

TOWN OF OAKFIELD
REGULAR BOARD MEETING
SEPTEMBER 10, 2019

ROLL

CALL: Supervisor Glor
Deputy Supervisor Martin
Councilman Carroll
Councilman Wolcott

OTHERS

PRESENT: Town Clerk Haacke
Superintendent of Highways Dennis
Assessor Flansburg
CEO/ZEO Mikolajczyk
Mike Schultz, MEO
John Igoe, Village Trustee
Laurie Nanni, Oakfield Historical Society
Jim Veazey, Lamb Farms
Craig Murphy, Brightmark
Lee Lutz, Brightmark
Nick Beyer, Clark Patterson Lee
Greg Scholand, Attorney for Brightmark

Supervisor Glor called the meeting to order at 6:30 pm; followed by the Pledge to the Flag.

Minutes of August 6, 2019 Regular Board Meeting: **MOTION** Councilman Wolcott, second Councilman Carroll to approve the minutes as written.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

LAURIE NANNI, OAKFIELD HISTORICAL SOCIETY

Cemetery tour is scheduled for September 21; rain date September 28
Mortgage will be paid off this month
Putting an addition onto the house is in the works
Spoke with Oakfield Fire Department, pumper will be stored at Historical Society in the future
Fundraising will begin soon
Received a picture from 1866
A new book is in the works

REPRESENTATIVES FROM BRIGHTMARK INDUSTRIES (LAMB FARMS BIOGAS)

Reviewed questions from Clark Patterson Lee
Spoke about the benefits
Attempted to address safety concerns
Requested Public Hearing to be set ASAP

MOTION Deputy Supervisor Martin, second Councilman Wolcott to agree to the short SEQRA with the stipulation that comments come from Genesee County Emergency Management and Oakfield Fire Department.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

MOTION Councilman Wolcott, second Councilman Carroll to set a Public Hearing for October 1, 2019 at 6:30 pm regarding the Special Use Permit for the Lamb Farms Biogas project.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

CEO/ZEO

Mr. Mikolajczyk's report is available for review.

ASSESSOR

The state notified Mr. Flansburg that the Town of Oakfield is not eligible for aid as residential assessments were not at 100%

SUPERINTENDENT OF HIGHWAYS

TOWN CLERK

Abstract 9-2019—**MOTION** Deputy Supervisor Martin, second Councilman Wolcott to authorize the following:

General Fund	1515-1550	\$ 15,489.97
Part Town B	178-182	\$ 1,375.82
Highway DA	529-539	\$ 32,900.85
Highway DB	265-269	\$102,135.82
Water District	183-186	\$ 36,720.62
Capital Water	1	\$ 2,255.00
Special Districts	215-218	\$ 64,122.37
Youth Rec	51-55	\$ 12,754.01
	TOTAL	\$267,754.46

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

WATER DISTRICT 11B

RESOLUTION NO. 38-2019—SEQRA NOTICE LEAD AGENCY DESIGNATION AND DETERMINATION OF SIGNIFICANCE FOR THE TOWN OF OAKFIELD WATER DISTRICT NO. 11 EXTENSION WATER SYSTEM IMPROVEMENTS

Councilman Wolcott offered the following:

WHEREAS, the Town of Oakfield Town Board has proposed the creation of and the design and construction of improvements to Water District No. 11 Extension, Lewiston Road Water Main)Proposed Action) in conjunction with the September 2019 Preliminary Engineering Report prepared by the consulting firm of CPL of Rochester, New York; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the project is determined to be an Unlisted Action which will not be subjected to a coordinated review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby designates itself as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617.

BE IT FURTHER RESOLVED, that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Town Board finds that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

BE IT FURTHER RESOLVED, that this determination is based on the facts and conclusions as noted in the EAF.

Second: Councilman Carroll

Ayes: Glor, Martin, Carroll, Wolcott

APPROVED UNANIMOUS VOTE (4-0)

MOTION Deputy Supervisor Martin, second Councilman Carroll to approve Supervisor Glor to sign the SEQRA on the Water District 11 Extension Project.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

MOTION Councilman Carroll, Deputy Supervisor Martin to approve Supervisor Glor to sign the NYS Department of Health Bureau of Water Supply Protection; Application for Approval of Plans for Public Water Supply Improvement.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS VOTE (4-0)

RESOLUTION NO. 39-2019—LATERAL RESTRICTIONS FOR THE PROPOSED TOWN OF OAKFIELD WATER DISTRICT NO. 11 EXTENSION

Deputy Supervisor Martin offered the following:

**TOWN OF OAKFIELD
WATER DISTRICT No. 11 EXTENSION
LATERAL RESTRICTIONS RESOLUTION**

WHEREAS, the Town Board of the Town of Oakfield is proposing to create the Town of Oakfield Water District No. 11 Extension pursuant to Article 12 of Town Law for the express purpose of providing public water to residents within the Town of Oakfield along portions of Lewiston Road (County Road 22), connecting the existing Town of Oakfield Water District No. 2 at Maltby Road and the proposed Town of Alabama Water District No. 2, Phase 3 project at Macomber Road in the Town of Oakfield; and

WHEREAS, a portion of the land within the proposed Town of Oakfield Water District No. 11 Extension is also within Genesee County Agricultural District No. 2; and

WHEREAS, the Town of Oakfield, the project sponsor, will be filing 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 (“Department”) may express concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agriculture District, and may request the adoption of its Lateral Restriction policy to avoid potential adverse impacts to the Agricultural District;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, in anticipation of the concerns that may be 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 lines located along the portions of Lewiston Road within the Town of Oakfield Water District No. 11 Extension within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline 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 and clearly demonstrate the need for public water. 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.

- (4) 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.
- (5) Hydrants and valve boxes must not be placed directly in agricultural fields.

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 10th, day of September, 2019, 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: _____, 2019

(SEAL)

 Melissa M. Haacke

Second: Councilman Carroll
Ayes: Glor, Martin, Carroll, Wolcott
APPROVED UNANIMOUS VOTE (4-0)

RESOLUTION NO. 40-2019—HIGHWAY LINE-ITEM TRANSFERS

Councilman Wolcott offered the following:

WHEREAS, the following line-items are requested:

From: DA9785.6	to	DA5130.2	\$9,703.61
From: DA9785.7	to	DA5130.2	\$3,834.00
From: DA5130.2a	to	DA5130.4	\$10,000.00

Second: Glor, Martin, Carroll, Wolcott
APPROVED UNANIMOUS VOTE (4-0)

SUPERVISOR

MOTION Deputy Supervisor Martin, second Councilman Martin to approve the Supervisor’s report as submitted.

Ayes: Glor, Martin, Carroll, Wolcott
MOTION CARRIED UNANIMOUS VOTE (4-0)

LIBRARY LIAISON

September 7th was the first Saturday they were open and 27 patrons came to the Library

GAM

Next meeting is September 19th and the Town of Oakfield will host at County Building No. 1

OLD BUSINESS

Library Lease—Supervisor Glor spoke with Kim Gibson from the Library, the lease will be updated; Supervisor Glor and Anne Engle, Library Board President will sign.

2020 Budget

We have yet to receive an updated preliminary budget from Baldwin Business Service

Alan's retirement party is scheduled for October 3, 2019 from 3-6 pm

OLD BUSINESS

Contract with Baldwin Business Service

Supervisor Glor stated that she received the 2020 contract with BBS and with this increase it will have increased by \$9100.00 in two years (2018 \$9400.00, 2019 \$15500.00, 2020 \$18000.00). This is a substantial increase in two years, especially because our water districts are now complete. Holding off on signing the contract until Justin Bennett responds to the Supervisor's email.

Planning Board

MOTION Deputy Supervisor Martin, second Councilman Carroll to accept resignation of Bonnie Woodward from the Planning Board and appoint LaNora Thompson to the Planning Board in her place.

Ayes: Glor, Martin, Carroll, Wolcott

MOTION CARRIED UNANIMOUS (4-0)

ADJOURNMENT: MOTION Deputy Supervisor Martin, second Councilman Wolcott to adjourn the meeting at 8:57 pm.

Respectfully submitted,

Melissa M. Haacke,
Town Clerk