

TOWN OF OAKFIELD

BOARD MEETING

OCTOBER 14, 2008

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

Present: Supervisor Dodd, Councilmen Veazey, Day, Cianfrini

Others: Highway Superintendent Dennis, Code Officer Tom Smith, Town Clerk Haacke, Deputy Town Clerk Denny, Mike Dilcher, Bob Cone, Mica Blew, Derrick Hicks, Aaron Vossi

Mr. Michael Dilcher was here requesting that his plan to implement a campground on Fox Road be referred to the Town Planning Board. There are several revisions needed to comply with state code. The Planning Board needs to review and then forward their recommendations back to the Town Board.

Councilman Cianfrini and Councilman Day had a few general questions for Mr. Dilcher regarding his proposed plan-Mr. Dilcher answered these questions to both Councilmen's satisfaction.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Day and carried by unanimous vote to refer Mr. Dilcher's plan to the Town Planning Board.

ASSESSOR

Mr. Flansburg was not in attendance; however Supervisor Dodd proposed a Cold War Veterans Exemption. Mr. Flansburg noted on 10/13/08 that the County passed this law, and has received 3 applications. The County passed the Exemption for on \$6000.00 off assessment. If the Town passed at the same level, it would lower the Town bill by about \$30.00. This exemption would not go into effect until the 2010 tax bill. Veteran's office does most of work, not assessor.

With Mr. Flansburg's explanation, the following resolution was presented to the Board:

Resolution #20 of 2008

Cold War Veteran's Exemption

WHEREAS, Section 458-b of the Real Property Law authorizes a limited exemption from real property taxes for real property owned by persons who rendered military service to the United States during the Cold War (defined as September 2, 1945 to December 26, 1991), provided such property meets the requirements set forth in the law.

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NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Oakfield, New York will allow a Cold War Veteran's Exemption in the amount of \$6,000.00.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Day and carried by unanimous vote to allow the Cold War Exemption.

HIGHWAY SUPERINTENDENT

Roads: mowing is almost complete. Flatwork is done, ditches are almost complete.

Buildings & Grounds: waiting on the contractor to complete the lighting installation in garage area.

Cemeteries: waiting on foundations, mowing is on as need basis. Burials will stop from November 1 to April 1.

Parks: scheduling with the County Parks Department to help plant grass, pad and berm built

Park is done from Drake Street to the creek. Signs at entrance of both parking lots. Mowing done based on need.

Damage to the picnic table at Little League: the Investigator found out who did the graffiti. The table will be dropped off at the home of the perpetrator by the Highway Superintendent; it is to be painted at their expense and convenience. Highway Superintendent will pick it up when finished.

Equipment: one mowing tractor is in for repair.

Public Works: Working on waterline upgrades. Spoke with Reynolds, Rath, Hawley regarding grants.

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Resolution #21 Phase I of Water Line Upgrade

WHEREAS, the Town Board of the Town of Oakfield, New York has set the parameters of the proposed Water District to be an extension of the current water line in front of the school, to Five Corners, to Lamb-Veazey Farms on Albion Road, down East Maltby to North Pearl, North Pearl south to current water main.

A **motion** was made by Councilman Day, seconded by Councilman Cianfrini and carried by unanimous vote to approve potential water district.

Resolution #22 Water units to Lamb-Veazey Farms

WHEREAS, the Town Board of the Town of Oakfield, New York has assigned 5 units to Lamb-Veazey Farms as made and calculating cost for proposed water district.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Day and carried by unanimous vote to assign the 5 units to the farm.

As per roll call:

Supervisor Dodd	Yes	Councilman Day	Yes
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Councilman Veazey	Abstain	Councilman Cianfrini	Yes
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Passed (3-1)

Resolution #23 Stuart Brown Associates

WHEREAS, the Town Board of the Town of Oakfield, New York has retained the services of Stuart Brown Associates to determine grant eligibility for the water district, this resolution approves the fee of \$500.00 plus postage to cover the service.

A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to pay the Stuart Brown fee.

LIBRARY: the maintenance from this past spring is almost complete.

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Agreement between the Town and Village for the outside maintenance of the Library was sent over to Kevin Earl, Attorney. Attorney Earl recommended that the Village be added to our insurance policy as a rider for this property only.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to have Insurance Committee add the Village as a rider to our insurance policy.

LIBRARY SURVEY: Since the survey, Mike Ognibene has conceded that the survey pins are correct. He also made a proposal that the area at the Northwest corner of the building be deeded to Ognibene, and gives a ten foot strip at the back of the building for parking.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to proceed with **deeding** the two proposed areas of the Library to the Town and Ognibene.

It was also recommended by the Highway Superintendent that the parking lot at the Library be completed up to stoning, then black top next year. The Town has the material to do up to the stoning at this time.

A **motion** was made by Councilman Day, seconded by Councilman Veazey and carried by unanimous vote to take the Library parking lot up to stone, and then complete the black top in 2009.

TOWN CLERK

Minutes: The minutes from the September 9, 2008 meeting were approved. A **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by unanimous vote.

Bills: The following bills were submitted for approval:

General	283-315	\$15,383.73
Part Town B	24-25	614.62
Highway DA	71-75	9,069.96
Highway DB	24-26	3,134.91
Water	10	131.88

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Library	119-129	3,354.49
Total		\$31,689.59

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

Town Clerk Haacke requested a line item transfer to pay for the survey done on the Library property.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to transfer \$475.00 from A2701 (Refund Prior Year Expenses) to A7410.4 (Library Contractual).

Resolution #24 of 2008 was presented to continue the Town's support of the Youth Recreation Program.

RESOLUTION AUTHORIZING PARTICIPATION

IN THE 2009 JOINT YOUTH PROGRAM

ADOPTED OCTOBER 14, 2008

WHEREAS, the Town of Oakfield has previously set up and administered a Joint Youth Program with the Village of Oakfield, and Towns of Alabama and Batavia, and

WHEREAS, the Town of Oakfield's contribution to this joint project has most recently been approved in the amount of **\$4,700.00**, and such contribution qualifies for a fifty percent (50%) NYS State Aid reimbursement, or the maximum allowable according to the State Aid Eligibility Summary for the Program Year as provided by Genesee County Division for Youth, and

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WHEREAS, the Oakfield Town Board has deemed this Joint Youth Project to be worthwhile and of distinct benefit to the area Youth, and the Town wishes to continue participation in this youth project;

NOW, THEREFORE, BE IT RESOLVED, that the Year 2009 Joint Youth Project as herein described, is approved, as is the Town's contribution of **\$4,700.00.**

Offered by: Councilman Cianfrini

Seconded by: Councilman Day

Dated: October 14, 2008 Passed: 4-0

CERTIFICATION

STATE OF NEW YORK)

COUNTY OF GENESEE)

I hereby certify that the foregoing is a true and correct transcript of a Resolution duly adopted by the Town Board of Oakfield on the 14th of October 2008.

Melissa M. Haacke, Town Clerk

The Snow Removal Agreement between the Town and Village of Oakfield was submitted for approval as well.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to enter into the following Snow Removal Contract with The Village of Oakfield.

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SNOW REMOVAL AGREEMENT

THIS AGREEMENT is made on the 1st day of June, 2008, by and between the Town of Oakfield and the Village of Oakfield in the manner following:

WHEREAS, Section 142 (C) of the Highway Law of the State of New York provides that a Town Board may authorize a Town Highway Superintendent to remove snow from any street in the Village of Oakfield or Town of Oakfield and permit the use of Town Highway equipment to remove such snow upon such terms as may be agreed upon by the Town Board and the Board of Trustees, and

WHEREAS, the Town of Oakfield is willing to perform the work of removal of snow from the streets of the Village of Oakfield upon such terms and rules,

NOW, THEREFORE, in consideration of the mutual covenants between the parties hereto:

1. This agreement shall run from June 1, 2008 to May 31, 2009.
2. The Town of Oakfield shall provide all the labor and equipment necessary for the removal of snow on all Village streets in the Village of Oakfield, in order to provide reasonable passage and movement of vehicles over said village streets, and pushing snow as near the edge of the village streets as is practicable.
3. The Superintendent of Highways of the Town of Oakfield will not be required to remove snow from said Village streets under the terms of this agreement unless and until in his judgment, the Town roads and County roads under his jurisdiction have first been cleared of snow, and said Village streets shall only be cleared of snow by said Town Highway Superintendent of Highways when his duties to remove snow on Town highways has been completed.
4. The Town of Oakfield by its Town Superintendent of Highways covenants and agrees to use due diligence to remove the snow from the Village streets as soon as practicable after each and every snowstorm.
5. Nothing in this contract is to make the Town of Oakfield or its Superintendent of Highways liable for any damage or liability resulting from the failure of the Town of Oakfield and its Superintendent of Highways to remove said snow under this contract.
6. The Village of Oakfield shall keep all tree limbs overhanging Village streets trimmed to a minimum height of 12 feet to prevent damage to plow lights and antennas, etc.

7. The Village of Oakfield shall keep manhole covers, water valve box covers, and storm sewer grates at or below pavement surfaces to prevent damage to snowplows.

8. In consideration of the performance of the removal of the snow from the streets of the Village of Oakfield by the Town of Oakfield, the Village of Oakfield agrees to pay the Town of Oakfield on or before June 1st, 2009, the sum of Eighteen Thousand Seven Hundred Seventy Dollars and Forty-Two Cents (\$18,770.42) for the removal of snow from the village streets in the Village of Oakfield, pursuant to the terms of this contract.

9. The Village shall indemnify and hold harmless the Town from any liability for injury to person or property or wrongful death in any way arising out of the performance or lack of performance of this contract by the Town. Except that this paragraph shall not apply to claims resulting from injury to pedestrians or motor vehicles or occupants of said motor vehicles resulting from actual contact of said pedestrian or motor vehicle with a Town motor vehicle.

IN WITNESS THEREOF, this agreement has been executed by the Mayor of the Village of Oakfield, authorized by the Village Board of Trustees, and Supervisor of the Town of Oakfield, authorized by the Oakfield Town Board, on the day and year first above written.

Supervisor, Town of Oakfield

Mayor, Village of Oakfield

Seal:

Seal:

2008-2009 SNOW PLOW CONTRACT COMPUTATION

Current contract presented is for a period to run concurrent with Village fiscal year.

Contract to run from 6/1/2008 to 5/31/2009.

Contract based on 75% of County rate of \$4749.00 per mile times Village centerline miles of 5.27:

$$\$3561.75 \times 5.27 = \$18,770.42$$

The Fire Protection Agreement was also submitted for approval. A **motion** was made by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote to approve the Fire Protection Agreement as follows:

SNOW REMOVAL CONTRACT

This contract made between the TOWN OF OAKFIELD and the OAKFIELD FIRE DEPARTMENT, INC. provides as follows:

WHEREAS, the Oakfield Fire Department, Inc. provides fire protection to the Town of Oakfield,

WHEREAS, the Oakfield Fire Department, Inc. has requested that Town equipment be used to remove snow from the driveways and parking areas surrounding the fire hall located on Albert Street in the Village of Oakfield, New York to facilitate passage and parking by fire equipment, members of the fire department, and patrons of fund raising activities conducted by the fire department.

WHEREAS, the Town Board, pursuant to Highway Law S142-B, is agreeable that the town highway equipment be used for such snow removal,

NOW THEREFORE, it is agreed:

1. This contract shall run for one year commencing November 1, 2008 thru October 13, 2009.
2. The Town of Oakfield will provide labor, equipment and material necessary for the removal of snow on the said fire hall property to provide reasonable passage and parking for vehicles on said property.
3. The Superintendent of Highways of the Town of Oakfield will not be required to remove the snow from said fire hall property unless and until in his judgment the snow has been adequately removed from all highways, streets and roads under his jurisdiction. Subject to the foregoing the Town agrees to use due diligence to remove the snow from the fire hall property as soon as practicable whenever such removal is reasonable required in the opinion of the Town Highway Superintendent.
4. Nothing in this contract is to make the Town of Oakfield or its Superintendent of Highways liable for any damage or liability resulting from the failure or delay by the Town of Oakfield or the Superintendent of Highways in removal of snow under this contract.
5. The Oakfield Fire Department, Inc. agrees to erect markers in locations of sidewalks and other objects protruding into driveways and parking lots as determined by the

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6. Superintendent of Highways to reasonably necessary. The Oakfield Fire Department, Inc. agrees to pat the Town of Oakfield on or before January 1, 2009 the sum of \$1.00.

IN WITNESS WHEREOF, this contract has been executed by the Supervisor of the Town of Oakfield pursuant to a resolution duly adopted by the Town Board and has been executed by the President of the Oakfield Fire Department, Inc. pursuant to a resolution duly adopted by the Board of Directors of said corporation.

DATED: October 14, 2008

TOWN OF OAKFIELD

Kenneth A. Dodd, Supervisor

OAKFIELD FIRE DEPARTMENT, INC.

Jean Wise, President

STATE OF NEW YORK)

COUNTY OF GENESEE) ss:

On this _____ day of _____, 2008 before me, the subscriber, personally appeared KENNETH A. DODD; said person to me personally known, who, being duly sworn, did state that said person resides at 3544 Drake Street Road, Oakfield, New York 14125 and is the Supervisor of the Town of Oakfield, the municipal corporation described in and which executed the foregoing instrument; and that the signature of said person was signed thereto by authority of the Town Board of the municipal corporation.

Notary Public

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STATE OF NEW YORK)

COUNTY OF GENESEE) ss:

On this _____ day of _____, 2008 before me personally came Jean Wise, to me known, who, being duly sworn, did depose and say that he is the President of the Oakfield Fire Department, INC. located on Albert Street, Oakfield, NY 14125 the corporation described in and which executed the above instrument; and that he signed his name thereto by authority of the Board of Directors of said corporation.

Notary Public

A Christmas Party has been set for the Town Employees, spouses and all Board and Committee Members. A budget for the Honoree and a guest as well as door prizes will be paid by the Town.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to pay for the Honoree and guest as well as door prizes not to exceed \$100.00.

SUPERVISOR

The Supervisor's report was available for review

Supervisor Dodd also presented his need for a new computer. Currently, he is using a menagerie of several old computer components from various areas of the Town offices. A Dell Laptop on sale for \$449.00 is what he requested.

A **motion** was made by Councilman Cianfrini, seconded by Councilman Veazey and carried by their votes to have Supervisor Dodd order the new computer not exceeding \$449.00.

LIBRARY LIASON

Councilman Veazey reported that the chimney is in need of some repair at the Library; however it is not a priority and can wait until next year. Structurally it is functional.

The Library Board will be here on Tuesday, October 21, 2008 for the budget workshop.

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Laura Pastecki has been appointed to the Library Board to replace Diane Skelton who has resigned.

There is some movement by the Library Board to link with the Oakfield-Alabama School.

GAM

Councilman Day attended the September GAM meeting, he stated that the Ambulance contract was discussed and the concern of potential problems with the new computerized voting machines.

ZONING AND CODE ENFORCEMENT OFFICER

Officer Smith reported that the Compressor Station should be up and running within one month.

Officer Smith also referred to Local Law #1 of 2003; a home on Maple Avenue has debris on the premise. Officer Smith wants to send a notice of violation to the residence with a 30 day stipulation to correct or go on to Judge Graham.

A **motion** was made by Councilman Veazey, seconded by Councilman Day and carried by unanimous vote to allow the Code Enforcement Office to proceed with the written violation and 30 day stipulation.

COMMITTEE REPORTS

Personnel-Highway Contract Review: this was tabled by Supervisor Dodd until Councilman Hilchey is in attendance.

OLD BUSINESS

2009 Budget Comments: Supervisor Dodd stated that the Town Tax Rate will increase by a minimal amount.

Supervisor Dodd spoke with Kevin Earl regarding the cost of the Water and Sewer District and using the sales tax money from Genesee County to defray the cost from the tax payers. In Attorney Earl's opinion this is allowable.

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Passing Local Law #2 of 2008- A **motion** was made by Councilman Day, seconded by Councilman Veazey and carried by unanimous vote to pass Local Law #2 of 2008.

A roll-call vote went as follows:

Supervisor Dodd	Aye	Councilman Veazey	Aye
Councilman Day	Aye	Councilman Cianfrini	Aye

Passed (4-0)

SETTING OF BUDGET PUBLIC HEARING-A Public Hearing is set for Thursday, November 6, 2008 at 6 pm to approve the Fire Budget and Town Budget.

Town & Village Planning & Zoning Boards: Supervisor Dodd and Mayor Pastecki met with Jim Duvall regarding joining the Town and Village Planning Boards. This topic will be discussed at the Town & Village Cooperation meeting on Tuesday, October 21, 2008.

With no further business being brought in front of the Board, the meeting adjourned at 9:06 pm on a **motion** by Councilman Veazey, seconded by Councilman Cianfrini and carried by unanimous vote.

Respectfully Submitted,

Melissa Haacke

Town Clerk