

TOWN OF OAKFIELD

BOARD MEETING

JULY 14, 2009

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

PRESENT: Supervisor Dodd, Councilmen Cianfrini, Kabel and Veazey, Town Clerk Haacke, Code Officer Smith, Carol Glor, Justice Graham, Michele Graham, Deputy Clerk Denny, David Shaheen, Henry Stachowski, Mike & Pam Pedro, Donna Dilcher, Town Attorney Kevin Earl, Susan Conrad of The Daily News, Lorraine Dilcher, Guy and Margot Poole.

Michele Graham, President of the Haxton Memorial Library Board addressed the Board. A grant for new windows at the Library was submitted to NIOGA earlier this year based on a bid that was not accurate for a Municipal Building. The Library received a check for \$10,0000.00 from NIOGA to have the windows done, this would be a 50/50 matching grant. Mrs. Graham explained to the Town Board that you cannot do a partial window replacement and that the Library is trying to send the money back to NIOGA and reapply with a proper window bid. NIOGA does not want the money back. It was decided that Mrs. Graham would work with a woman at NIOGA to try to rework for grant to just cover the cost of replacing the entrance doors to the Library with that money. A cost estimate on the doors would be approximately \$3,380.00 cost to the Town.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote to support the Library in applying for a grant to replace the entrance doors.

A brief discussion followed and it was determined that based on the true cost estimate to replace the Library windows Superintendent Dennis would look into possible "Green Energy" grants and Supervisor Dodd would inquire with the Town's grant writer Stuart Brown to see what money was out there to get this taken care of.

TOWN JUSTICE

Justice Graham is completing the JCAP application for the 2010 grant. The grant would cover the cost of a walk through metal detector, moving lecture, file cabinet and a sound system with microphones so the jury can better hear what is being said in the court room.

A resolution of the Town Board went as follows:

RESOLUTION--2010 JCAP GRANT

WHEREAS, The Honorable Thomas Graham requests permission from the Town Board of Oakfield to submit the 2010 JCAP Grant application.

Town of Oakfield

Page 2

July 14, 2009

RESOLVED, that the Oakfield Town Board grants permission to the Honorable Thomas Graham to proceed with the JCAP Grant application.

Dated: July 14, 2009

MOVED BY: Councilman Veazey

SECONDED BY: Councilman Kabel

Passed (4-0)

ZONING AND CODE ENFORCEMENT OFFICER

Currently, there are no big permits

There are 2 small additions being completed

HIGHWAY SUPERINTENDENT

Roadwork: Northeast section of Albion and Fisher Roads are now Nova Chipped.

Roadside ditches are being mowed

Bar patching being done on edges

Superintendent Dennis received a complaint by the County Highway Department based on Zoning Ordinance section 412.5 of the Town Zoning Ordinance. The complaint stemmed from a resident who lives on the corner of Lockport and Albion Roads planted several new trees; which may become a danger at that intersection once mature. Code Officer Smith and Highway Superintendent Dennis will address the situation.

The stump was removed from 3038 Broadway and has been reseeded.

BUILDINGS AND GROUNDS

Superintendent Dennis thanked the Town Clerk, Deputy Clerk, Justice and Assessor for painting the common area of the Town Building.

During the month of July a trial was held at the Town Building during regular business hours of the Town Clerk and Highway Department. Superintendent Dennis stated to the Board that since the Courtroom was in use, the employees had no access to bathroom facilities and that something needs to be done to rectify this. Zoning & Code Officer Smith also stated that the Jury had to use a bay in the Highway Garage for deliberations which is also unacceptable. Supervisor Dodd stated that he would like to look into cost estimates of putting a small addition to the building for two bathrooms and an adequate records retention room.

Town of Oakfield

Page 3

July 14, 2009

Councilman Cianfrini asked the question of where does the Town stand on the Court Consolidation. Supervisor Dodd stated that the original Assembly Bill is ready to be passed on to the Senate, and that both Gregg Post and Lucene Kauffman want to go forward to the best of his knowledge. We would have to reverse our decision with the Town of Batavia in order to move forward without them. Councilman Cianfrini is concerned that if we do a small addition now it may not be compliant with any court facility and that is what has to be the focus. After a brief discussion it was established that getting pricing would be fine at this time.

Superintendent Dennis will be black topping the Park and the Library, and asked the Board for permission to finish the back of the Town Building. A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to allow Superintendent Dennis to complete the blacktop on all three areas.

Fence posts have been taken down at Cary Cemetery, it looks good.

The newly seeded grass is now being mowed.

Playground equipment is here; the plays cape is in one of the bays of the Highway garage and needs assembly. Superintendent Dennis has a quote from a certified plays cape assembler to do the installation in one day for \$3,000.00.

A **motion** was made by Councilman Kabel, seconded by Councilman Veazey and carried by unanimous vote to have the plays cape erected, with foundation, by a certified installer for \$3000.00.

The picnic tables and grills are also in house and ready to go.

The Pavilion was not an item of State Bid. Superintendent Dennis received one bid for \$25,430.00 delivered from RCP Shelters Inc. Superintendent Dennis also has a tentative commitment from the Job Corps to erect the structure. Once ordered, it will be at least four weeks for delivery.

A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to order the Pavilion at the bid price submitted.

A roll call vote went as follows:

Supervisor Dodd	Aye	Councilman Veazey	Aye
Councilman Kabel	Aye	Councilman Cianfrini	Aye

Passed (4-0)

Concrete curbs have been put in at the Park near the newly seeded area, since many people have been parking on that area.

Town of Oakfield

Page 4

July 14, 2009

Truck 203 in the Highway Garage has been fixed.

Loader Bid-One bid for the Loader came in from Milton Cat. It came in under estimate at \$113830.

Tiedsworth Auction guarantees the Town \$42,500 for the old loader.

Superintendent Dennis recommends we go along with the bid from Milton Cat and Tiedsworth Auctions to get a new loader and sell the old. A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous to purchase the new loader, and sell the old loader through Tiedsworth Auctions.

The test holes have been completed with the Village for the water/sewer lines.

Superintendent Dennis asked the Board if he should go ahead and see how much it would cost for him to gain his Water License. This would allow Superintendent Dennis to cleanse and oversee systems. It was decided that Superintendent Dennis should look into the cost of him gaining this license.

The water line that was hit during test holes on Orchard Park has been fixed. The water line was miss located.

The driveway at 7448 South Pearl Street Road is still soft. The Town of Batavia is responsible for this line, but there is still a question as to why the water is coming up at the end of the driveway.

Superintendent Dennis suspects a water main leak.

The Town Clerk received a phone call from a resident that stated the dump tickets had been taken and people were getting tickets at no cost. A review of the records at the Town Clerk's office and those at the facility show that nothing is missing.

Superintendent Dennis has replaced the lock at the Library in the children's area according to law.

The Youth Recreation Counselor requested a back board and basketball net be placed at the Park. It was decided that when there was a basketball net there it was destroyed within days of it being placed; therefore the Board will not pay to put another in its place.

Superintendent Dennis also stated that he intended to apply for a grant of 3.5 million dollars to reconstruct South Pearl Street Road. The grant would allow replacing the road, adding sidewalks and fixing the water main.

TOWN CLERK

Minutes: A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to approve the minutes as submitted.

Bills: A **motion** was made by Councilman Kabel, seconded by Councilman Cianfrini and carried by unanimous vote to pay the bills as submitted.

General Fund	166-198	\$41,720.57
Part Town B	22-26	847.51
Highway DA	80-87	12,157.01
Highway DB	12-19	99,950.18
Library	76-88	2,343.35
Water SW	3-4	199.25
Youth Recreation	4-5	131.00
	Total	\$157,348.87

Town Clerk Haacke stated that all equipment is in house to accept credit and debit cards at the Clerk's office; she is just waiting for final implementation of the program on the computer. It is expected that credit cards will be accepted for payment by next week.

Town Clerk Haacke requested that two new storm doors be purchased for the front door and side door entrances to the Clerk's office. Superintendent Dennis stated that it would cost approximately \$600 to replace both doors because they are oversized. A **motion** was made by Councilman Veazey, seconded by Councilman Kabel and carried by unanimous vote to replace both storm doors.

Going along with the Park Expansion, a dedication ceremony is being planned by the Town Clerk and Deputy Clerk for October 31, 2009, Halloween Day. This would include the dedication and ribbon cutting of the Pavilion and fun and games for the children of our community. Currently being planned is a parade of costumed children around the park, games, food and entertainment; with much more to follow.

Also being planned by the Town Clerk's office and the Historian is a scavenger hunt with the grand prize being awarded at the Halloween/Park Expansion celebration.

SUPERVISOR

The Supervisor's report is available for review.

Baldwin Business Service, the Town Accountants sent over some line item transfers for approval. They are as follows:

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 7/14/09 MEETING:

GENERAL FUND-TOWN WIDE

UNANTICIPATED REVENUE

<i>Transfer From:</i>	A2705	Gifts & Donation	2,433.00
	A2770	Miscellaneous	<u>16,862.00</u>
		TOTAL	
		L	<u><u>19,295.00</u></u>
<i>Transfer To:</i>	A1110.4a	Justice Grant	900.00
	A1355.2	Assessor Equipment	800.00
	A1420.4	Attorney Contr.	300.00
	A5132.4	Garage Contr	2,000.00
	A7140.4	Playground Contr.	500.00
	A9040.8	Worker's Comp.	<u>14,795.00</u>
		TOTAL	
		L	<u><u>19,295.00</u></u>

GENERAL FUND-OUTSIDE
VILLAGE

UNANTICIPATED REVENUE

<i>Transfer</i>			
<i>From:</i>	B2770	Miscellaneous	1,200.00
			\$ 1,200.00
<i>Transfer To:</i>	B3620.4	Code Enforcement Contr.	1,200.00
			\$ 1,200.00
		<i>Reimb. For Phone & Mileage</i>	

WATER DISTRICT

UNANTICIPATED REVENUE

<i>Transfer</i>			
<i>From:</i>	SW2300	Services Other Govt	\$154,423.00
	SW5730	BAN	\$ 28,229.00
			182,652.00
<i>Transfer To:</i>	SW83104	Admin Contr.	7,341.00
	SW83404	Transmission/Distribution Contr.	11,250.00
	SW97306	BAN Principal	164,061.00
			\$182,652.00

A **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote to allow the transfers as submitted.

OLD BUSINESS

BOND RESOLUTION:

**A BOND RESOLUTION OF THE TOWN OF OAKFIELD TO
AUTHORIZE THE ISSUANCE OF A BOND ANTICIPATION NOTE FOR
SIXTY THOUSAND DOLLARS FOR IMPROVEMENTS
TO THE TOWN PARK AND LIBRARY**

WHEREAS, the Town of Oakfield intends to undertake improvements at its Town Park, and

WHEREAS, the Town of Oakfield also intends to undertake certain improvements regarding the Haxton Memorial Library building,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Oakfield, New York, as follows:

1. A Bond Anticipation Note in the amount of Sixty Thousand Dollars (\$60,000.00) shall be issued during either July or August of 2009, to mature one (1) year from the date of issue.

2. The specific purpose for financing is to pay for part of improvements to the Town Park, including installing a pavilion, picnic tables and a skating area; with the Town to finance the sum of Fifty Thousand Dollars (\$50,000.00) towards this project. In addition, the Town intends to undertake a window replacement project at the Haxton Memorial Library with an amount to be financed of Ten Thousand Dollars (\$10,000.00).

3. It is hereby determined that the purpose relating to the Town Park improvements is an object or purpose described in Section 11.00 (19)(c) of the New York State Local Finance Law with a period of probable usefulness of said purpose being fifteen (15) years, and the purpose relating to the window replacement at the Haxton Memorial Library is an object or purpose described in Section 11.00

(13) of the New York State Local Finance Law with a period of probable usefulness of said purpose being ten (10) years.

4. Said Bond Anticipation Note is not issued in anticipation of bonds for an assessable improvement.

5. Said Bond Anticipation Note shall be in such form to be accompanied by related documents as may be approved by the Supervisor of the Town, with his approval to be known by his execution of said Bond Anticipation Note and related documents, and the Supervisor and the Town Clerk shall execute said Bond Anticipation Note and cause them to be delivered.

6. The legality of any Bond Anticipation Note issued pursuant to the authority of this Resolution may be contested only if:

- A. Such obligations are authorized for an object or purpose for which the Town of Oakfield 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 twenty (20) days after the date of such publication, or
- C. Said obligations are authorized in violation of the provisions of the Constitution of New York State.

7. This Resolution is effective immediately.

8. The Town of Oakfield 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 the New York State Local Finance Law, in a newspaper having a general circulation in the Town of Oakfield and designated as the official newspaper of the said Town for such publication.

Dated: July 14, 2009

MOVED BY: Councilman Veazey

SECONDED BY: Councilman Cianfrini

Approved on Roll Call as follows:

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

PASSED (4-0)

This BAN includes \$10,000 for the Library window project, Supervisor Dodd inquired to the Bonding Agency as to what to do with the Library money since it may not be used. It was stated to the Supervisor that the BOND can be approved for this amount and the money be used at a later date for a Library project.

FOX CREEK RV RESORT APPLICATION

Town Attorney Kevin Earl and Tom Carpenter from Clark Patterson both submitted memos regarding deficiencies in the SEQR. Mr. Earl simply stated that the bottom line of both memos is that more information is needed. Officer Smith asked if the Town should be seeking Lead Agency status, Mr. Earl stated “no”, it is too early.

Mrs. Dilcher was in attendance of the meeting; Supervisor Dodd addressed Mrs. Dilcher and stated that any billing the Town incurs regarding this campground will be billed back to Mr. Dilcher. It was suggested that an escrow account be set up to provide for just such billing.

Attorney Earl also posed the question to the Town Board of just how many times are they planning on going back and forth without settling on a declaration in this matter.

Supervisor Dodd stated that all questions to and of the deficiencies stated in both memos need to be addressed.

REQUEST FOR 90 DAY MORATORIUM ON CAMPGROUND APPLICATIONS

Attorney Boylan who represents the residents of Fox Road requested a 90 day moratorium on campground applications. Both Supervisor Dodd and Deputy Supervisor Veazey agreed that this was not a necessary step. Campgrounds are included in our Zoning Laws. There is no justification for the moratorium, since a Special Use permit would be included with such a request. (Councilman Cianfrini abstained from any discussion in this matter.) A **motion** was made by Councilman Veazey, seconded by

Councilman Kabel and carried by unanimous vote to respectfully decline placing a 90 day moratorium on campground applications in the Town of Oakfield.

A roll call went as follows:

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

PASSED (3-0-1)

WATER DISTRICT NO. 2

The resolution reads as follows:

RESOLUTION TO AUTHORIZE APPLICATION TO STATE COMPTROLLER FOR WATER DISTRICT NO. 2

WHEREAS, Town Board of the Town of Oakfield, adopted a Resolution on June 9, 2009, establishing a Water District on portions of the Lewiston Road, Maltby Road, North Pearl Street and Albion Road in the Town of Oakfield, and

WHEREAS, this Resolution was subject to approval of the Office of the State Comptroller, Department of Audit and Control, and

WHEREAS, said Resolution authorized the Town Supervisor, assisted by the Town Attorney and Town Bond Counsel, to prepare the necessary application to the State Comptroller.

NOW, THEREDFORE, BE IT RESOLVED, by the Town Board of the Town of Oakfield as follows:

- (1) That the annexed application was prepared at the direction of the Oakfield Town Board.
- (2) The Town Board has reviewed this application and believes the contents of the application to be accurate.
- (3) The Town Board has determined that Water District No. 2, for which permission is sought, is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof.
- (4) The cost of the proposed improvements is to be assessed in whole or in part against the benefited area, and the Town Board has determined that all real property to be so assessed will be benefited by the proposed improvements and no benefited property has been excluded.

DATE: July 14, 2009

MOVED BY: Councilman Cianfrini

SECONDED BY: Councilman Kabel

Town of Oakfield
Page 12
July 14, 2009

Approved on Roll Call as follows:

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

PASSED (3-0-1)

WATER DISTRICT NO. 3

Paperwork has been submitted for pre-eligibility for funding.

With no further business to come before the Board, a **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to adjourn the meeting at 8:50 pm.

Respectfully submitted,

Melissa M. Haacke
Town Clerk