

**TOWN OF OAKFIELD**

**BOARD MEETING**

**OCTOBER 14, 2014**

**ROLL**

**CALL:** Supervisor Glor  
Deputy Supervisor Veazey  
Councilman Cianfrini  
Councilman Kabel  
Councilman Martin

**Others**

**Present:** Town Clerk Haacke  
Superintendent of Highways Dennis  
Assessor Flansburg  
Jeremy DeLyser, Clark Patterson Lee

Supervisor Glor called the meeting to order at 7:08 pm; followed by the Pledge to the Flag.

**Town Board Minutes of the September meeting:** Motion Councilman Cianfrini, second Councilman Kabel to approve the minutes as written.

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**Carried by unanimous vote (5-0)**

John Igoe and Sean Downey from the Oakfield Fire Department joined the meeting. Mr. Igoe stated that there is much change in the department; both good and bad. Mr. Igoe stated that the fire department is healthier than it has been in years and their percent of calls is on the rise. There are new members with good attitudes.

The accounts of the Fire Department are on the upswing and they have a potential buyer for the old ambulance.

Mr. Igoe and Mr. Downey explained that there was a big hit taken from last year's budget. An additional \$23,500.00 went into the mobile reserve fund due to lack of equipment purchases.

Mr. Igoe & Mr. Downey will petition the Village Board to allow the purchase of the items that should have been replaced and purchased last year. The Board advised to use the money out of fund balance and do not change the mobile reserve allocation.

**CODE/ZONING OFFICER**

Report is available

**SUPERINTENDENT OF HIGHWAYS**

Road work update—driveways are all fixed on Maple Road from Hutton Road to creek  
Scheduling road side ditch repair on Hutton Road by USG Pond (4 foot pipe wash out) plan on using 2 foot x 2 foot x 6 foot concrete solid blocks  
Bridges on Hutton Road & Maple Road will be replaced next year by county Highway

Town of Oakfield  
Page 2  
October 14, 2014

Mowing Roadsides  
Helping other towns through shared services

#### BUILDINGS & GROUNDS

Working on our building expansion review plan drawings & elevation drawings  
Pass resolution on moving forward for Bonding building expansion  
Need to keep working with our engineers on building expansion \$5500/acre plus all closing costs with a permanent access to the field behind the town building

#### CEMETERIES

Mowing is still once per week and weed eating around headstones

#### PARKS

Are being used continually  
We are keeping trash cans emptied as needed and time permits  
We are looking at some upgrades to the park with our Engineers so we can apply for grants as they become available. We will talk to Little League and the Betterment Committee for financial assistance and Job Corp to possibly do the work  
Mowing park one per week and ball fields once per week

#### EQUIPMENT UPDATE

Wheeled excavator is here, in Batavia and will be delivered this week

#### PUBLIC WORKS UPDATE

Update on Batavia Townlines Project (Oakfield Water District No. 6) is moving forward; bids will be awarded 10/15/2014  
Water District 3 construction complete  
Water District 4 out to bid; bid opening is scheduled for October 30, 2014 at 2:00 pm  
WD7 update  
WD5 need to bid materials  
We should be looking at laying out sewer districts for future expansion and current needs in the towns.  
Also creating sewer districts where there is already sewer in the town  
Will be making some recommended changes to our water Standards in the future

#### LIBRARY

Quote on replacing all the windows with thermo EZ glass; suggest we do it now and have the library apply for 50/50 grant next year.

Tabled until November meeting so Library has time to consider their contribution

#### MISCELLANEOUS

Need to set up meeting on possible housing development plan areas for Town of Oakfield; a developer has already been here for info on locations for housing tracts  
Landfill, so far is being covered with supervision on the 1<sup>st</sup> & 3<sup>rd</sup> Saturdays  
Townlines water project next meeting will be the pre-con; it is to be scheduled

Would like myself and Mark Mikolajczyk to get water licenses  
We need to look at all our codes and standards; the Town must be prepared for the future that looks promising

**TOWN CLERK**

**Abstract No. 10-2014:** Motion Deputy Supervisor Veazey, second Councilman Martin to authorize the following:

General	282-315	\$18,537.22
Highway DA	103-109	\$48,826.41
Highway DB	49-51	\$ 1,759.35
Part Town B	25-27	\$ 968.47
Special Districts	57-62	\$ 6,331.23
	TOTAL	\$76,422.68

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**MOTION CARRIED unanimous vote (5-0)**

**RESOLUTION NO. 78—TOWN OF OAKFIELD WATER DISTRICT NO. 6 (REVISED 2014) LATERAL RESTRICTIONS RESOLUTION**

Councilman Cianfrini offered the following:

**TOWN OF OAKFIELD**

**WATER DISTRICT NO. 6 (REVISED 2014)**

**LATERAL RESTRICTIONS RESOLUTION**

WHEREAS, the Town Board of the Town of Oakfield created Water District No. 6 (Revised 2014) pursuant to Town Law for the express purpose of providing public water supply to residents along portions of Batavia Oakfield Town Road, Hutton Road, Lewiston Road, and Fisher Road.; and

WHEREAS, part of the land area within Water District No. 6 (Revised 2014) is also within Genesee County Agricultural District No. 2; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District No. 2; and

WHEREAS, the New York State Department of Agriculture and Markets (“Department”) has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District,

NOW THEREFORE BE IT RESOLVED, that the Town Board, in recognition of the concerns that have been raised, hereby resolves to adopt the “Lateral Restriction - Conditions on Future Service” specified by the New York State Department of Agriculture and Markets as follows:

**Lateral Restriction - Conditions on Future Service**

The Town of Oakfield imposes the following conditions, as warranted or recommended on the management of water/sewer lines located along the portions of Batavia Oakfield Town Road, Hutton Road, Lewiston Road (NYS Rte. 63) and Fisher Road which are included in Water District No. 6 (Revised 2014), and within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the



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Melissa Haacke, Town Clerk

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

**RESOLUTION NO. 79—RESOLUTION TO DECALRE LEAD AGENCY STATUS AND TO ADOPT A NEGATIVE DECLARATION**

Councilman Kabel offered the following:

**RESOLUTION TO DECLARE LEAD AGENCY STATUS AND TO  
ADOPT A NEGATIVE DECLARATION**

**WHEREAS**, on September 9, 2014, the Oakfield Town Board adopted a Resolution declaring the formation of Water District No. 7 as a Type I Action, and designated its intention to serve as Lead Agency for the coordinated review of this Type I Action, pursuant to the State Environmental Quality Review Act, and

**WHEREAS**, the Town Clerk mailed the required notices to all involved agencies, and

**WHEREAS**, within the appropriate time period as required by the State Environmental Quality Review Act, the Town received either consents to its request for Lead Agency status or no responses regarding the same, and

**WHEREAS**, a Full Environmental Assessment Form has been completed and reviewed by the Town Board with regard to this project, and

**WHEREAS**, the thirty (30) day comment period has elapsed and the Town Board has reviewed all consent or comments received therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Oakfield, New York, that it hereby does declare itself to be the lead agency for this Type I Action, pursuant to the State Environmental Quality Review Act, and be it further

**RESOLVED** that the Oakfield Town Board, acting as Lead Agency, has determined that the formation of Water District No. 7 will result in no significant adverse impacts on the environment, and be it further

**RESOLVED** that the Town Supervisor is hereby authorized and directed to execute Part 3 of the Full Environmental Assessment Form to signify that the Town Board has issued a negative declaration and an Environmental Impact Statement need not be prepared.

Dated: October 14, 2014

**Second:** Councilman Cianfrini

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UNANIMOUS vote (5-0)**

**RESOLUTION NO. 80—RESOLUTION AND ORDER FOR ESTABLISHMENT OF WATER DISTRICT NO. 7 FOR A PORTION OF THE TOWN OF OAKFIELD**

Councilman Kabel offered the following:

**RESOLUTION AND ORDER FOR ESTABLISHMENT OF  
WATER DISTRICT NO. 7  
FOR A PORTION OF THE TOWN OF OAKFIELD**

**WHEREAS**, the Town Board of the Town of Oakfield duly adopted a Resolution directing the Town Supervisor of the Town of Oakfield to file a Map, Plan and Report as prepared by the Town's engineer for providing the facilities, improvements or services in a portion of the Town of Oakfield, wherein a water district was proposed to be established, as hereinafter described, and

**WHEREAS**, after the said Town Supervisor duly filed said Map, Plan and Report in the office of the Town Clerk of the Town of Oakfield on August 12, 2014, and the said Town Board did on September 9, 2014, duly adopt an Order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a Map, Plan and Report describing the same are on file in the Town Clerk's Office for public inspection and specifying that said Town Board shall meet at the Town Hall on the 14<sup>th</sup> day of October, 2014, for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

**WHEREAS**, the improvements proposed consist of the construction and installation of approximately 27,700 linear feet of eight (8) inch water main along portions of Albion, Burns, Crane, East Shelby and Fisher Roads; together with all related right-of-way costs, site work and other ancillary

work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto (referred to herein as “water improvement”), and

**WHEREAS**, copies of the aforesaid said Order for a Public Hearing were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

**WHEREAS**, the evidence offered at such hearing requires that the Town Board make the determinations hereinafter made;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Oakfield, in the County of Genesee, that it be and hereby is determined as follows:

(1) The Notice of Hearing was published and posted as required by law and is otherwise sufficient.

(2) That all the property and property owners within the proposed water district are benefited thereby.

(3) That all of the property and property owners benefited are included within the proposed water district.

(4) It is in the public interest to establish the proposed water district as hereinafter described; and be it

**FURTHER RESOLVED**, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as the Town of Oakfield Water District No. 7. Said Water District being described on **EXHIBIT A**, attached hereto and made a part hereof; and be it

**FURTHER RESOLVED** that the maximum amount proposed to be expended for such water improvement is \$1,715,000.00, which is planned to be financed through the USDA Rural Development at an interest rate of 2.75% for a 38 year term in an amount not to exceed \$1,715,000.00, offset by any funds received from the United States of America, and/or the State of New York, and/or the County of Genesee, and/or local grants; including, but not limited to, a USDA Rural Development Agency grant, of approximately \$750,000.00, and be it

**FURTHER RESOLVED** that the proposed annual debt service (assuming 65 units) is estimated to be approximately \$635.00 per typical property user in the proposed district, which is a single family home, and be it

**FURTHER RESOLVED** that a typical household uses 60,000 gallons of water per year and the estimated cost of the water to be purchased by the water district's users is a total of \$4.35 per 1,000 gallons used, plus an annual flat fee of \$120.00 (to be paid \$40.00 per quarter); thereby the average household can expect to additionally pay approximately \$421.00 per year for water purchase above and beyond the debt service, and be it

**FURTHER RESOLVED** that based upon the foregoing estimates, the total annual cost of the typical property in the proposed district is estimated to be \$1,056.00 per year, and be it

**FURTHER RESOLVED** that payment of the debt service will be made by levy and collection of special assessments from the several lots and parcels of lands within the water district, which the Town Board shall determine and specify to be specially benefited thereby, so much upon and from each as shall be in just proportion of the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds, as the same shall become due and payable, and be it

**FURTHER RESOLVED** that each property will also have to pay for service from their home to the road right-of-way, incurring estimated one time costs of approximately \$150.00 for a meter; plus approximately \$10.00 per linear feet of pipe for a service line; plus potential well abandonment or separation charges of approximately \$200.00; plus approximately \$100.00 for the purchase of a water pressure regulator; plus \$175.00 for a meter radio read transmitter; plus \$50.00 for a Town water service inspection; as well as any internal plumbing charges, and be it

**FURTHER RESOLVED** that this Resolution and Order is subject to a permissive referendum, limited to the area encompassed by said Water District No. 7, in the manner provided by Article 7 of the Town Law, and Subdivision 11 of Section 209-q of the Town Law, and be it

**FURTHER RESOLVED** that within ten (10) days after the adoption hereof, the Town Clerk shall post and publish as provided by law a Notice setting forth the date of the adoption of this Resolution and Order and containing an abstract of this Resolution and Order concisely stating the purpose and effect hereof, and be it

**FURTHER RESOLVED**, that the Town Supervisor, assisted by the Town Attorney and Town Bond Counsel, will prepare an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this Water District, and be it

**FURTHER RESOLVED**, that the Town Clerk is hereby authorized and directed to record a certified copy of this Resolution and Order in the Office of the Genesee County Clerk, and to file a certified copy of this Resolution and Order in the Office of the State Department of Audit and Control, within ten (10) days hereof.

DATE: October 14, 2014

**Second:** Councilman Martin

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UNANIMOUS vote (5-0)**

**RESOLUTION NO. 81—RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2014**

Deputy Supervisor Veazey offered the following:

**RESOLUTION ADOPTING LOCAL LAW No. 1 OF 2014**

**WHEREAS**, proposed Local Law No. 1 of 2014 of the Town of Oakfield entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c for Fiscal Year 2015”, which proposed Local Law in its final form was presented to the Town Board at the meeting held on September 9, 2014, 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 October 14, 2014, 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. 1 of 2014 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. 1 of 2014 be and the same hereby is adopted; and

**BE IT FURTHER RESOLVED**, that a certified copy of said Local Law No. 1 of 2014 be filed with the New York State Secretary of State in accordance with Law.

Dated: October 14, 2014

**Second:** Councilman Cianfrini

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UNANIMOUS vote (5-0)**

Millennium Computers will be here on October 22<sup>nd</sup> 2014 at 11:00 am to go over the building plan and internet, computer and programming needs of the facility.

The Halloween Party planning is in full swing. Still looking for a few more volunteers.

Christmas Party invitations are out

Letters for Majestic Lights have gone out. The event date is December 6<sup>th</sup> from 1-4:30. There are 8 Christmas Trees sold so far, there will be a choir, St. Padre Pio Parish is doing the Living Nativity and I spoke with Kendra Lamb who will provide a few animals for the manger scene.

Planning of the 2017 celebration

**RESOLUTION NO. 82—ARCHEOLOGICAL AWARD FOR WATER DISTRICT 7**

Councilman Cianfrini offered the following:

**Whereas,** Deuel Archeology submitted a bid to Clark Patterson Lee to do the Archeological Study for WD7 at a rate of \$2,695.00; the Town Board awards the bid to Deuel Archeology.

**Second:** Deputy Supervisor Veazey

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UNANIMOUS vote (5-0)**

**SUPERVISOR**

The Supervisor's report is available for review

**HISTORIAN**

The Historian was not in attendance; Supervisor Glor stated that a letter was sent to the Oakfield Historical Society and the Historian's salary will go to the Historical Society beginning in 2015.

**LIBRARY LIAISON**

The Library Board is discussing how much they can contribute to the new window project; and will submit for grant funding in 2015

**GAM**

Matt Landers, Deputy County Manager was the speaker; the topic was Employee Liability Insurance  
The next meeting is October 16<sup>th</sup> in LeRoy

**OLD BUSINESS**

**RESOLUTION NO. 83—BUILDING RENOVATION**

Councilman Cianfrini offered the following:

**Whereas** the Town Board of the Town of Oakfield has been studying the renovation of the building, and has held a public information meeting on the subject with no resident speaking against the project the Oakfield Town Board will continue to move forward with this expansion.

**Second:** Deputy Supervisor Veazey

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**RESOLUTION NO. 84—LAND PURCHASE BEHIND TOWN BUILDING**

Councilman Cianfrini offered the following:

**Whereas,** the Town Board of the Town of Oakfield has decided to proceed with its building expansion, an additional 63' in the back of the existing Town Building will need to be purchased; this strip of land will include 79.59' of road frontage.

The proposed land will be purchased, if agreed upon, from Oakfield Alabama Realty, Inc with usage of a right of way. The proposed offer is \$5500 per acre, the Town will pay all legal fees and filing fees. The total cost of the land itself is \$6,143.50 plus expenses contingent on borrowing the money and bonding the project.

**Second:** Councilman Martin

**Ayes:** Glor, Cianfrini, Kabel, Martin

**Abstention:** Deputy Supervisor Veazey

**APPROVED VOTE (4-0-1)**

**RESOLUTION NO. 85—RESOLUTION TO BOND WD 6 FOR A PORTION OF THE TOWN OF OAKFIELD**

Deputy Supervisor Veazey offered the following:

**A BOND RESOLUTION, DATED OCTOBER 14, 2014, OF THE TOWN BOARD OF THE TOWN OF OAKFIELD, GENESEE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT FOR THE TOWN OF OAKFIELD WATER DISTRICT NO. 6, AT AN ESTIMATED MAXIMUM COST OF \$1,268,248 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,268,248, OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED BY THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

WHEREAS, the Town Board of the Town of Oakfield, Genesee County, New York (the "Town"), pursuant to Article 12 of the Town Law, created a water district designated and known as "Water District No. 6" (the "District"); and

WHEREAS, the Town Board desires to undertake a water system capital improvements project generally consisting of the construction of the infrastructure for the District; and

WHEREAS, the improvements for the proposed District will be part of a joint project by and among the Towns of Elba, Oakfield and Batavia, referred to as the “Townline Water Project”; and

WHEREAS, such joint project will generally consist of the construction and installation of approximately 104,700 linear feet of new eight inch and 12 inch diameter water main along the Batavia-Oakfield Townline Road, Hutton Road, Lewiston Road, Fisher Road, Batavia-Elba Townline Road, Pekin Road, Oak Orchard Road, State Street Road, Bank Street Road, Norton Road and Batavia-Stafford Townline Road, including installation along portions of roads located within each of the three Towns, as well as along the boundary of the Town of Oakfield with the other two Towns of Batavia and Elba, as well as other such improvements as more fully identified in such map, plan and report prepared in connection with such joint project; together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto and in connection with the financing thereof (collectively referred to herein as the “Joint Project”); and

WHEREAS, the estimated maximum total cost of the Joint Project is \$6,115,230; however, the portion of the Joint Project that the District will be responsible to pay is estimated to be \$1,268,248; and

WHEREAS, by Resolutions the Town Board took the following actions with respect to such Project: (a) prepared maps, plans and reports and identified the boundaries for the District and such Project, (b) held public hearings with respect to such Project, (c) determined that such Project would not have a significant effect on the environment under Article 8 of the Environmental Conservation Law, (d) determined that the requirements of Article 12 of the Town Law had been satisfied with respect to such Project and further determined to undertake such Project and (e) received permission to establish the District from the New York State Comptroller; and

WHEREAS, the Town of Oakfield, Town of Elba and the Town of Batavia have entered into a certain intermunicipal agreement (dated August 21, 2014) for the construction of the Joint Project and describes the assessment method for the repayment of obligations that are expected to be issued by each Town; and

WHEREAS, the terms of such agreement (including any amendments to such agreement) are thereby incorporated herein by this reference; and

WHEREAS, the Town Board desires to issue obligations of the Town to pay a portion of the Joint Project;

NOW, THEREFORE, be it

RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1: The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is a certain capital improvements project consisting of the construction and installation of approximately 104,700 linear feet of new eight inch and 12 inch diameter water main along the Batavia-Oakfield Townline Road, Hutton Road, Lewiston Road, Fisher Road, Batavia-Elba Townline Road, Pekin Road, Oak Orchard Road, State Street Road, Bank Street Road, Norton Road and Batavia-Stafford Townline Road, including installation along portions of roads located within each of the three Towns, as well as along the boundary of the Town of Oakfield with the other two Towns of Batavia and Elba, as well as other such improvements as more fully identified in such map, plan and report prepared in connection with such joint project; together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto and in connection with the financing thereof. The estimated maximum cost of the purpose for which the Town is responsible for is \$1,268,248.

SECTION 2: The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate amount not to exceed \$1,268,248 of the Town, said amount to be offset by the receipt of any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said purpose shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law.

SECTION 3: It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4: Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5: It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6: The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the costs of said establishment of the District shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds or notes as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on

all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7: Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8: The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9: The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10: The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11: The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is

necessary.

SECTION 12: In the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 13: The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 14: The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 15: This resolution is effective immediately.

**Second:** Councilman Kabel

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UNANIMOUS vote (5-0)**

Water District 4 is out to BID and BID opening is scheduled for October 30<sup>th</sup> at 2:00 pm.

**PRELIMINARY BUDGET 2015:** MOTION Deputy Supervisor Veazey, second Councilman Kabel to accept the preliminary budget for 2015 and set the Public Hearing for November 5<sup>th</sup> at 5:30 with a special Board Meeting to follow.

**MOTION passed (5-0)**

The Town Clerk will advertise that the November Board meeting will be held on Wednesday, November 12<sup>th</sup> at 7:00 pm due to Veteran's Day.

Councilman Cianfrini proposed having the Town Board once again look into merging the Town & Village Planning Boards. The Town would need to check with the Association of Towns on how to go about this.

Town Clerk Haacke also stated that the Board of Assessment Review is currently in need of two members. This must be filled by March 2015 in order for the new members to be trained.

Supervisor Glor has been called to jury duty next week; please contact Deputy Supervisor Veazey should you need anything.

Jeremy DeLyser, Clark Patterson Lee

Water District No. 6 is set to start construction in November; there are two separate contractors for this project.

Water District No. 5

Material must be bid out for this project; Mr. DeLyser will take care of this.

**RESOLUTION NO. 86—PROPOSAL FOR BID PHASE ENGINEERING SERVICES FOR THE TOWN OF OAKFIELD WATER DISTRICT NO. 5**

Councilman Kabel offered the following:

**WHEREAS**, Clark Patterson Lee will prepare specification and update construction drawing for Water District No. 5. All work will be in accordance with the standards of the Town of Oakfield and the requirements of the regulatory agencies.

Provide up to ten (10) sets of plans, specifications, and contract documents to be issued to prospective bidders.

During the bidding period (concurrent with Water District No. 4's Bid Phase), we will respond to bidders' questions and issue any addenda required for the interpretation and clarification of bidding documents.

We will attend the bid opening, review bids for compliance with the bidding requirements and mathematical correctness, prepare a bid tabulation, investigate bidders' qualifications and prepare a written recommendation for the award of the contract.

The lump sum proposal to complete the above described scope is \$1200.00.

**Second:** Councilman Martin

**Ayes:** Glor, Veazey, Cianfrini, Kabel, Martin

**APPROVED UANNIMOUS vote (5-0)**

**ADJOURNMENT:** MOTION Councilman Cianfrini, second Deputy Supervisor Veazey to adjourn the meeting at 8:37 pm.

Respectfully submitted,

Melissa M. Haacke

Town Clerk