

TOWN OF OAKFIELD

MARCH 12, 2013

BOARD MEETING

Supervisor Cianfrini called the meeting to order at 7:00 pm, followed by the Pledge to the Flag.

Present: Supervisor Cianfrini, Councilpersons Veazey, Glor, Kabel and Martin, Superintendent of Highways Dennis, Assessor Flansburg and Town Clerk Haacke

The minutes of the February 12 Board meeting and the February 19 Planning minutes were presented for approval. A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to approve the minutes as submitted.

ASSESSOR

Printing of change notices will start March 13th; the main change is in land value.

Assessor Flansburg would like to recommend to the Board that the Town pay the Fire Budget amount at the End of the Year based on what was actually spent as opposed to paying upfront.

HIGHWAY SUPERINTENDENT

Road work updates—winter plowing and treating getting less

Based on weather predictions, the Highway men will start taking down snow fence

Town road appear to have wintered well with freezing and thawing

Plan on starting tree trimming

Buildings & Grounds—all have a quote from Gerald Raduns to replace toilets for a total of \$596.58. A **motion** was made by Councilman Veazey, seconded by Councilperson Glor and carried by unanimous vote to replace both toilets and include stainless steel or chrome fittings.

Cemeteries—the Town will buy back Grave 176 Plots 2 & 3 in Cary Cemetery. A **motion** was made by Councilman Veazey, seconded by Councilperson Glor and carried by unanimous vote to buy back the graves at \$1053.

Spring clean up will begin

Parks—picking up parks of winter debris

Talking to a couple Little League Officials on work on the fields

Last weekend park was used by a lot of people

Equipment Update—Truck 202 back and appears to be repaired

New truck chassis will be delivered Wednesday, 3/13/2013 to Viking

Public Works Update—WD3 is moving along, waiting on filing paperwork with the Clerk

Set Public Meeting for WD 4,6 & 5A. Look at new cost data sheet. The tentative meeting date will be April 8th at 7 pm in the Auditorium of the OACS High School. The Town Clerk will check with the school on the availability of the auditorium.

Water Districts 7 & 10 are moving forward and the Town of Batavia should be having information meetings soon

Library—roof repair is still not complete; will contact Jim Parlavecchio at Clark Patterson

GCEDA announced a \$4 million dollar expansion at Bonduelle; Mark Masse will set up a meeting with the Oakfield Town Board

Steve Hyde would like to set up a meeting with GCEDA, Town of Oakfield and possibly meet with land owners at targeted housing development areas

TOWN CLERK

Bills—the following bills were presented for approval:

General	65-100	\$10,712.10	
Part Town B	7-8	930.09	
Highway DA	29-47	10,987.03	
Highway DB	6-10	1,327.37	
WD 3	2-3	97.84	
Library	1	43,613.50	
Youth Rec	2	650.00	
	TOTAL		\$68,317.93

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

JUSTICE AUDIT RESOLUTION

Whereas, it is required by law that an annual audit be conducted on the books of the Justice;
and

Whereas, the Town Supervisor has appointed Councilman Veazey and Councilman Martin to the audit committee; and

Whereas, the audit committee has fulfilled the task of auditing the books of Justice Thomas Graham a for the year of 2012;

Now, therefore be it Resolved, that the audit committee has submitted a written review of the Justices books dated February 14, 2013 to the office of the Town Clerk, fulfilling the audit requirements for the year 2013.

Motion: Councilman Kabel

Second: Councilperson Glor

CLERKS AUDIT RESOLUTION

Whereas, it is required by law that an annual audit be conducted on the books of the Town Clerk; and

Whereas, the Town Supervisor has appointed Councilman Veazey and Councilman Martin to the audit committee; and

Whereas, the audit committee has fulfilled the task of auditing the books of Town Clerk Melissa M. Haacke for the year of 2012;

Now, therefore be it Resolved, that the audit committee has submitted a written review of the Justices books dated February 15, 2013 to the office of the Town Clerk, fulfilling the audit requirements for the year 2013.

Motion: Councilman Glor

Second: Councilperson Kabel

Deputy Clerk Denny and Town Clerk went to Frontier Kitchen and order the new cabinets and countertops. They are expected in about six weeks.

**Municipal
Solutions, Inc.**
Municipal Financial Advisors

Michael Cianfrini, Supervisor
Town of Oakfield
3219 Drake Street
Oakfield, New York 14125

Dear Mr. Cianfrini:

Municipal Solutions, Inc. is pleased to submit the following proposal to provide financial advisory services to the Town of Oakfield for the Town's upcoming Water District #3 project.

Our proposal is divided into the following parts:

- I. Bond Anticipation Note Borrowing
- II. Long-term Serial Bond Borrowing
- III. Disclosure Update Document
- IV. General Financial Services

I. Bond Anticipation Note Borrowings:

The following items will be completed under this portion of the contract:

- 1) Plan a cash flow for the borrowing in compliance with the regulations contained in the Tax Reform Act of 1986.
- 2) After cash flow completion, advise on the amount of the issue, timing of the sale and plan the optimum maturity date for the annual payment of the notes.
- 3) Complete a time-frame calendar for all items to be completed in connection with the sale.
- 4) Should conditions warrant, apply for municipal note insurance.
- 5) Prepare a Notice of Sale to be used in the advertisement of the sale, and if over \$1,000,000, prepare an Official Statement.
- 6) Prepare and convert Notice of Sale and Preliminary Official Statement files and upload to Municipal Solutions website for electronic transfer to Underwriters.

*Municipal Solutions, Inc. is a Member of the National Association of Independent Public Financial Advisors
and a New York State Certified Women-Owned Business Enterprise*

83 Myrtle Street, LeRoy, NY 14482 Phone: 585-768-2136 Fax: 585-768-2133
2528 State Route 21, Canandaigua, NY 14424 Phone: 585-394-4090 Fax: 585-394-4092
www.municipalsolution.com

- 7) Conduct the BAN sale and make recommendation on the award of the lowest net interest cost bid.
- 8) Post sale results to Municipal Solutions website.
- 9) Prepare and convert Final Official Statement for transfer to required officials.
- 10) Coordinate the preparation of BAN documents and coordinate the closing of the issue with Bond Counsel/Town Attorney and the successful bidder.
- 11) Coordinate necessary arrangements for the note closing with the purchaser of the notes.
- 12) If appropriate, attend the closing.

The charge for a note borrowing and/or renewal that is under \$499,000 which does not include the preparation of an Official Statement will be \$1,250 - \$1,500 plus expenses, depending on the complexity of the issue.

The charge for a note borrowing and/or renewal that is between \$500,000 - \$999,000 and does not include an Official Statement will not exceed \$1,900 plus expenses. Should an Official Statement be required, the fee will not exceed \$4,500 plus expenses and printing fees.

The charge for a note borrowing and/or renewal that is between \$1,000,000 and \$9,999,999, which includes the preparation of an Official Statement will be \$4,500 plus expenses and printing fees.

Expenses include actual costs incurred for postage, copying, long distance telephone charges, website preparation and uploading, Official Statement preparation, mileage and any other incidental costs in connection with the project. Professional printing of the Official Statement will be billed at cost.

II. Long-Term Serial Bond Borrowing:

The following items will be completed under this portion of the contract:

- 1) Advise on the timing and amount of the bond issue.
- 2) Prepare various maturity schedules so that Town officials may select the appropriate one for repayment of the borrowed funds.
- 3) Plan the optimum maturity date for the annual payment of the bonds.
- 4) Coordinate Board adoption of the maturity schedule and other legal documents that may be required.
- 5) Complete a time-frame calendar for all items to be completed in connection with the sale.
- 6) Prepare an Official Statement to be used in the advertisement of the sale.

- 7) Complete the required debt statement and file with the State Comptroller.
- 8) Apply for a credit rating.
- 9) If appropriate, apply for municipal bond insurance.
- 10) Prepare and convert Notice of Sale and Preliminary Official Statement files and upload to Municipal Solutions website for electronic transfer to Underwriters and posting to the IPREO electronic municipal bond sale website.
- 11) Arrange for the location and time of the sale. This would include conducting the sale and making a recommendation on acceptance of the bids.
- 12) Post sale results to Municipal Solutions website.
- 13) Coordinate the use of book-entry bonds.
- 14) Prepare and convert Final Official Statement files for transfer to required officials.
- 15) Arrange for the printing and delivery of the bonds.
- 16) Coordinate closing arrangements with the purchaser of the bonds and other appropriate officials.

The fee for each bond issue is as follows:

The charge for each bond that is under \$499,999 and does not include the preparation of a current Official Statement will not exceed \$1,900 plus expenses.

The charge for each bond, that is between \$500,000 and \$999,999 and does not include the preparation of a current Official Statement, will not exceed \$3,500 plus expenses. Should a Statement of Selected Financial and Operating Information be required, which we anticipate we will need to prepare for the Town's long-term bond issue, the fee will not exceed \$4,500.

The charge for each bond, that is between \$1,000,000 and \$9,999,999 and includes the preparation of a current Official Statement, will not exceed \$8,500 plus expenses and OS printing fees.

Expenses include actual costs incurred for postage, copying, long distance telephone charges, website preparation and uploading, Official Statement preparation, and mileage. Professional printing of the official statement will be billed at cost.

III. Disclosure Update Document

The following items will be completed under this portion of the contract:

1. Transmission and electronic filing in a Word searchable PDF format of the Town's Annual Financial Statements to EMMA, the Nationally Recognized Municipal Securities Information Registry (NRMSIR) per SEC Rule 15c2-12.

2. Filing of Material Event Notices on the MSRB EMMA website, including bond insurer downgrades, will be filed within 10 days of each event per SEC Rule 15c2-12.

The fee for each filing will be \$90.

IV. General Financial Services

General financial services that we provide that can be made available to the Town upon request include:

- 1) Attend construction or other meetings and prepare reports on financial matters of the project, as required.
- 2) Assist the Town in the preparation of financial information that may be used for public discussion in connection with the project.
- 3) Assist in the development of an operating budget, cash flow, operating expenses and offsetting revenue forecasts.
- 4) Assist with determining sewer and water rates, if appropriate.
- 5) Provide bookkeeping services in accordance with New York State Uniform System of Accounts for the project and monthly Balance Sheets, Revenue Detail and Expenses Detail reports to the Town.
- 6) Assist the Town in obtaining and administrating state and/or federal loan and grant funds.

If requested, the services under this portion of the contract will be charged at the rate of \$100 per hour plus expenses. Upon request, we would be happy to quote a lump sum fee (not to exceed fee) for any of the items under this section or any other service you would require that is not listed above.

The fee for services beyond the scope of this contract will be at the rate of \$100 per hour plus expenses.

All billings will include expenses which include copies, postage, mileage, travel, telephone and any other incidental costs in connection with the project. Mileage will be charged at the prevailing IRS rate.

This contract is subject to review 24 months from the date of acceptance.

If services under any portion of this contract have commenced but are not completed, or if the project ceases for any reason, an invoice for work completed to date will be due and will be calculated at the rate of \$100 per hour plus expenses.

Municipal Solutions, Inc. is a certified Women Business Enterprise through the New York State Department of Economic Development.

Municipal Solutions, Inc. is registered as a recognized municipal advisor with the Securities and Exchange Commission (SEC) and the Municipal Securities Rule Making Board (MSRB) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act). A copy of the MSRB Certificate of Current MSRB registration is enclosed for your records.

Upon acceptance of this proposal, please execute both copies and return one to our office. If you should have any questions concerning this proposal, please do not hesitate to contact me. We look forward to working with the Town.

Sincerely,



Jeffrey R. Smith, CIPFA
President

JRS/tks

**Town of Oakfield, NY
Water District #3
Contract Dated March 8, 2013**

Accepted by: _____

Signed: _____

Dated: _____

A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to approve the Municipal Solutions agreement regarding Bonding of Water District 3.

Water District 3—waiting on the filing notice from Genesee County and Eppostel

Continue to collect Town and County Taxes until April 1st

SUPERVISOR

Baldwin Business did not have the report completed for the meeting

LIBRARY LIAISON

The repairs to the Library roof will be covered under warranty

Library meetings will be held the second Wednesday of each month at 7:30 pm going forward

GAM

Two speakers were at the last GAM meeting; Sheila Hess from New York Green (which is a non profit state agency) and Steve Mountain from Town of Batavia.

There will also be a reimbursement on Time Warner Cable customer bills totalling \$45,655 for a franchise fee settlement

OLD BUSINESS

The Oakfield-Elba Joint Court Facility Grant application is complete and has been sent to Albany

This application also includes a \$20,000 court consolidation survey for Elba and Oakfield should the grant be denied

NEW BUSINESS

New York State SAFE ACT; the following Resolution was presented to the Town Board:

RESOLUTION OPPOSING THE PROCESS OF ENACTMENT AND CERTAIN

PROVISIONS CONTAINED WITHIN THE NEW YORK SAFE ACT

WHEREAS, The right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution; and

WHEREAS, The right of the people to keep and bear arms for defense of life, liberty and property is regarded as an inalienable right of the people of the Town of Oakfield;

WHEREAS, The lawful ownership of firearms is, and has been, a valued tradition in the Town of Oakfield, and the rights protected by the Second Amendment to the United States Constitution are exercised by many of its residents; and

WHEREAS, The people of the Town of Oakfield derive economic and environmental benefits from all safe forms of recreation involving firearms, including, but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States; and

WHEREAS, Members of the Town Board of the Town of Oakfield, being elected to represent the people of the Town of Oakfield, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, Members of the New York State Assembly and the New York Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, The enactment of the NY SAFE Act (chapter 1 of the Laws of 2013) has engendered significant controversy over both the process by which it was enacted and certain provisions contained within it; and

WHEREAS, It is our understanding that many State Legislators had less than an hour to read the legislation, which contained approximately twenty-five thousand words, before being forced to vote on it; and

WHEREAS, Having reviewed the legislation and time constraints, it our conclusion that there is no possible way any individual could have read the entire bill and understood its full implications prior to voting on it; and

WHEREAS, Our State Legislators most certainly could not have had the time to request, and receive, the input of their constituents regarding this matter; and

WHEREAS, Seeking and considering, such public input is a standard to which we hold ourselves as the Town Board of the Town of Oakfield; and

WHEREAS, This legislation has 60 sections, of which only three take effect immediately, and

WHEREAS, In our opinion, there was no reason for the Governor to use a message of necessity to bring this bill to vote immediately and bypass the three day maturing process for all legislation; and

WHEREAS, The mishandling of the process in crafting the NY SAFE Act resulted in complex policy changes, many of which have been left to interpretation, and are confusing even to the State Legislators who voted on them, and the law enforcement officials who are required to enforce and explain them; and

WHEREAS, Requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on their permits, which now also must be renewed every 5 years, does not increase the safety of the public and is unnecessarily burdensome to the law abiding residents of New York State; and

WHEREAS, This legislation prohibits the sale of firearm magazines with a capacity larger than seven rounds; and

WHEREAS, Those firearm magazines with a capacity larger than seven rounds, which are authorized to be retained by existing owners, may only be loaded with seven rounds and eventually

must be permanently altered to only accept seven rounds or be disposed of, thus constituting a seizure of legally owned personal property with no provision for compensation; and

WHEREAS, Few or no low capacity (7 rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, Limiting the number of rounds to seven versus ten is arbitrary and capricious, has no correlation to public safety, unfairly burdens law-abiding gun owners, and puts an undue burden on gun manufacturers to retool their manufacturing plants; and

WHEREAS, The only persons who will comply with the new high-capacity magazine ban are law-abiding citizens, leaving the same high-capacity magazine in the hands of those who choose not to obey the law; and

WHEREAS, REQUIRING DOCUMENTATION OF ALL AMMUNITION SALES IN NEW YORK STATE, AS PROVIDED FOR IN THIS LEGISLATION, IS A SIGNIFICANT UNFUNDED MANDATE ON BUSINESS; AND

WHEREAS, The New York State Combined Ballistic Identification System, which wasted \$44 million in taxpayer money and resulted in zero convictions, illustrates the propensity of government to waste taxpayer resources when legislation is not properly reviewed; and

WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive budget for the implementation of the NY SAFE Act at a time when New York State residents are crying out for tax relief; and

WHEREAS, This legislation severely impacts the possession and use of firearms now permitted by the residents of the Town of Oakfield for defense of life, liberty and property; and

WHEREAS, This legislation severely impacts the possession and use of firearms now permitted for safe forms of recreation including, but not limited to, hunting and target shooting; and

WHEREAS, While there are some areas of the legislation that the Town of Oakfield Town Board finds encouraging, such as addressing glaring shortcomings in the mental health system, the strengthening of Kendra's Law and Mark's Law, as well as privacy protections for certain pistol permit holders, by-and-large, we find the legislation does little more than negatively impact lawful gun ownership; and

WHEREAS, This legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens; and

WHEREAS, This legislation effectively turns countless New York State law-abiding gun owners into criminals; and

WHEREAS, The manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Town Board of the Town of Oakfield; now therefore

BE IT RESOLVED, That the Town Board of the Town of Oakfield does hereby oppose and request the repeal of any legislation, including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013), which infringe upon the right of the people to keep and bear arms; and be it

FURTHER RESOLVED, that the Town Board of the Town of Oakfield considers such laws to be an egregious violation of the 2nd Amendment Constitutional Rights, onerous and burdensome to the citizens and the County in their implementation, and beyond lawful legislative authority granted to our State representatives; and be it

FURTHER RESOLVED, that the Town Board of the Town of Oakfield strongly encourages members of the New York State Legislature to hold public hearings to address the issue of gun violence in a way that will produce meaningful results; and be it

FURTHER RESOLVED, that the Town Board of the Town of Oakfield requests the members of the New York State Senate and Assembly who represent all of the Town of Oakfield to reply, in writing, with their views on, and actions taken, in support of, or opposition to, the NY SAFE Act; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, United States Senators Charles Schumer, Kirsten Gillibrand, Congressman Chris Collins, New York State Senator Michael Ranzano, Assembly Speaker Sheldon Silver, New York State Assemblyman Stephen Hawley and the Association of Towns of New York State.

THE FOLLOWING IS A TRUE AND ACCURATE RECORD OF VOTES CAST FOR THIS RESOLUTION.

Supervisor Cianfrini	AYE
Deputy Supervisor/Councilman James Veazey	AYE
Councilperson Carol Glor	AYE
Councilman Tim Kabel	AYE
Councilman Matt Martin	AYE

CERTIFICATE OF CLERK

STATE OF NEW YORK}
COUNTY OF GENESEE} {SS

I, MELISSA M. HAACKE, TOWN CLERK OF THE TOWN OF OAKFIELD, COUNTY OF GENESEE AND STATE OF NEW YORK, DO HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING RESOLUTION DULY ADOPTED BY THE TOWN BOARD OF THE TOWN OF OAKFIELD ON MARCH 12, 2013, WITH THE ORIGINAL THEREOF ON FILE IN MY OFFICE AND THE SAME IS A CORRECT AND TRUE COPY OF SAID RESOLUTION OF THE WHOLE THEREOF.

Dated: March 12, 2013

Melissa M. Haacke, Town Clerk`

A **motion** was made by Councilman Veazey, seconded by Councilman Martin and carried by unanimous vote to stand in opposition of the NYS SAFE act as it is written.

Time Warner Cable—Supervisor Cianfrini stated that a “Notice of Discontinuance” was issued; 240 current cable subscribers will receive a \$190 credit on their bills within the next 60-90 days. This is regard to the franchise fee that was being passed on to the consumer. A press release will be posted on the Town website.

The following resolution was presented to the Board:

**SUPPORT FOR NEW YORK STATE CONTACT INFORMATION
FOR VACANT STRUCTURES**

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information for a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures and require good faith in obtaining a foreclosure.

NOW, THEREFORE, BE IT that the Oakfield Town Board hereby supports the passage of said Bills; and be it

FURTHER RESOLVED, the Town Clerk is hereby directed to forward a certified copy of said resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator Michael Ranzenhofer, Assemblyman Steven Hawley and Assemblyman Michael Kearns.

Offered by: Councilperson Glor

Seconded by: Councilman Kabel

Ayes: 5 (passed 5-0)

Superintendent of Highways Dennis stated that Clark Patterson has completed the review of both the Water Standards and Land Development Standards; it is recommended that a Public Hearing be held on the Standards at 6:30 April 9th before the regular Town Board meeting.

A **motion** was made by Councilman Veazey, seconded by Councilperson Glor and carried by unanimous vote to schedule the Public Hearing on Standards for April 9th at 6:30.

With no further business to come before the Town Board, a **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to adjourn the meeting at 8:27 pm.

Respectfully submitted,

Melissa M. Haacke
Town Clerk