.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Oakfield, New York, that it is hereby determined that the “Fox Creek RV Resort” project that is described herein may have a significant adverse environmental impact and a Draft Environmental Impact Statement will be prepared; and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized and directed to prepare a SEQR document entitled “Positive Declaration, Notice of Intent to Prepare a Draft EIS, Determination of Significance”; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to forward copies of this Positive Declaration, as set forth at the bottom of Page 2 of this document.

Dated: December 14, 2010

MOVED BY: Councilman Veazey

SECONDED BY: Councilwoman Glor

Approved on Roll Call as follows:

Supervisor Kenneth A. Dodd	Yes
Councilman Michael Cianfrini	Abstain
Councilwoman Carol Glor	Yes
Councilman Timothy Kabel	ABSENT
Councilman James Veazey	Yes

Passed (3-0-1)

Now that a Positive Declaration has been declared, Mr. Dilcher has an indefinite amount of time to get the information to the Town. Once the Scoping Draft has been submitted; the Town has 60 days to get these reports out to the Agencies.

At this time Supervisor Dodd presented the Resolution for Local Law #2 of 2010:

RESOLUTION ADOPTING LOCAL LAW No. 2 OF 2010

WHEREAS, proposed Local Law No. 2 of 2010 of the Town of Oakfield entitled "A Local Law to Amend the Dog Control Law of the Town of Oakfield", which proposed Local Law in its final form was presented to the Town Board at the meeting held on November 9, 2010, and a copy thereof was kept with the Town Clerk and copies both laid upon the desks of the members of said Town Board Members and mailed to each member of the Town Board Members not in attendance at said meeting; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on December 14, 2010, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

WHEREAS, the Town Board of the Town of Oakfield, New York is of the opinion that adoption of said proposed Local Law No. 2 of 2010 is in the best interest of the Town of Oakfield, New York.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Oakfield, New York that said proposed Local Law No. 2 of 2010 be and the same hereby is adopted; and

BE IT FURTHER RESOLVED, that a certified copy of said Local Law No. 2 of 2010 be filed with the New York State Secretary of State in accordance with Law.

Dated: December 14, 2010

MOVED BY: Councilman Cianfrini

SECONDED BY: Councilwoman Glor

Approved on Roll Call as follows:

Supervisor Kenneth A. Dodd	Yes
Councilman Michael Cianfrini	Yes
Councilwoman Carol Glor	Yes
Councilman Timothy Kabel	ABSENT
Councilman James Veazey	Yes

Passed (4-0)

Before any further business was presented, Supervisor Dodd allowed Mark Mikolajczyk to talk to the Board regarding the position of Code Enforcement Officer. Mr. Mikolajczyk is interested in the position and has checked into the classes for certification. Mr. Mikolajczyk stated that he is a City of Batavia Firemen and has taken some of the classes. The classes are 3 days a week, one week per month for 6 months. There is no cost for the classes.

After a brief discussion a **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote to appoint Mark Mikolajczyk as potential Code Officer Contingent upon the completion of necessary classes of certification.

ZONING & CODE ENFORCEMENT

The County Planning Board is waiting on Town Clerk Haacke to Contact Jill Babinski to get the new Zoning Laws in print. They will also be put on a cd so they can be uploaded to the Town website.

The Repass house has been posted; however, the Repass family needs to contact Mr. Smith by before he can be let in for inspection.

ASSESSOR

There will be increases in Assessments across the board in 2011; funding will be a question.

HIGHWAY DEPARTMENT

Road Work—plowing snow.

Buildings & Grounds—Superintendent Dennis got a verbal from the Board members to go ahead and order a new walk in door for the Highway Garage. A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to replace the door on the east end of the Highway Department.

An overhead door on one of the back bays also broke. It was fixed temporarily, but the door must be replaced. The overhead that broke was not insulated; to order an insulated door there is only a \$200 difference in price. A **motion** was made by Councilperson Glor, seconded by Councilman Veazey and carried by unanimous vote to order an insulated overhead door.

Superintendent Dennis asked where the proposed building addition stood; as of now that will be tabled until after the first of the year.

Cemeteries

The Town recently tried to do a winter burial with a local contractor. It was proven that the Town is not equipped to perform winter burials. The Town doesn't have the proper equipment/work force and driveways in the cemeteries are not designed for snow plowing for the winter months.

Parks

The Christmas lights are going well; there have been a lot of positive comments. No vandalism to be reported with the trees.

Equipment

The Big trucks; 201 which is next to the oldest has a hole in the fuel tank. This is a minor fix. Truck 202; the newest of the fleet has to do a burn off every time the driver fills the fuel tank. New parts have been ordered to fix this problem; all is under warranty.

Superintendent Dennis would like to get cost estimates for a trailer; if equipment breaks down the Highway Department can haul their own equipment. Mr. Dennis has also put in for a grant for a mini excavator. There is money to pay for the trailer in the budget. After some discussion, a **motion** was made by Councilwoman Glor, seconded by Councilman Veazey and carried by unanimous vote to go ahead and get cost estimates for a trailer.

**if the grant comes through and the Town gets a mini excavator, a trailer would have to be purchased to move the excavator.

Public Works

Water District 2 is coming along; Lewiston and Albion Roads are complete. Maltby Road is close to completion. Water testing is going on; once partial approval is received, the areas that are done can be put into service.

For residents without basements in the Water District-the water meter pits need to be in the right away. Clark Patterson will put together a recommendation letter.

The Superintendent of Public Works of Village asked Superintendent Dennis who will pay for the testing of the water for the new water main. Brent from Clark Patterson said he would check the wording of the contract, but he feels that the Contractors are responsible. If the contractor does not pay for the water, then the Town has to pay.

Library

The barring for the air conditioning is done.

Recycling Center

Superintendent Dennis received three quotes for the concrete flooring at the recycling center. This will be tabled until 2011.

Scrap Metal Audit

The Town Supervisor has received a request for a formal response. Supervisor Dodd will write a letter and send a copy of the original response.

The Town has been re-upped for DOT drug and alcohol testing. Superintendent Dennis asked if the Board wanted to include non-DOT employees in testing as well. The Town does have a policy on this matter.

The Town received a proposal from Clark Patterson for South Pearl Street Reconstruction & Etzold Road Proposal for Engineering Services. The Topographic Mapping will cost \$7000.00. The Town has applied for grants for this, and this being done would show that we are shovel ready. The Highway Committee will look into this. By doing this now, it could save \$5k-\$6k.

Line item transfers:

Superintendent Dennis requested these line item transfers for repairs.

From A3310.4 to A5010.4 \$150.00 and DA5140.1 to DA5130.4 \$5934.00. A **motion** was made by Councilman Veazey, seconded by Councilwoman Glor and carried by unanimous vote to approve the line item transfers as submitted.

TOWN CLERK

The minutes from the November 9th Board meeting were approved. A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini to approve the minutes as submitted.

The following bills were approved for payment:

General
Part Town B
Highway DA
Highway DB

A **motion** was made by Councilman Veazey, seconded by Councilwoman Glor and carried by unanimous vote to approve the bills for payment as submitted.

There are several Committee Members who are up for reappointment; some of those have submitted letters stating they would like to serve another term.

Friends of the Library have disbanded.

The first draw for Water District 2 was submitted for payment. A **motion** was made by Councilwoman Glor, seconded by Councilman Cianfrini and carried by unanimous vote to pay the first draw of Water District #2 as submitted by Engineering First Clark Patterson.

A roll call vote went as follows:

Supervisor Dodd	Yes
Councilman Veazey	Abstain
Councilwoman Glor	Yes
Councilman Cianfrini	Yes
Passed (3-0-1)	

The Town received a bill from Corner Stone Abstract through Attorney Kevin Earl. This bill is for \$425.00 and was derived from the land at Five Corners of the US Gypsum. A **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote to pay the \$425.00 to Corner Stone Abstract.

The following resolution was presented to the Board to establish fees for Local Law #2:

WHEREAS, the Town of Oakfield shall undertake the dog licensing effective January 1, 2011, and
WHEREAS, the fee for a spayed or neutered dog shall be set by the Town Board of the Town of Oakfield at a fee of \$8.00 per dog. The fee for an unsprayed or unneutered dog shall be set at \$16.00 per dog.

WHEREAS, the Town of Oakfield will charge a \$5.00 Enumeration fee to **all** dogs found unlicensed or not renewed at the time of Enumeration.

WHEREAS, the Town of Oakfield will charge a \$3.00 fee for replacement tags of any lost tag.

WHEREAS, the Town of Oakfield will charge a \$5.00 late charge for licenses 60 days past due. Should the dog owner fail to license the dog(s) after the 60 day period, the information shall be sent to the Genesee County Sheriff's Department by an appearance ticket to Town Court.

WHEREAS, the impound fees for dogs shall be set according to the Ag & Market Laws.

LET IT BE RESOLVED, that the above fees will take effect January 1, 2011 and will remain in effect until changed by resolution.

A **motion** was made by Councilwoman Glor, seconded by Councilman Veazey and carried by unanimous vote to approve the Dog Licensing Fees.

The Town also received a check for \$500 from the Oakfield Betterment Committee for Halloween Parties in 2011 and 2012. A thank you note will be sent.

The Fire Protection agreement was presented to the Board from the Village of Oakfield. A **motion** was made by Councilman Veazey, seconded by Councilwoman Glor and carried by unanimous vote to enter into the Fire Protection Agreement with the Village.

The insurance quotes for 2011 was presented to the Board, this will be tabled until the Year End Meeting.

SUPERVISOR

There is not report at this time. (It was not receive from our Bookkeeper)

GAM

Jim Hofmann spoke regarding the Time Warner Franchise.

Countywide Self Insurance would need 120 people to participate.

The next meeting is Thursday, December 16th at Alli's Cones and Dogs

NEW BUSINESS

The Year End Meeting will be December 30, 2010 at 6:30 pm

The Organizational Meeting will be January 4, 2011 at 6:30 pm

Councilman Cianfrini stated that he has spoken with Lucene Kaufmann of Elba regarding combining the courts. Mrs. Kauffman will discuss going forward on this project with the Town of Oakfield at the next Elba Board Meeting.

With no further business to come before the Board, a **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote to adjourn the meeting at 9:00 pm.

Respectfully submitted,

Melissa M. Haacke
Town Clerk