

## TOWN BOARD MEETING

MAY 12, 2009

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

**Present:** Supervisor Dodd, Councilmen Veazey, Day, Kabel, Cianfrini, Highway Superintendent Dennis, Justice Graham, Town Clerk Haacke, Code Officer Smith, Assessor Flansburg, Carol Glor, Laurie Nanni, Fred and Dianne Oaksford, Mike Pedro, and Bob Chamberlain.

Laurie Nanni spoke on behalf of Little League; Mrs. Nanni informed the Board that Little League wanted to continue improvements to the Park by adding a patio behind the food stand. This patio would include an awning and picnic tables. It would be made of 4 6x6 posts, tresses 2x6x16 and a metal roof to match. The Little League would like to place a plaque with Lee Hall's picture here as well. There would be no cost to the Town; Little League would take care of the cost.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous to vote to allow Little League to do the improvements at no cost to the Town.

**Fox Road Residents:** still wondering if an application has been submitted for the campsite. Supervisor Dodd stated that nothing has changed and no application has been submitted at this time.

One of the residents again asked why they have not heard anything from the Planning Board about their request for setbacks, and buffer changes. Supervisor Dodd stated that the Planning Board is in the process of revising the Zoning regulations of the whole Town and a meeting will be held on that matter on May 26<sup>th</sup>, 2009 at 7 pm.

Councilman Veazey stated that it is easier to change the Zoning laws in a package than to change each law individually because each would require a Public Hearing.

With that, Supervisor Dodd suggested that when the process is in play, a petition for changes in one geographical area would be easier than a Town wide change.

### **CODE ENFORCEMENT OFFICER**

Nothing from Mr. Dilcher; he went to the County Planning Board; County explained what the State was looking for in the SEQR, now we have to wait for his portion to be complete.

The Planning Board needs another person to fill vacant seat as soon as possible.

Zoning Board of Appeals needs to appoint one of its members as chairman.

One person has applied for a variance, request has already been sent to the county. It won't go to our Board until resident gets information of septic.

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Complaint came in on a resident on Pine Street; has 3 junk vehicles on the property, but owns 5 lots. To comply with Town Law, he must move two vehicles to two other parcels on his property.

### **ASSESSOR**

The 2009 Tentative Roll is complete.

The Town taxable value increase is \$1.9 million, besides the \$29 million booster plant

This equates to a \$31 million increase in value this year.

### **HIGHWAY SUPERINTENDENT**

Roadwork—Water is emerging out of the ground at a residence on South Pearl Street Road. The DPW and the Town of Batavia state it is not a broken line. The water has ruined the driveway at the residence and ruined the end of the road. A brief discussion followed and it was determined that Superintendent Dennis speak with someone at the Rec Pond; it may be a broken line.

Fiber mat surfacing will be done on some of the Town Roads this summer. This treatment is half the cost of traditional surfacing. This treatment contains stone, oil, and fiberglass and it said to last 15-26 years.

There was some roadside damage done on Fisher Road, the company responsible paid for the labor and material of the repairs. Lamb Farms gave the Town a check for \$160.31.

Buildings and Grounds—everything is going well.

A check for \$1825.00 should be forthcoming from C. J. Brown Energy for the replacement lights.

Cemeteries—mowing and weeding has begun for 2009

A new part time employee has been added for weeding, no spray is being used.

Headstone foundations will begin at the end of the month.

Parks—seeding of grass will be done on May 13, 2009

Top soil used at the park was donated by Lamb Farms

The Town will finish the walking trails, and the pad for the pavilion is in.

Super visor Dodd stated that he would like to see the pavilion put in this year.

Superintendent Dennis stated that trees for the buffer zone are a cedar at State bid, tree size 7 (3'-5') the cost is \$41.42 each. He is looking to purchase 40 trees.

Equipment Update-Superintendent Dennis and Councilman Cianfrini went to Caterpillar to discuss a new loader. The current loader the Town has is 9 years old.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Kabel and carried by unanimous vote that a wheel loader be put out to bid based on Caterpillar Model 930 H.

Superintendent Dennis received a phone call from a concerned resident regarding the landfill. The resident wanted to know if the landfill was releasing radon or possible contaminates. Superintendent Dennis stated he could not answer that question, but called our engineers who stated that they don't do testing. However, the engineers did state that there is minimal testing that can be done. Supervisor Dodd recommended that the resident come to a Board Meeting or put their concerns in writing.

**TOWN CLERK**

An audit was conducted in February on the Clerk's books by Councilman Cianfrini and Councilman Veazey.

A **motion** was made by Councilman Day, seconded by Councilman Kabel and carried by unanimous vote to accept the audit on the books of the Clerk for the 2008 year.

BILLS—A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to pay the bills as submitted.

General Fund	104-127	\$9,636.01
Part Town B	15-17	804.36
Sewer	2	5,927.40
DA	56-68	8,617.96
DB	9	815.97
Library	48-62	5,169.07
	TOTAL	\$30,970.77

MINUTES—a **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to approve the minutes of April 14, 2009.

Town Clerk Haacke reported that currently there are not established regulations on the petty cash fund for the Town. Currently, there is \$117.80 in cash and receipts for miscellaneous postage totaling \$210.00. The \$210 is just too much money for petty cash in the Clerk's opinion. Town Clerk Haacke

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suggested that the current receipts be totaled out for vouchers, bring the petty cash account down to \$100 and follow the State Comptrollers guidelines for use of petty cash, and deposit the remaining money into general fund.

A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to bring the petty cash down to \$100.00, deposit the remaining funds in general fund and follow the Comptrollers guidelines.

### **SUPERVISOR**

The Supervisor's report is available for review.

Supervisor Dodd spoke with the Mayor regarding the Planning Boards consolidation. Letters will be sent to the chairmen of each of the Planning Boards outlining the consolidation process.

Village Water Contract—Attorney Kevin Earl said the water contract looked ok and to go ahead with signatures. After a brief discussion it was determined that the contract be sent back to Attorney Earl with the Addendum that Village DPW contact Superintendent Dennis to see if work can be done in house on Water at a lower cost before DPW goes out to rent equipment.

Dog Shelter Services—a contract from the Genesee County Sheriff's Department came in regarding the Dog Shelter service agreement. This is an annual contract.

A **motion** was by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to sign the one year Dog Shelter Agreement.

### **TOWN JUSTICE**

Justice Graham reported that there may be some money available through the JCAP grant; this year Justice Graham is hoping to purchase a walk through metal detector, fax machine, document storage racks and possibly a document scanner with the JCAP grant money.

Two jury trials are set for June; June 17<sup>th</sup> beginning at 8:30 am and July 1<sup>st</sup> beginning at 12 noon. Pam Denny will act as Court Clerk for the June 17<sup>th</sup> trial.

Justice Graham stated that surcharges have increased on many fines.

Justice Graham also wanted to inform the Town Board that in the future it may be necessary that the Town hire a Prosecutor to handle vehicle and traffic tickets.

**NEW BUSINESS**

A letter from Steve Ferry Jr. was sent to the Town asking for the Town support in changing the term of office for a Legislator from a 2 year term to a 4 year term and staggering the positions.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote support the change in the Legislative position from 2 years to 4 years and stagger the term.

**WATER DISTRICT #2**

The following SEQR Resolution was presented to the Board:

**TOWN OF OAKFIELD  
WATER DISTRICT NO. 2**

**SEQR RESOLUTION-INTENT TO DELARE LEAD AGENCY STATUS**

At the meeting of the Oakfield Town Board held on May 12, 2009, Councilman Cianfrini moved adoption of the following resolution; Councilman Kabel seconded the motion and was passed.

“RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Oakfield hereby announces its intent to serve as lead agency to conduct an environmental review of a project to construct a series of public water supply improvements to serve the Town of Oakfield Water District No. 2. A total of 11,400 linear feet of watermain will be installed along portions of North Pearl Street Road, Maltby Road, Lewiston Road (NYS Route 63) and Albion Road. The project will provide public water to properties, including Lamb Farms, that are currently dependent upon individual groundwater supplies that historically have produced very low yields of poor quality water.

FURTHER RESOLVED, the Town Board has determined that , as portions of the project are located within a Genesee County Agricultural district, the proposed action is a Type 1 action as defined under SEQR; and, be it

FURTHER RESOLVED, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc., and be it

FURTHER RESOLVED, the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the full environmental Assessment Form. The Town Board further declares that, based on the Environmental Assessment which has been prepared, it finds that the project will result in o significant damage to the environment. Therefore, the Town Board does not anticipate the preparation for an Environmental Impact Statement. Further, the Town Board herewith states its intent to issue a Negative Declaration under SEQR for the project, pending review by Involved Agencies.

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STATE OF NEW YORK:

COUNTY OF GENESEE: ss

TOWN OF OAKFIELD:

I, Melissa Haacke, Town Clerk of the Town of Oakfield, Genesee 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 12<sup>th</sup>, day of May, 2009, with the original thereof now on file in my office, and the same is correct and true copy of said resolution and of the whole thereof.

DATED: May 12, 2009

A roll call vote went as follows:

Supervisor Dodd	Aye
Councilman Veazey	Abstain
Councilman Day	Aye
Councilman Kabel	Aye
Councilman Cianfrini	Aye

PASSED (4-0-1)

Set Public Hearing for Water District #2-changing time from 6:45 pm to 6:00 pm.

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT**

**OF WATER DISTRICT NO. 2 FOR A PORTION OF**

**THE TOWN OF OAKFIELD**

**WHEREAS**, the Town Board of the Town of Oakfield, New York, has duly adopted a Resolution directing the Supervisor of the Town of Oakfield to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Oakfield, where a water district is proposed to be established; and said map, plan and report has been filed in the office of the Town Clerk of the Town of Oakfield on March 25, 2009, and

**WHEREAS**, a "Petition to Request Water District" was filed in the Oakfield Town Clerk's Office on May 4, 2009, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Oakfield, the owners of taxable real property located in the proposed Water District No. 2 owning in the aggregate at least one-half of the

assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

**WHEREAS**, the boundaries of the proposed water district are as follows:

See **EXHIBIT A** attached hereto.

**WHEREAS**, the improvements proposed consists of the construction and installation of approximately 8,900 linear feet of eight (8) inch and 2,500 linear feet of twelve (12) inch water main along portions of Lewiston Road, Maltby Road, North Pearl Street and Albion Road; 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**, the maximum amount proposed to be expended for such water improvement is \$758,200.00, which is planned to be financed by the issuance of serial bonds in the amount not to exceed \$758,200.00, 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 \$338,200.00, and

**WHEREAS**, the proposed annual debt service (assuming 31.5 units) is estimated to be approximately \$701.00 per typical property user in the proposed district, which is a single family home, and

**WHEREAS**, 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 \$3.00 per 1,000 gallons used, to be purchased from the Village of Oakfield, together with a \$20.00 per quarter flat fee; thereby the average household can expect to additionally pay approximately \$260.00 per year for water purchase above and beyond the debt service, and

**WHEREAS**, based upon the foregoing estimates, the total annual cost of the typical property in the proposed district is estimated to be \$961.00 per year, and

**WHEREAS**, 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 such 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

**WHEREAS**, 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 \$100.00 for a meter, plus approximately \$10.00 per linear feet of pipe, plus potential well abandonment or separation charges of approximately \$200.00; as well as any internal plumbing charges, and

**WHEREAS**, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Oakfield and available for public inspection, and it is

**ORDERED**, that the Town Board of the Town of Oakfield, New York, shall meet at the Town Hall, located at 3219 Drake Street, Oakfield, New York on the 9<sup>th</sup> day of June, 2009, at 6:00 p.m. for the purpose of conducting a public hearing on the proposal to establish said water district with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

**ORDERED**, that the Town Clerk of the Town of Oakfield is hereby authorized and directed to publish a copy of this Order in **The Daily News**, to post a copy of the same on the signboard of the Town of Oakfield, and to mail a copy to all owners of property located within the proposed water district, in the time and manner required by law.

DATED: May 12, 2009



**MOTION OF**                    **Councilman Kabel**

**SECONDED BY:**            **Councilman Day**

Approved on Roll Call as follows:

Supervisor Kenneth A. Dodd	Yes
Councilman Michael Cianfrini	Yes
Councilman Myron Day	Yes
Councilman Timothy Kabel	Yes
Councilman James Veazey	Abstain

PASSED (4-0-1)

**STUART BROWN ASSOCIATES RECOMMENDATION FOR ARCHEOLOGICAL ASSESSMENT**

Stuart Brown's office forwarded four quotes from different Archeological companies to perform the assessments on Water District 2. The least expensive came from Deuel Archeological in the amount of \$3,000.00.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Kabel and carried by unanimous vote to have Deuel Archeological perform the tests for Water District #2.

A roll call vote went as follows:

Supervisor Dodd	Aye
Councilman Veazey	Abstain
Councilman Day	Aye
Councilman Kabel	Aye
Councilman Cianfrini	Aye

PASSED (4-0-1)

**TOWN PLANNING BOARD**

At the March 31, 2009 Planning Board meeting, the committee recommends the following:  
Addition to Section 412.7 entitled Swimming Pools, Page 16 of the current zoning Ordinance, to read  
**"MUST MEET CURRENT BUILDING CODES."**

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The Planning Board also wants to convert the current zoning map to digital GIS map. The County Planning Board will do this for approximately \$300.00. A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous to have the current zoning map converted to digital GIS.

The Planning Board will hold an Information Meeting on Tuesday, May 26, 2009 at 7 pm at the Town Hall.

There is currently an opening on the Planning Board, A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to ask Ron Becker to fill the vacant seat.

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

Respectfully submitted,

Melissa M. Haacke

Town Clerk