

TOWN OF OAKFIELD

BOARD MEETING

FEBRUARY 11, 2014

ROLL CALL

PRESENT: Supervisor Glor
Deputy Supervisor Veazey
Councilman Cianfrini
Councilman Kabel
Councilman Martin

OTHERS

PRESENT: Town Clerk Haacke
Superintendent of Highways Dennis
Assessor Flansburg
Code/Zoning Officer Mikolajczyk
Jeremy DeLyser, Clark Patterson Lee
Tom Carpenter, Clark Patterson Lee
Legislator Ray Cianfrini
Town Attorney Kevin Earl
Village Trustee Shelly D'Alba

Supervisor Glor called the meeting to order at 7:02 pm followed by the Pledge to the Flag.

January 14, 2014 Town Board Minutes: Motion Deputy Supervisor Veazey, second Councilman Cianfrini to approve the minutes as written.

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin

MOTION CARRIED vote (5-0)

Town Attorney Kevin Earl stopped in briefly to state that because he represents all four towns in the Batavia North project he would recommend another attorney come in for the Towns of Stafford, Oakfield and Elba to review the Intermunicipal Agreement and the Operations and Maintenance Agreement with the Town of Batavia. Mr. Earl will look for another attorney free of charge for the three towns.

Legislator Cianfrini was here to update the Town of what is happening at the county level. Mr. Cianfrini stated that he is in the process of writing his State of the County address. Two things that will happen at the county level this year will be making a decision on the Nursing Home; which is losing money. The Legislature is looking at options at this time. Also, STAMP; currently the county is waiting on a release of money to get the project shovel ready.

At 7:12 pm Village Trustee Jason Armbrewster joined the meeting.

The meeting was then turned over to Jeremy DeLyser for updates on Water Districts.

Water District 3—a preconstruction meeting is scheduled for Wednesday, February 26th at 10:00 at the Town Hall. CCS Pipeline is the contactor and they are looking for storage for materials; the Town Highway will provide an area on Town property behind the salt storage facility.

Water District 4—met with Rural Development for pre funding of this district. This district went from \$1194 to \$822 debt/water. LaBella is working on final application for funding on this project. The design of this district is complete. All permits are in place.

Mr. DeLyser will be in Oakfield on Tuesday, February 25th at 1:00 pm to train Mark Mikolajczyk on the resident side of water service and inspections.

Trustee Armbrewster offered DPW Supervisor Dave Laney to help with inspections should the volume of inspections become overwhelming.

Water District 5—with the public information meeting being held this evening the district could move forward if there are enough signatures on the petitions. The draft design has been sent to the health department. The quote on material estimate is good through April 10, 2014 at \$76,244.36. District must be formed before material can be ordered.

The Board chose to set a date of February 26th to accept the petitions for Water District 5 at 5:30 pm. At that time a Public Hearing will be set.

Water District 6—North Fisher Road, Albion Road, East Shelby Road. (with a grant and without). One estimate with the Town of Barre and Oakfield (with a grant and without). The last page of the packet includes the Town of Shelby to the DEC Facility.

Supervisor Glor, Superintendent of Highways Dennis and Assessor Flansburg will have a meeting with the Town of Batavia on February 12th regarding Batavia North.

CODE AND ZONING OFFICER

Mr. Mikolajczyk reported that he has filed all his state reports. Re-inspected East Shelby Road and is now a livable dwelling. Acting on a complaint on Lockport Road.

Trustee Jason Armbrewster reported at this time that the Village Board could not come to a vote regarding the proposed changes to the Fire contract as stated in the January 14th minutes. Mr. Armbrewster invited the Board to attend the Village Budget Meeting with the Fire Department at 5:30 pm on February 24th at the Village Office. Supervisor Glor and Assessor Flansburg will attend.

With that Trustee Armbrewster and Trustee D’Alba exited the meeting at 8:28 pm.

ASSESSOR

Assessor Flansburg stated that he has applied for state aid on the chance that the State will pay aid.

SUPERINTENDENT OF HIGHWAYS

Road Work Update—plowing and treating roads and controlling use of road salt. Roads are showing extreme stress due to our below normal temperatures. These extreme conditions will have some permanent effect on the roads.

Buildings & Grounds—Does the Board wish to move forward with our building expansion without a grant or a small grant/loan from Rural Development.

Tom Carpenter stated that the Town has submitted for a grant the last two years and has been denied the grant each time. The Town can continue to apply but the grants are very competitive. The cost of the building project is approximately \$1 million in hard construction and still has soft costs to be added.

Mr. Carpenter suggests getting an architect on the premise to evaluate and look at the building to fine tune the concept.

The Town Board tabled this decision to move forward with this project until the March meeting.

Cemeteries—a winter burial was done on Thursday, February 6, 2014; the burial was a bit difficult due to the frost level to 12 inches below ground. The Town had to jack-hammer the whole top of the grave in order to dig. It took approximately one and half hours compared to a half an hour normally.

Parks—still being used this winter.

We are keeping parking lots plowed as schedule permits.

Would like to look at some upgrades to park with our Engineers so we can apply for grants as they become available.

Equipment update—new truck is performing better than expected; thank you for letting us purchase it and funding it.

Truck 202, the second newest truck, augur in hopper spreader broke. Parts are ordered; this is a 6 year old unit and it the first repair.

Public Works Update—Batavia North is moving forward with a meeting tomorrow at Town of Batavia.

Water District 3 preconstruction meeting is set for February 26 at the Town of Oakfield.

Water District 4 update shows a meeting with Rural Development at the Batavia Office which states that RD will fund the project and a final application will be submitted.

Water District 6 is being worked on and had a preliminary discussion with RD about funding which was positive.

Water District 5 is moving forward as tonight's public information meeting indicates.

The Town should be looking at laying our sewer districts for future expansion and current needs in the Town. Also, the Town should look at creating a formal district for those areas of the Town that already have sewer.

Miscellaneous—Request permission to award bid for new town pick-up.

RESOLUTION NO. 9 AWARDING BID FOR TOWN PICK UP

Councilman Kabel offered the following:

RESOLVED, the Town Board of the Town of Oakfield will award the bid for a new town pickup truck to Vision Ford who was low bid at \$35,638.00.

Second by: Deputy Supervisor Veazey
Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 10 AWARDING BID FOR ASSOCIATED EQUIPMENT TO TOWN PICKUP

Deputy Supervisor Veazey offered the following:

RESOLVED, the Town Board of the Town of Oakfield will award the bi for associated equipment, plow and lighting for the new pickup to Viking Cives of Oakfield at a bid of \$9600.00.

Second by: Councilman Martin
Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

Superintendent Dennis would like the Board to create the position of trainer/instructor for the town and pay \$1000.00 by contractual from fund balance this year; budget for next year in General Fund. Tom Graham is interested in doing this at this time.

TOWN CLERK

Abstract No. 2-1014: Motion Deputy Supervisor Veazey, second Councilman Cianfrini to authorize payments to the following:

General	25-49	\$34,113.78
Part Town B	3-4	\$ 1,184.63
Library	1	\$46,581.50
Special Districts	2-3	\$12,921.60
Highway DA	9-26	\$29,429.01
Highway DB	2-5	\$ 1,441.21
	TOTAL	\$126,671.73

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
MOTION CARRIED by unanimous vote (5-0)

Town Clerk Haacke reminded the Audit Committee that the Justices and the Town Clerk's books need their yearly audit.

RESOLUTION NO. 11 LINE ITEM TRANSFER

Councilman Cianfrini offered the following:

RESOLVED, the Town Board of the Town of Oakfield hereby authorizes a line item transfer from B3620.4 Safety Inspector Personal Contractual to B3620.1 Safety Inspector Personal Service in the amount of \$800. This line item consolidation was overlooked at budget time.

Second by: Deputy Supervisor Veazey
Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 12 ARCHEOLOGICAL STUDY WATER DISTRICTS 4 & 5

Councilman Cianfrini offered the following:

Town of Oakfield

Water District No. 4 (Revised 2014) and Water District No. 5 (Revised 2014)

Resolution to Authorize Phase I Cultural Resource Investigation

At a meeting of the Town Board of the Town of Oakfield held on February 11, 2014, Councilman Cianfrini moved adoption of the following resolution; Deputy Supervisor Veazey seconded the motion and was passed.

WHEREAS, the Town of Oakfield is considering the extension of public water facilities within the proposed Water District No. 4 (Revised 2014) and the proposed Water District No. 5 (Revised 2014), and these projects will improve the quality and quantity of water available to area residents, and

WHEREAS, an environmental review in accordance with the State Environmental Quality Act (SEQR) is required for the construction of the proposed water system improvements within Water District No. 4 (Revised 2014) and Water District No. 5 (Revised 2014), and

WHEREAS, the State Historic Preservation Office (SHPO) has requested a Phase I Cultural Resource Investigation and photographs of the project area for Water District No. 4 (Revised 2014) and is anticipated to request the same for Water District No. 5 (Revised 2014), and these investigations are necessary to complete the environmental review of the proposed actions,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Oakfield Supervisor is authorized to sign the contract with Powers & Teremy LLC to prepare a Phase I Cultural Resource Investigation of the project area of Water District No. 4 (Revised 2014). The Town of Oakfield acknowledges that the fee for the study is \$6,723.72, and acknowledges that the Town is responsible for payment of this fee.

BE IT FURTHER RESOLVED, that the Town of Oakfield Supervisor is authorized to sign the contract with Powers & Teremy LLC to prepare a Phase I Cultural Resource Investigation of the project area of Water District No. 5 (Revised 2014), if an archeological survey is required for this project area by SHPO. The Town of Oakfield acknowledges that the fee for the study is \$700.00 [if undertaken simultaneously with Water District No. 4 (Revised 2014)], and acknowledges that the Town is responsible for payment of this fee.

STATE OF NEW YORK:

COUNTY OF ORLEANS: ss

TOWN OF OAKFIELD:

I, Melissa Haacke, Town Clerk of the Town of Oakfield, Orleans County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Oakfield on the 11th day of February, 2014 with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Date: _____

Melissa Haacke, Town Clerk

(SEAL)

Second by: Deputy Supervisor Veazey
Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 13 BOND COUNCIL WATER DISTRICT NO. 4

Deputy Supervisor Veazey offered the following:

Via E-mail: cglor@townfoakfieldny.com

Carol Glor, Town Supervisor
Town of Oakfield
3219 Drake Street
Oakfield, NY 14125

Dear Supervisor Glor:

Re: Town of Oakfield, Genesee County, New York;
Bond Counsel Services and Billing Arrangements
For the Establishment of Water District No. 4

This letter is in accordance with USDA Rural Development Agency ("Rural Development") requirements and supplements our legal services agreement and engagement letter for our professional services as bond counsel to the Town of Oakfield, Genesee County, New York (the "Town") dated February 12, 2013. This supplemental engagement letter relates to the authorization and financing of a water improvements project for the Town of Oakfield Water District No. 4 (the "Project").

Based on the Town's \$2,423,000 Project, our estimated fees will be in an amount not to exceed \$20,000.00. This amount is estimated with the understanding that the Town would issue two bond anticipation note issues and one series of bonds through Rural Development within two years from the date of this letter. This amount also includes our fees for the preparation of a final order and bond resolution associated with the Project.

Should the above assumptions change, or should any extraordinary factors present themselves, we will respectfully request that an amendment to this supplemental engagement letter be approved.

We hope that the information set out above will be helpful to you. Please call us if you have any questions. If this arrangement is satisfactory to the Town, please arrange for the appropriate Town official to date and sign town copies of this agreement where indicated and return one to me by fax or email. Please retain an original for the Town's records.

We appreciate the continuing opportunity to act as bond counsel to the Town in furtherance of this Rural Development Project for the benefit of Town residents.

Very truly yours,

John A. Alessi

**ACCEPTED AND AGREED ON THIS 11TH DAY OF FEBRUARY, 2014
TOWN OF OAKFIELD, GENESEE COUNTY, NEW YORK**

By: _____

Name: Carol Glor

Title: Town Supervisor

JAA/CWS

Cc: Melissa Haacke, Town Clerk

Second by: Councilman Kabel

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 14 FINAL APPLICATION FOR LOAN AND GRANT TO RURAL DEVELOPMENT WD NO. 4

Councilman Cianfrini offered the following:

RESOLVED, that the Supervisor of the Town of Oakfield, Genesee County, New York, is hereby authorized as the official representative of the Town to execute and submit the application for loan and grant assistance to the USDA Rural Development for improvements to the Town of Oakfield Water District No. 4, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information and to execute such documents as may be required in connection with obtaining said loan and grant funds.

Second by: Councilman Martin

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 15 BOND AND NOTE FINANCINGS—TEMPORARY POST-ISSUANCE COMPLIANCE PROCEDURES

Councilman Martin offered the following:

RESOLVED, since the IRS is recently paying greater attention to how issuers of bonds and notes abide by IRS tax rules once the bonds and notes are actually issued; and

WHEREAS, the IRS has recently announced that it will be conducting more audits in this area, and it wants issuers to adopt written procedures that will make it more likely that the IRS rules will be followed; and

WHEREAS, John A. Alessi, attorney at Hodgson Russ, LLP will work with the Town Board over the next several months to implement policies and procedures that are more comprehensive, however to meet IRS requirements by the February 15, 2014 deadline a set of modest, interim rules will apply to meet the requirements.

Second by: Deputy Supervisor Veazey
Ayes: Glor, Veazey, Cianfrini, Kabel, Martin
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 16 OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

Deputy Supervisor Veazey offered the following:

TOWN OF OAKFIELD

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Carol L. Glor, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Supervisor of the Town of Oakfield, and

WHEREAS, James Veazey, of the Town of Oakfield, County of Genesee, New York, has been appointed to the Office of Deputy Supervisor of the Town of Oakfield, and

WHEREAS, Michael T. Cianfrini, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Councilman of the Town of Oakfield, and

WHEREAS, Timothy A. Kabel, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Councilman of the Town of Oakfield, and

WHEREAS, Matthew E. Martin, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Councilman of the Town of Oakfield, and

WHEREAS, Melissa M. Haacke, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Town Clerk of the Town of Oakfield, and

WHEREAS, Melissa M. Haacke, of the Town of Oakfield, County of Genesee, New York, has been appointed to the Office of Town Tax Collector of the Town of Oakfield, and

WHEREAS, Sherrie A. Rodriguez, of the Town of Oakfield, County of Genesee, New York has been appointed to the Office of Deputy Town Clerk of the Town of Oakfield, and

WHEREAS, Sarah AE Veazey, of the Town of Oakfield, County of Genesee, New York has been appointed to the Office of Deputy Town Clerk of the Town of Oakfield, and

WHEREAS, Thomas A. Graham, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Oakfield, and

WHEREAS, Randy T. Baker, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Oakfield, and

WHEREAS, Pamela J. Denny, of the Town of Oakfield, County of Genesee, New York, has been appointed to the Office of Town Justice Clerk of the Town of Oakfield, and

WHEREAS, Alan R. Dennis, of the Town of Oakfield, County of Genesee, New York, has been elected to the Office of Superintendent of Highways of the Town of Oakfield, and

WHEREAS, Barry D. Flansburg, of the Town of Oakfield, County of Genesee, New York, has been appointed to the Office of Assessor of the Town of Oakfield, and

WHEREAS, Mark A. Mikolajczyk, of the Town of Oakfield, County of Genesee, New York, has been appointed to the office Code Enforcement Office of the Town of Oakfield, and

WHEREAS, Mark A. Mikolajczyk, of the Town of Oakfield, County of Genesee, New York, has been appointed to the office of Zoning Officer of the Town of Oakfield,

NOW, THEREFORE, I (we) as respective officer(s) above, do hereby undertake with the Town of Oakfield that I (we) will faithfully perform and discharge the duties of my/our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law or in default thereof, that the parties executing such undertaking will pay all damages, costs and expenses resulting from such default; and

This undertaking of the Town Supervisor is further conditioned upon that she will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of Deputy Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Deputy Supervisor; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of Deputy Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Deputy Town Clerk; and

This undertaking of the Town Justices further conditioned that he will well and truly keep, pay over and account for all money and property coming into his hands as such Town Justice; and

This undertaking of the Town Justice Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Justice Clerk; and

This undertaking of the Highway Superintendent is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Highway Superintendent: and

This undertaking of the Code Enforcement and Zoning Officer is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Code Enforcement and Zoning Officer; and

This undertaking of the Assessor is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Assessor.

Dated: February 11, 2014

Town of Oakfield

Carol L. Glor
Supervisor

James Veazey
Deputy Supervisor

Melissa M. Haacke
Town Clerk/Tax Collector

Sherrie A. Rodriguez
Deputy Town Clerk

Thomas A. Graham

Randy T. Baker

Town Justice

Town Justice

Pamela J. Denny
Town Justice Clerk

Alan R. Dennis
Superintendent of Highways

Sarah AE Veazey
Deputy Town Clerk

Barry D. Flansburg
Assessor

Mark A. Mikolajczyk
Code Enforcement Office

Mark A. Mikolajczyk
Zoning Officer

Michael T. Cianfrini
Town Council

Timothy A. Kabel
Town Council

Matthew E. Martin
Town Council

STATE OF NEW YORK:

:SS

COUNTY OF GENESEE:

On the _____ day of _____, 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared _____,

Personally known to me or provided me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC-STATE OF NEW YORK

Second by: Councilman Cianfrini

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin

APPROVED by unanimous vote (5-0)

Town Clerk Haacke also stated that her office is continuing to collect taxes; with the Town's portion paid in full.

Oakfield is one of only three towns up and running on the new DEC system.

Town Clerk Haacke and Superintendent of Highways Dennis met with representatives of NYMIR regarding online course work to help train each department of the municipality. These classes are mostly free of charge.

SUPERVISOR

The Supervisor's report is available for review.

Supervisor Glor stated that the Town is making progress with getting M&T Bank online services.

LIBRARY LIAISON

Melissa Levands has been hired to replace Andrea Denton.

The Library Board has not found anyone to replace Laura Pastecki as of yet.

GAM

Jean Waldron was the speaker; and she spoke of the many programs at the YWCA.

The next GAM meeting is February 20th hosted by the Town of Batavia.

ADJOURNMENT

Motion Deputy Supervisor Veazey, second Councilman Cianfrini to adjourn the meeting to executive session at 9:22 pm regarding a personnel matter.

Ayes: Glor, Veazey, Cianfrini, Kabel, Martin

MOTION carried by unanimous vote (5-0)

Respectfully submitted,

Melissa M. Haacke,
Town Clerk