

TOWN OF OAKFIELD
ESTABLISH WATER DISTRICT NO. 6

MAY 28, 2014

ROLL CALL

PRESENT: Supervisor Glor
Deputy Supervisor Veazey
Councilman Martin

OTHERS

PRESENT: Town Clerk Haacke
Superintendent of Highways Dennis
Assessor Flansburg
Code/Zoning Officer Mikolajczyk
Jeremy DeLyser, Clark Patterson Lee
Attorney Kevin Earl

ABSENT: Councilman Cianfrini
Councilman Kabel

RESOLUTION NO. 50 RESOLUTION AND ORDER FOR ESTABLISHMENT OF WATER DISTRICT NO. 6 FOR A PORTION OF THE TOWN OF OAKFIELD

Deputy Supervisor Veazey offered the following:

**RESOLUTION AND ORDER FOR ESTABLISHMENT OF
WATER DISTRICT NO. 6 FOR A PORTION OF THE TOWN OF OAKFIELD**

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

WHEREAS, after the said Town Supervisor duly filed said Map, Plan and Report in the office of the Town Clerk of the Town of Oakfield on March 27, 2014, and the said Town Board did on May 13, 2014, duly adopt an Order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a Map, Plan and Report describing the same are on file in the Town Clerk's Office for public inspection and specifying that said Town Board shall meet at the Town Hall on the 28th day of May, 2014, for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, a “Petition to Request Water District “ was filed in the Oakfield Town Clerk’s Office on April 28, 2014, which was signed by a number of owners within said district, which was greater than the percentage required by law, and

WHEREAS, the improvements proposed are as follows: a project to provide a safe and reliable potable water supply and fire protection to certain residences in the proposed Water District No. 6. The overall project will consist of the construction and installation of eight (8) inch and twelve (12) inch water main along portions of Batavia-Oakfield Townline Road, Hutton Road, Lewiston Road, Fisher Road and Batavia-Elba Townline 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, copies of the aforesaid said Order for a Public Hearing were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

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

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

(1) The aforesaid “Petition to Request Water District” was signed, and acknowledged or proved or authenticated, as required by law and is otherwise sufficient.

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

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

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

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

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as the Town of Oakfield Water District No. 6. Said Water District being described on EXHIBIT A, attached hereto and made a part hereof; and be it

FURTHER RESOLVED that the maximum amount proposed to be expended for such water improvement is \$1,268,248.00, which is planned to be financed by a conventional bank loan at a 3% interest rate for a 38 year term with no grant, in an amount not to exceed \$1,268,248.00, and be it

FURTHER RESOLVED that the proposed annual debt service (assuming 78 units) is estimated to be approximately \$723.00 per typical property user in the proposed district, which is a single family home, and be it

FURTHER RESOLVED that a typical household uses 61,000 gallons of water per year and the estimated cost of the water to be purchased by the water district's users is a total of \$4.47 per 1,000 gallons used, to be purchased from the County of Genesee; thereby the average household can expect to additionally pay approximately \$273.00 per year for water purchase above and beyond the debt service, and be it

FURTHER RESOLVED that based upon the foregoing estimates, the total annual cost of the typical property in the proposed district is estimated to be \$996.00 per year, and be it

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

FURTHER RESOLVED that each property will also have to pay for service from their home to the road right-of-way, incurring estimated one time costs of approximately \$8.00-\$20.00 per linear feet of pipe, plus potential well abandonment or separation charges of approximately \$200.00-\$600.00; as well as any internal plumbing charges, and be it

FURTHER RESOLVED that this Resolution and Order is not subject to a permissive referendum; and be it

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

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

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

PROPOSED WATER DISTRICT NO. 6

The boundary of the proposed Town of Oakfield, Water District No. 6 "West" includes all that tract or parcel of land situated in the Town of Oakfield, County of Genesee, State of New York, being described as follows:

Beginning at a point which is the intersection of the Oakfield/Batavia Municipal Boundary and the Oakfield/Alabama Municipal Boundary; thence,

1. Easterly, along the Oakfield/Batavia Municipal Boundary, a distance of 21,299 feet, more or less, to a point on the Oakfield/Batavia Municipal Boundary at the intersection with the southerly extension of the easterly line of Tax Parcel number 8.-1-15; thence,
2. Northerly, along the southerly extension of the easterly line of Tax Parcel number 8.-1-15 and the Oakfield/Elba Municipal Boundary, a distance of 2,006 feet, more or less, to the northeasterly corner of Tax Parcel number 8.-1-12.1; thence,
3. Westerly, along the northerly line of Tax Parcel number 8.-1-12.1, a distance of 2,000 feet, more or less, to the northwesterly corner of Tax Parcel number 8.-1-12.1; thence,
4. Northerly, along an easterly line of Tax Parcel number 8.-1-13.1, a distance of 2,002 feet, more or less, to the northeasterly corner of Tax Parcel number 8.-1-13.1; thence,
5. Westerly, along the northerly line of Tax Parcel numbers 8.-1-13.1, 8.-1-45.12, 8.-1-89.1, across Fisher Road (49.5 feet wide right-of-way), and along the northerly line of Tax Parcel number 8.-1-89.21, a distance of 3,295 feet, more or less, to the northwesterly corner of Tax Parcel number 8.-1-89.21; thence,
6. Southerly, along the westerly line of Tax Parcel numbers 8.-1-89.21 and 8.-1-46.1, a distance of 344 feet, more or less, to the southwest corner of Tax Parcel number 8.-1-46.1; thence,
7. Westerly, along the northerly line of Tax Parcel number 8.-1-76, a distance of 1,464 feet, more or less, to the northwesterly corner of Tax Parcel number 8.-1-76; thence,
8. Northerly, along the easterly line of Tax Parcel number 8.-1-86.1, a distance of 3,060 feet, more or less, to the northeasterly corner of Tax Parcel number 8.-1-86.1; thence,
9. Westerly, along the northerly line of Tax Parcel number 8.-1-86.1, a distance of 1,799 feet, more or less, to the northwesterly corner of Tax Parcel number 8.-1-86.1; thence,
10. Southerly, along the westerly line of Tax Parcel number 8.-1-86.1 and the easterly line of the Village of Oakfield Municipal Boundary, across Lewiston Road (66 feet wide right-of-way), and along the westerly line of Tax Parcel numbers 8.-1-70, 8.-1-77, 8.-1-71, and 8.-1-73.1, a distance of 5,300 feet, more or less, to the southwest corner of Tax Parcel number 8.-1-73.1; thence,
11. Easterly, along a southerly line of Tax Parcel number 8.-1-73.1, a distance of 348 feet, more or less, to a northwesterly corner of Tax Parcel number 8.-1-47.111; thence,
12. Southerly, along a westerly line of Tax Parcel number 8.-1-47.111, a distance of 283 feet, more or less, to a southwesterly corner of Tax Parcel

number 8.-1-47.111; thence,

13. Easterly, along a southerly line of Tax Parcel number 8.-1-47.111, a distance of 605 feet, more or less, to a northeasterly corner of Tax Parcel number 8.-1-47.12; thence,
14. Southerly, along a westerly line of Tax Parcel number 8.-1-47.111, a distance of 675 feet, more or less, to the southeasterly corner of Tax Parcel number 8.-1-47.12; thence,

15. Westerly, along a northerly line of Tax Parcel number 8.-1-47.111, a distance of 651 feet, more or less, to the southwesterly corner of Tax Parcel number 8.-1-47.12; thence,
16. Northerly along an easterly line of Tax Parcel number 8.-1-48.1, a distance of 167 feet, more or less, to a point on the easterly line of Tax parcel number 8.-1-48.1 that is 500 feet northerly from the Oakfield/Batavia Municipal Boundary; thence,
17. Westerly, along a line parallel to and 500 feet northerly of the Oakfield/Batavia Municipal Boundary, a distance of 591 feet, more or less to a point on the easterly line of Tax Parcel number 8.-1-48.2; thence,
18. Northerly, along the easterly line of Tax Parcel number 8.-1-48.2, a distance of 39 feet, more or less, to the northeasterly corner of Tax Parcel number 8.-1-48.2; thence,
19. Westerly, along the northerly line of Tax Parcel number 8.-1-48.2, a distance of 423 feet, more or less, to the northwesterly corner of Tax Parcel number 8.-1-48.2; thence,
20. Southerly along the westerly line of Tax Parcel number 8.-1-48.2, a distance of 21 feet, more or less to a point on the westerly line of Tax Parcel number 8.-1-48.2 that is 500 feet northerly from the Oakfield/Batavia Municipal Boundary; thence,
21. Westerly, along a line parallel to and 500 feet northerly from the Oakfield/Batavia Municipal Boundary, a distance of 543 feet, more or less, to a point on the westerly line of Tax Parcel number 8.-1-48.1 and the existing South Pearl Water Benefit Area; thence,
22. Southerly, along a westerly line of Tax Parcel number 8.-1-48.1 and the existing South Pearl Water Benefit Area, a distance of 371 feet, more or less, to a southeasterly corner of said benefit area; thence,
23. Westerly, along the southerly line of the existing South Pearl Benefit Area and across South Pearl Road (49.5 feet wide right-of-way), a distance of 537 feet, more or less, to the southwesterly corner of said benefit area; thence,
24. Northerly, along the easterly line of Tax Parcel number 7.-1-76 and westerly line of the South Pearl Benefit Area, a distance of 204 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-76; thence,
25. Westerly, along the northerly line of Tax Parcel number 7.-1-76 and the existing South Pearl Benefit Area, a distance of 105 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-76; thence,
26. Northerly, along an easterly line of Tax Parcel number 7.-1-65, a distance of 225 feet, more or less, to a point on an easterly line of Tax Parcel number 7.-1-65 and that is 500 feet from Oakfield/Batavia Municipal Boundary; thence,
27. Westerly, along a line parallel to, and 500 feet northerly from, the Oakfield/Batavia Municipal Boundary, a distance of 556 feet, more or less, to a point on the easterly line of Tax Parcel number 7.-1-59; thence
28. Northerly, along the easterly line of Tax Parcel number 7.-1-59, a distance of 37 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-59; thence,
29. Westerly, along the northerly line of Tax Parcel number 7.-1-59, a distance of 149 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-59; thence,
30. Northerly, along the easterly line of Tax Parcel number 7.-1-24.112, a distance of 230 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-24.112; thence,
31. Westerly, along the northerly line of Tax Parcel number 7.-1-24.112, a distance of 478 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-24.112; thence,
32. Northerly, along an easterly line of Tax Parcel numbers 7.-1-30.11, a distance of 2,100 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-30.11; thence,

33. Westerly, along the northerly line of Tax Parcel number 7.-1-30.11, through Tax Parcel number 7.-1-57, and continuing along the north line of Tax Parcel number 7.-1-36, a distance of 3,333 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-36; thence,
34. Southerly, along the westerly line of Tax Parcel number 7.-1-36, a distance of 140 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-39.1; thence,
35. Westerly, along the northerly line of Tax Parcel number 7.-1-39.1, a distance of 1,638 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-39.1; thence,
36. Northerly, along an easterly line of Tax Parcel number 7.-1-40.1, a distance of 136 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-40.1; thence,
37. Westerly, along a northerly line of Tax Parcel number 7.-1-40.1, a distance of 984 feet, more or less, to a southeasterly corner of Tax Parcel number 7.-1-42.1; thence,
38. Northerly, along an easterly line of Tax Parcel number 7.-1-42.1, a distance of 66 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-42.1; thence,
39. Westerly, along the northerly line of Tax Parcel number 7.-1-42.1 and the westerly extension of the northerly line of Tax Parcel number 7.-1-42.1, a distance of 633 feet, more or less, to the centerline of Hutton Road (49.5 feet wide right-of-way); thence,
40. Northerly, along the centerline of Hutton Road, a distance of 1,566 feet, more or less, to a point on the centerline of Hutton Road at the easterly extension of the northerly line of Tax Parcel number 7.-1-49; thence,
41. Westerly, along the easterly extension of northerly line of Tax Parcel number 7.-1-49 and the northerly line of Tax Parcel number 7.-1-49, a distance of 158 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-49; thence,
42. Southwesterly, along the northwesterly line of Tax Parcel number 7.-1-49, a distance of 472 feet, more or less, to the southwesterly corner of Tax Parcel number 7.-1-49; thence,
43. Southerly, along the westerly line of Tax Parcel numbers 7.-1-48.112 and 7.-1-48.12, a distance of 1,341 feet, more or less, to the southwesterly corner of Tax Parcel number 7.-1-48.12; thence,
44. Westerly, along the northerly line of Tax Parcel number 7.-1-43, a distance of 1,125 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-43; thence,
45. Southerly, along the westerly line of Tax Parcel number 7.-1-43, a distance of 2,716 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-45; thence,
46. Westerly, along the northerly line of Tax Parcel number 7.-1-45, a distance of 225 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-45; thence,
47. Northerly, along the easterly line of Tax Parcel number 7.-1-63.2, a distance of 50 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-63.2; thence,
48. Westerly, along the northerly line of Tax Parcel numbers 7.-1-63.2, 7.-1-63.1, and 7.-1-44.12, and through Tax Parcel number 7.-1-62, a distance of 265 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-44.2; thence,
49. Northerly, along an easterly line of Tax Parcel number 7.-1-44.111, a distance of 375 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-44.111; thence,
50. Westerly, along the northerly line of Tax Parcel number 7.-1-44.111, a distance of 348 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-44.111; thence,
51. Southerly, along a westerly line of Tax Parcel number 7.-1-44.111, a distance of 149 feet, more or less, to a southwesterly corner Tax Parcel number 7.-1-44.111; thence,

52. Westerly, along the northerly line of Tax Parcel numbers 7.-1-69 and 7.-1-71, a distance of 554 feet, more or less, to the northwesterly corner of Tax Parcel number 7.-1-71; thence,
53. Southerly, along the westerly line of Tax Parcel number 7.-1-71, a distance of 70 feet, more or less, to the northeasterly corner of Tax Parcel number 7.-1-72; thence,
54. Westerly, along the northerly line of Tax Parcel number 7.-1-72 and the westerly extension of the northerly line of Tax Parcel number 7.-1-72 and across Macomber Road (66 feet wide right-of-way), a distance of 232 feet, more or less, to a point on the Oakfield/Alabama Municipal Boundary; thence,
55. Southerly, along the Oakfield/Alabama Municipal Boundary, a distance of 346 feet, more or less, to the point of beginning.

All as shown on a map prepared by the Town of Batavia entitled, "Town of Oakfield Water District No. 6," dated 3/2014. The Town of Oakfield Water District No. 6, as described above, contains approximately 1,367.4 acres of land.

DATE: May 28, 2014

Ayes: Glor, Veazey, Martin

APPROVED BY UNANIMOUS VOTE (3-0-2)

RESOLUTION NO. 51: SEQRA RESOLUTION TO ESTABLISH LEAD AGENCY STATUS FOR WATER DISTRICT NO. 6

Deputy Supervisor Veazey offered the following:

WHEREAS, the improvements proposed consists of the construction and installation of eight (8) inch and twelve (12) inch water main along portions of Batavia-Oakfield Townline Road, Hutton Road, Lewiston Road, Fisher Road and Batavia-Ela Townline 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, to be named Water District No. 6, and

WHEREAS, the Town Board intends to conduct an environmental review in accordance with Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act (SEQRA), pursuant to the Rules and Regulations set forth in 6 NYCRR Part 617, and

WHEREAS, the District formation is an administrative act by the Oakfield Town Board with no other actions or involvement by any other State, Federal or local agencies or municipalities; and thereby, notice and a coordinated review is not required.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Oakfield, New York, that the proposed formation of Water District No. 6 is an "Unlisted Action", as defined under SEQRA, and

BE IT FURTHER RESOLVED that the Town Board does hereby establish itself as the lead agency to conduct an environmental review, and

BE IT FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Supervisor to file a Short Environmental Assessment Form regarding the formation of Water District No. 6.

Dated: May 28, 2014

Seconded by: Councilman Martin
Ayes: Glor, Veazey, Martin
APPROVED BY UNANIMOUS vote (3-0-2)

RESOLUTION NO. 52: SEQRA RESOLUTION TO ADOPT A NEGATIVE DECLARATION FOR WATER DISTRICT NO. 6

Deputy Supervisor Veazey offered the following:

WHEREAS, the improvements proposed consists of the construction and installation of eight (8) inch and twelve (12) inch water main along portions of Batavia-Oakfield Townline Road, Hutton Road, Lewiston Road, Fisher Road and Batavia-Elba Townline 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, to be named Water District No. 6, and

WHEREAS, the Town Board has determined that the proposed formation of Water District No. 6 is an "Unlisted Action", as defined under the State Environmental Quality Review Act (SEQRA), and has further established itself as Lead Agency, and

WHEREAS, the Town Board, in its capacity as Lead Agency, has caused to be prepared a Short Environmental Assessment For in order to determine the significance of any potential environmental impacts of the above listed action.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Oakfield, New York, hereby accepts the Short Environmental Assessment Form prepared by the Town Attorney and filed by the Town Supervisor, and

BE IT FURTHER RESOLVED that the Town Board does hereby declare that the proposed action of forming Water District No. 6 will result in no adverse environmental impacts or that any identified adverse environmental impacts will not be significant, and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized and directed to sign Page 4 of the Short Environmental Assessment Form on behalf of the Town as the Responsible Officer in Lead Agency, to verify the determination that the proposed action to form Water District No. 6 will not result in any significant adverse environmental impacts.

Dated: May 28, 2014

Seconded by: Councilman Martin
Ayes: Glor, Veazey, Martin
APPROVED BY UNANIMOUS VOTE (3-0-2)

RESOLUTION NO. 53: PARK RECREATION MANDATORY BACK GROUND CHECK

Councilman Martin offered the following:

Oakfield Town Board

Title: Background Check Policy

Purpose:

For the safety and well-being of each and every child participating in all Town of Oakfield Recreation Programs, the Town Board introduces the following policy regarding background checks. Background checks are mandatory and applicable to any adult staff member and/or volunteer, ages 18 and above, who may be alone with youth.

Procedures:

All prospective volunteers and staff will be required to read and sign a written authorization form allowing the Town of Oakfield to obtain and utilize background checks. The signed form must include the applicant/staff's name, social security number, address, previous addresses, and date of birth, along with a photocopy of their current driver's license or ID. Applicants who decline or fail to sign the waiver will not be eligible for work with the Town of Oakfield Recreation Department. All waivers must be signed and background check completed before any work may be done by the applicant.

Implementation:

The Town Clerk, with assistance from a third party reporting agency, will administer all background check procedures. The Town Clerk shall receive and review the results of the background check reports from the agency. The Town Clerk shall determine if any individual does not meet the background check policy standards.

Disqualification Criteria:

An applicant will be disqualified from working and/or volunteering with any Town of Oakfield Recreation Program if he/she has been found guilty of the following crimes within the times indicated. To be found guilty means the person was found guilty following a trial, entered a "Guilty" plea, entered a "No Contest" plea accompanied by court's finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt or the record has been expunged, This does not apply in instances of criminal charges resulting in acquittals or dismissals.

1. Sex Offenses:

All Sex Offenses, regardless of the amount of time since the offense. This includes, but is not limited to: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation and indecent exposure.

2. Felonies:

All Felony Violence, regardless of the amount of time since the offence. This includes, but is not limited to: murder, manslaughter, aggravated assault, kidnapping, robbery and aggravated burglary.

3. Misdemeanors:

a. All Misdemeanor Violence occurring within the past 7 years. This includes, but is not limited to: simple assault, battery, domestic violence and hit & run.

b. All Misdemeanor Drug & Alcohol occurring within the past 5 years, or multiple offenses in the past 10 years. This includes, but is not limited to: driving under the influence, simple drug possession, drunk & disorderly, public intoxication and possession of drug paraphernalia.

c. Any other Misdemeanor within the past 5 years that would be considered a potential danger to children or is directly related to the functions of the applicant.

In addition, applicants will also be disqualified in the following circumstances:

- He/she has been found liable for civil penalties or damages involving sexual or physical abuse of children.
- He/she has been subject to any court order involving sexual or physical abuse, including but not limited to, a domestic order of protection.
- Parental rights have been terminated.

While examples are listed above corresponding to each Disqualifying Offense, any offense not listed that may fall under any of these categories shall follow the same guidelines and time periods as the offense it relates to.

Should the background check indicate that an applicant has criminal charges pending that fit the description of disqualifiers, the applicant will not be recommended for volunteering until there is a resolution of the charges.

Existing Volunteers and Staff:

Background checks shall be done annually on all existing adult staff members each year after the initial check was done. For any new findings, the guidelines stated above will be used to determine eligibility for their position. If an offense is found to disqualify the

volunteer/staff, he/she will be suspended immediately according to guidelines stated above.

If at any time, any charges are uncovered or brought against the staff person, he/she will be suspended until the charges have been cleared or dropped. Staff person is required to disclose to the appropriate staff member any charges brought up against him/her during all time worked with the Town of Oakfield Recreation Department.

Disqualifying Circumstances:

The Recreation Director shall notify the affected Applicant, in a confidential manner that a disqualifying factor was reported on the criminal background check and present the background report to the applicant.

In the event the applicant feels a mistake has been reported in their criminal check, it is the applicant's responsibility to contact the reporting agency and resolve any issues.

Appealing a Disqualifying Report:

An applicant denied by the above policy may request an appeal of this decision. The Town Board will convene, in Executive Session, to review the appeal. The decision of the Board is final.

Confidentiality:

All information in response to the criminal background check shall be kept confidential and not disclosed or discussed outside of the reviewing personnel. The Town of Oakfield is not responsible for errors or omissions that may be reported on background checks.

Town of Oakfield Recreation Department
3219 Drake Street Road
Oakfield, NY 14125

PERMISSION FOR CRIMINAL HISTORY RECORDS CHECK

I, the undersigned, hereby authorize and give consent for the Town of Oakfield Recreation Department to obtain information regarding myself for employment or volunteer purposes. This information may be obtained either in writing or by way of telephone in connection with my application. Any person, firm or organization providing information in accordance with this authorization is released from any and all claims of liability for compliance. This information may include all or some of the following:

- Employment records/Employers references
- Criminal background check information
- Sex offender registry check
- Driver's license check
- Training/experience/educational background
- Personal references
- Addresses

Applicant's Full Name(Print): _____

Maiden Name: _____ SSN: _____

Sex: Male _____ Female _____ Date of Birth: _____

Address: _____

City: _____ State: _____ Zip: _____

How long at current address: _____

Driver's License Number: _____ State: _____

Signature of Applicant: _____ Date: _____

Ayes: Glor, Veazey, Martin

APPROVED BY unanimous vote (3-0-2)

ADJOURNMENT: Motion Deputy Supervisor Veazey, second Councilman Martin to adjourn the meeting at 7:15 pm.

MOTION CARRIED (3-0-2)

Respectfully submitted,

Melissa M. Haacke,
Town Clerk