

TOWN OF OAKFIELD
REGULAR BOARD MEETING
OCTOBER 11, 2016

ROLL

CALL: Supervisor Glor
Deputy Supervisor Veazey
Councilman Kabel
Councilman Martin
Councilman Wolcott

OTHERS

PRESENT: Town Clerk Haacke
Superintendent of Highways Dennis
Assessor Flansburg
Code/Zoning Officer Mikolajczyk
Laurie Nanni, Oakfield, Historical Society

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

Minutes of the September 13, 2016 Regular Board Meeting: **MOTION** Deputy Supervisor Veazey, second Councilman Martin to approve the minutes of the September 12, 2016 minutes as written.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

MOTION CARRIED UNANIMOUS VOTE (5-0)

LAURIE NANNI, OAKFIELD HISTORICAL SOCIETY

The Indian Woods Tour is going very well; tours at 11:00 am & Noon are full and the one o'clock is almost full. There are still people who want to join so there may be a double run at one o'clock.

Tickets for "Evening with the Spirits" is going well too; 27 tickets sold so far.

The book is almost complete.

Mrs. Nanni stated that having the Historical meeting at the Community & Government Center is really working out; there is an average of 35 people at each meeting.

CODE/ZONING

Mr. Mikolajczyk's report is available upon request.

A Special Use Permit for chickens has been submitted in a Residential area of the Town. The animals are already on premise; they will have to be removed until the application goes through proper process. The Board would like Mr. Mikolajczyk to give the residents ten (10) days to remove the animals, then reapply with a site plan and provisions of how they will proceed.

The ZBA & Planning Board will have another meeting November 3rd.

ASSESSOR

Mr. Flansburg stated that all is going well.

SUPERINTENDENT OF HIGHWAYS

1) Road Work Update

- a) Shoulders on Hutton Road, MaCumber Road, and Bliss Road are complete.
- b) Bridges on Maple Road and Hutton will be replaced next year 2017 by County Highway.
- c) Mowing brush and road sides.
- d) Working with other towns thru shared services.

2) Building & Grounds

- a) Everything is in shape.

3) Cemeteries

- a) Been active with burials.
- b) Getting est. for a cremation mausoleum.
- c) Still mowing and weed eating when needed.
- d) Will be scheduling head stone foundations this month of October.

The Governor has passed a law that would allow pets to be buried with their owner; what is the wishes of the Board?

MOTION Councilman Wolcott, second Councilman Martin that the Town of Oakfield does not allow pets to be buried in Town Cemeteries.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

MOTION CARRIED UNANIMOUS VOTE (5-0)

4) Parks

- a) We are looking at some up-grades to 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. We may want to consider doing this work and possibly banning it. The drawings are revised now. The cost est. is in Jeremy's e-mail.
- b) We need to discuss next steps in the park up-grades.
- c) Bathrooms cleaning; how to handle now and in the future.
- d) Water shut off is scheduled for this month October.

5) Equipment Update

- a) 316 excavator mowing head is working great. Machine and mower back from Milton Cat all repaired at no charge. All other equipment is in good working order.

6) Publics Works Update

- a) WD 7 District-- waiting for pre-construction meeting with SERGI and RD.
- b) WD 9 is complete by our Engineers this is MaCumber Road south of Town-line and Town-line in the town of Alabama. Funding meeting complete and final submittals are complete. Waiting for notice of funding.

- c) WD 10 preliminary package has been submitted to RD for funding. Final proposal needs to be approved tonight. Have sent to Engineers for emergency submittal. So far one well went dry and another is turning black. Waiting for health dept. well testing.
- d) WD 11 Judge Road, MaCumber Road, and Maltby Road which will be with the STAMP Project. This is being worked on by Clark Patterson to be submitted to the Town of Oakfield.
- e) WD 12 which would be Lewiston Road and maybe include North end of MaCumber Road, Lewiston Road, and Lockport Road in the Town of Alabama or may be a separate project.
- f) Looking at a proposal to finish Lewiston Road and Bliss Road by town forces.
- g) Clark Patterson has started laying out sewer districts for future expansion and current needs in the town, also creating a sewer district where there is already sewer in the town. Village will be at all future meetings on sewer, Eric Carlson will be DPW contact person and Dave Boyle is the Village Board contact.
- h) Working on a Genesee County North West Water/Sewer Consortium. Made up of all The towns and villages in the North West corner of Genesee County. This will handle all the O and M of all the water and sewer in that area.
- i) Lamb Farms water usage is being monitored daily and being reported to Tim Hens, Tom Carpenter, Jeremy DeLyser, and Jim Veazey for county info on water demand and design for stamp. We to set up a meeting with Lamb farms to discuss future water needs.
- j) New Designated Water Operator of the town's water system is working out great. All the town system has been serviced.

7) **Library**

- a) We are working on the window replacement for Library. Library has been awarded the grant. Working with our engineers on a bid will meet with them October 18th.
- b) The old town hall Generator cannot be used at the Library. What direction does the town board wish to take? Would like to sell it to Town of Batavia for sewer pump station.

8) **Miscellaneous**

- a) Need to set up meeting on possible housing development plan areas for Town of Oakfield, a developer has already been here for info for locations for housing tracts.
- b) Land fill will open for the season and all seems to be going well.
- c) We need to look at all our codes and STDs. And be prepared for the future that looks very promising. Stamp is alive and moving forward at a good pace and we need to be prepared.
- d) Need to revise and up-date our zoning codes. Meeting is set to start.
- e) Working with a solar company on a solar field installation.

OLD GENERATOR

Superintendent Dennis stated that Paul Barrett from Town of Batavia is possibly interested in the old generator, what does the Board wish to do?

MOTION Deputy Supervisor Veazey, second Councilman Wolcott to sell the old generator to the Town of Batavia if interested for not less than \$100 but no more than \$200,

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

MOTION CARRIED UNANIMOUS VOTER (5-0)

EQUIPMENT PURCHASE

Superintendent Dennis presented a quote (on State Bid) for a Bulldozer. This bulldozer would be used for water districts, roadside maintenance, clean up at recycle center and level off and reseed, clean up the property behind the Salt Storage Building.

This proposal is a “lease to own” for five (5) years at \$25,274.00; the money would come from Equipment Fund.

Also proposed is a trailer to move the bulldozer; a 36,000 pound load, duel axel, dove tail at \$11,002 from Tiedsworth.

After some discussion the Board has tabled this request until November.

TOWN CLERK

Abstract 10-2016—MOTION Deputy Supervisor Veazey, second Councilman Kabel to approve the following:

General Fund	357-384	\$ 44,335.51
Highway DA	94-65	\$ 4,190.14
Highway DB	60-65	\$102,767.31
Part Town B	35-38	\$ 765.68
Special Districts	52-54	\$ 6,656.70
	TOTAL	\$158,715.34

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

MOTION CARRIED UNANIMOUS VOTE (5-0)

RESOLUTION NO. 44-2016—LATERAL RESTRICTIONS WATER DISTRICT 11

Deputy Supervisor Veazey offered the following:

TOWN OF OAKFIELD

WATER DISTRICT 11

LATERAL RESTRICTIONS RESOLUTION

WHEREAS, the Town Board of the Town of Oakfield will create the Town of Oakfield Water District No. 11 pursuant to Town Law for the express purpose of providing public water supply to residents along portions of Judge Road, Macomber Road and Maltby Road; and

WHEREAS, part of the land area within Water District No. 11 is also within Genesee County Agricultural District No. 2; and

WHEREAS, the Genesee County Economic Development Agency (GCEDC) 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 (“Departments”) has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agriculture 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 Judge Road, Macomber Road and Maltby Road 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 Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the

restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

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 11th, day of October, 2016, with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

DATED: 2016

(SEAL)

Melissa M. Haacke

Second: Councilman Wolcott

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

APPROVED UNANIMOUS VOTE (5-0)

RESOLUTION NO. 45—AMENDED BOND RESOLUTION BUILDING EXPANSION

Councilman Kabel offered the following:

AN AMENDING AND RESTATING BOND RESOLUTION, DATED OCTOBER 11, 2016, OF THE TOWN BOARD OF THE TOWN OF OAKFIELD, GENESEE COUNTY, NEW YORK (THE "TOWN"), FURTHER AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON JANUARY 13, 2015 AND AMENDED ON MAY 12, 2015, AND THEREBY AUTHORIZING A TOWN HALL CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$3,110,000 AND AUTHORIZING (A) THE USE OF UP TO \$40,000 OF GRANT FUNDS MADE AVAILABLE TO THE TOWN AND (B) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,070,000, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, 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, on May 12, 2015, the Town Board of the Town of Oakfield, Genesee County, New York (the "Town") adopted an amending and restating bond resolution (the "2015 Amending Bond Resolution") entitled:

AN AMENDING AND RESTATING BOND RESOLUTION, DATED MAY 12, 2015, OF THE TOWN BOARD OF THE TOWN OF OAKFIELD, GENESEE COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION ADOPTED JANUARY 13, 2015, AND THEREBY AUTHORIZING A TOWN HALL CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$3,000,000 AND AUTHORIZING (A) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,600,000, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, (B) THE USE OF UP TO \$370,000 OF AVAILABLE FUNDS OF THE TOWN, AND (C) THE USE OF UP TO \$30,000 OF GRANT FUNDS MADE AVAILABLE TO 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 has previously issued bond anticipation notes pursuant to the 2015 Amending Bond Resolution but has not yet entered into permanent financing arrangements thereunder (i.e., the issuance of long-term serial bonds); and

WHEREAS, after a review of the project budget, the Town has determined that it would be best to authorize an additional amount in bonds; and

WHEREAS, the amount of grant funds made available from the New York Justice Court Assistance Program has increased to \$40,000; and

WHEREAS, the Town Board now wishes to modify the 2015 Amending Bond Resolution for purposes of (a) increasing the estimated maximum cost of the project from \$3,000,000 to \$3,110,000, (b) authorizing the use of up to \$40,000 of grant funds from the New York State Justice Court Assistance Program (JCAP); and (c) increasing the amount of serial bonds authorized to be issued from \$2,600,000 to \$3,070,000, and to make other modifications to the 2015 Amending Bond Resolution as may be consistent with law; and

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the 2015 Amending Bond Resolution for the purposes identified above, and to make other modifications to the 2015 Amending Bond Resolution as may be consistent with law; and

WHEREAS, the 2015 Amending Bond Resolution is being modified as described above and is otherwise being reaffirmed and ratified in all material respects; and

WHEREAS, the Town Board of the Town, has determined to proceed with the such capital improvements project;

NOW THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Oakfield, in the County of Genesee, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a Town Hall capital improvement project, such work to include, but not be limited to, the acquisition of land to create additional parking space and an access road, the construction of an approximate 7,115 square foot building addition to house new office space, court rooms, restrooms, locker rooms and an additional truck bay for the Town Highway Department, file storage areas and the renovation of approximately 1,180 square feet of current office space to provide additional storage areas, office and meeting spaces, the installation/renovation of an additional truck bay for the Town Highway Department, and the installation of flag poles, HVAC equipment, network wiring and emergency generator equipment, including all preliminary work and necessary equipment, materials and related site work, as well as other such improvements as more fully identified in a design report dated January 2015 (as modified) by Clark Patterson Lee (the "Engineer"), and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The amended estimated maximum cost of the Purpose is \$3,110,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by (a) the use of up to \$40,000 of grant funds from the New York State Justice Court Assistance Program (JCAP), and (c) the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$3,070,000, such amount to be offset by any additional federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivisions 11(a) and 12(a)(2) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the weighted average period of probable usefulness of the Purpose is 28 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 such 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, there shall annually be levied on all the taxable real property of the 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 such 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 details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such 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 of the January 13, 2015 Bond Resolution) 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 a reaffirmation of the Town's original declaration (dated January 13, 2015) of its "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 may 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) 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 such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

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

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the referendum period, 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 the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 16. Nothing in this amendment shall affect the validity of the original January 13, 2015 bond resolution or the 2015 Amending Bond Resolution, or any actions taken thereunder, and any such actions are hereby ratified.

* * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Second: Councilman Wolcott

AYES: Glor, Veazey, Kabel, Martin, Wolcott

APPROVED UNANIMOUS VOTE (5-0)

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION NO. 46-2016—INTRODUCTION OF LOCAL LAW NO. 2 OF 2016

Deputy Supervisor Veazey offered the following:

**RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW No. 2 of 2016
AND TO SCHEDULE A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Oakfield, New York desires to consider adopting legislation to override the limit on the amount of real property taxes that may be levied by the Town of Oakfield pursuant to General Municipal Law § 3-c, and to allow the Town of Oakfield to adopt a town budget for fiscal year 2017 that requires a real property tax levy in excess of the tax levy limit, also known as Town of Oakfield Local Law No. 2 of 2016.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Oakfield, New York that proposed Local Law No. 2 of 2016 entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c for Fiscal Year 2017", which proposed Local Law is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and

BE IT FURTHER RESOLVED that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until November 7, 2016, and that a public hearing be held before this Town Board on the 7th day of November, 2016, at 7:00 p.m. at the Oakfield Town Hall, 3219 Drake Street, Oakfield, New York, on the advisability of enacting said proposed Local Law; and

BE IT FURTHER RESOLVED that a copy of said proposed Local Law be mailed to each member of the Town Board not in attendance at this meeting in a postpaid, properly addressed and securely closed envelope in a post box within the Town of Oakfield, New York not less than ten (10) calendar days, exclusive of Sunday, prior to the date of said public hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of said public hearing to be published once in The Daily News at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office.

Dated: October 11, 2016

SECONDED BY: Councilman Wolcott
Ayes: Glor, Veazey, Kabel, Martin, Wolcott
APPROVED UNANIMOUS VOTE (5-0)

TOWN OF OAKFIELD HAXTON MEMORIAL LIBRARY WINDOW GLASS REPLACEMENT PROPOSAL FOR ARCHITECTURAL AND ENGINEERING SERVICES

The proposal includes:

- Field Visit for review of existing conditions to create plans and elevations
- Preparation of Bid Specifications and Building Elevation Drawings for Bidding Documents
- Coordination with NYSED for Grant Application and Close-out requirements
- The project will be designed for completion by a Contractor subject to prevailing wages

The proposal to provide architectural and engineering services, as needed, on an hourly basis for a not to exceed budget amount of \$5,000.00. **MOTION** Deputy Supervisor Veazey, second Councilman Martin to approve the proposal as submitted.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott
APPROVED UNANIMOUS VOTE (5-0)

The Town Clerk is working on the 175th Anniversary Celebration; working with Kim Gibson at the Haxton Memorial Library. Looking to get approval from the Library Board to have the Library fundraise the money as they are a 501c3 organization. Town Attorney Kevin Earl recommended funding go through a 501c3 so that businesses or individuals who donate can gain a tax write off.

The Annual Town Halloween Party is scheduled for Friday, October 28th from 6 pm-8 pm; **MOTION** Deputy Supervisor Veazey, second Councilman Wolcott to allow \$250 to be spent on the event.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott
MOTION CARRIED UNANIMOUS VOTE (5-0)

Genesee County Clerk's meeting will be held at the Community & Government Center October 18, 2016.

SUPERVISOR

MOTION Councilman Kabel, second Councilman Martin to approve the Supervisor's report as submitted.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

APPROVED UNANIMOUS VOTE (5-0)

ATTORNEY

Attorney Dave Schubel will be in attendance at the Budget Workshop on October 19th to meet the Town Board and Officials.

LIBRARY LIAISON

Last month's meeting was brief.

GAM

The last GAM meeting was held at the Community & Government Center with 30 people in attendance. Sales tax was the discussion.

OLD BUSINESS

Water District 6—Town of Batavia still has not submitted the parcel count for their portion of the District. Town of Oakfield and Town of Elba's is complete. The Town of Batavia wants Oakfield and Elba to remove the 1/10 charge to vacant parcel because Town of Batavia doesn't have to charge. The 1/10 is disclosed in the information presented at the Public Hearing, therefore the Towns of Oakfield and Elba will not remove the charge.

Jeremy DeLyser of Clark Patterson Lee is working on the \$50,000 Grant for Water District No. 5.

NEW BUSINESS

RESOLUTION NO. 47-2016—CONSENT RESOLUTION EMPIRE PIPELINE

Councilman Kabel offered the following:

CONSENT RESOLUTION – TOWN
(Empire State Pipeline/Empire Pipeline, Inc. Project)

A meeting of the Town Board of the Town of Oakfield, New York (the "Town") convened on October 11, 2016 at 7:00 p.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 46-2016

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF OAKFIELD, NEW YORK CONSENTING TO, AMONG OTHER THINGS, THE USE BY GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER OF CERTAIN PAYMENTS TO BE MADE BY EMPIRE PIPELINE OR ITS SUCCESSORS AND ASSIGNS OF REAL ESTATE TAXES OR PAYMENTS IN LIEU THEREOF UNDER A PAYMENT IN LIEU OF TAX AGREEMENT TO ASSIST IN FINANCING THE COSTS OF INFRASTRUCTURE AND RELATED IMPROVEMENTS AT THE STAMP SITE AND TO EXECUTE AND DELIVER ANY AGREEMENTS IN FURTHERANCE OF SAME

WHEREAS, Empire State Pipeline/Empire Pipeline, Inc. (the "Company") has submitted an application (the "Application") to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center (the "Agency") requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition or retention by the Agency of a leasehold or other interest in certain property located at 3309 Lockport Road, Oakfield, and certain other properties located throughout Genesee County, New York and the existing improvements located thereon (collectively the "Land"), (ii) the construction and equipping on the Land by the Company as agent of the Agency of (1) a 20,620 horsepower compressor station and (2) a portion of the Company's 78.3 mile 24-inch diameter natural gas pipeline beginning in Victor, New York and traversing the Finger Lakes region through the counties of Genesee, Ontario, Yates, Schuyler, Chemung and Steuben, and terminating in Corning, New York (the compressor station and the portion of such gas pipeline located in Genesee County, hereinafter referred to collectively as the "Improvements"), and (iii) the acquisition in and around the Improvements of certain items of equipment and other tangible personal property including pipes, valves, meters, fittings, and compressors (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, in connection with the Project, it is contemplated that the Agency and the Company will enter into a certain Payment-In-Lieu-of-Tax-Agreement (or amendment of existing agreement, the "PILOT Agreement"), pursuant to which the Company shall make certain in lieu of ad valorem real property taxes in such amounts as set forth on Exhibit A attached hereto; and

WHEREAS, after considering the positive financial impact of the implementation of the STAMP site and the necessary infrastructure and the overall benefit to the Town and its inhabitants, including positive impacts on the tax base of the Town, the Town desires to (i) consent to and approve the terms of the PILOT Agreement and (ii) waive any deviation notice requirements under Section 874(4)(b) of the New York General Municipal Law or other similar requirements under Article 18-A of the New York General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY AS FOLLOWS:

Section 1. The Town hereby (i) consents to and approves the terms of the PILOT Agreement, including, but not limited to certain in lieu of ad valorem real property taxes in such amounts as set forth

on Exhibit A attached hereto and (ii) waives any deviation notice requirements under Section 874(4)(b) of the New York General Municipal Law or other similar requirements under Article 18-A of the New York General Municipal Law.

Section 2. The [Town Supervisor] of the Town Board of the Town of Oakfield is hereby authorized to execute and deliver any and all agreements necessary or related to the foregoing.

Section 3. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Second: Councilman Martin

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

APPROVE UNANIMOUS VOTE (5-0)

The Resolutions were thereupon duly adopted.

ADJOURNMENT: MOTION Councilman Kabel, second Deputy Supervisor Veazey to adjourn the meeting at 9:27 pm.

Ayes: Glor, Veazey, Kabel, Martin, Wolcott

Respectfully submitted,

Melissa M. Haacke,
Town Clerk

Exhibit A

**National Fuel
Revised PILOT schedule**

Year	Revised		
	County	Town	School
2017	\$ 205,788	\$ 96,502	\$ 508,695
2018	\$ 205,788	\$ 96,502	\$ 508,695
2019	\$ 205,788	\$ 96,502	\$ 508,695
2020	\$ 448,553	\$ 350,874	\$ 560,326
2021	\$ 448,553	\$ 350,874	\$ 560,326
2022	\$ 448,553	\$ 350,874	\$ 560,326
2023	\$ 448,553	\$ 350,874	\$ 560,326
2024	\$ 448,553	\$ 350,874	\$ 560,326
2025	\$ 448,553	\$ 350,874	\$ 560,326
2026	\$ 448,553	\$ 350,875	\$ 560,326
2027	\$ 448,553	\$ 350,875	\$ 560,326
2028	\$ 448,553	\$ 350,875	\$ 560,326
2029	\$ 448,553	\$ 350,875	\$ 560,327
2030	\$ 448,553	\$ 350,875	\$ 560,327
2031	\$ 448,553	\$ 350,875	\$ 560,327
	\$ 6,000,000	\$ 4,500,000	\$ 8,250,000

