

MINUTES OF STAFFORD TOWN BOARD MEETING OF June 12, 2006

PRESENT:

R. Clement -Supervisor
D. Vicary -Councilman
R. Panek -Councilman
M. Macan-Mouery -Councilman
R. Pacer -Councilman

OTHERS PRESENT:

Walter Kershenski -Town Clerk
S. Boldt -Highway Supt.
17 members of the Community per sign in form.

Supervisor Clement called the meeting to order at 7:32 p.m., followed by Pledge to the Flag.

Motion made by Councilman Mouery, sec. by Councilman Pacer to accept the minutes of the May 8, 2006, Town Board Meeting as presented by the Town Clerk. **Motion** carried.

Motion made by Councilman Pacer, sec. by Councilman Mouery to accept the minutes of the May 15, 2006, Public Hearing Meeting as presented by the Town Clerk. **Motion** carried.

Motion made by Councilman Pacer, sec. by Councilman Panek to accept the minutes of the May 15, 2006, Special Meeting as presented by the Town Clerk. **Motion** carried.

Motion made by Councilman Vicary, sec. by Councilman Mouery to accept the financial report as submitted by the Supervisor. **Motion** carried.

OLD BUSINESS

COMPREHENSIVE PLAN:

Town clerk Kershenski reported that new draft copies of the May 2006 comprehensive plan have been given to each member of the comprehensive Plan Committee and also a copy has been published on the Town of Stafford Web site. Questions were addressed from the audience relative to changes in the Comprehensive Plan. Supervisor Clement suggested attending the Planning Board meetings to get further clarification about changes in the Comprehensive Plan. He stated that the Comprehensive Plan Committee is currently reviewing the most recent draft copy. Eventually a public hearing will be held so people can express their opinions relative to the content of the Plan. Councilman Vicary stated that he is a member of the Comprehensive Plan Committee. He said that the committee recently met with Wendel Duchscherer, Architects & Engineers to address current status of the Comprehensive Plan. Wendel Duchscherer advised that the current draft of the plan should be sufficient to accommodate any issues in the Town relative to Wind Energy Systems. Therefore the Planning Board and the Comprehensive Plan Committee should be able to move forward now to finalize the Plan. Councilman Panek suggested more public input and also suggested that a display ad be used in the future to notify the community of any public hearings that may be scheduled relative to the Comprehensive Plan.

TOWN HALL BACKUP SUMP PUMP STATUS:

Supervisor Clement presented to the Town Board a quote for \$325 from Humphrey Electric to install an alarm system in the basement that would monitor any failures of the current sump pump. It was suggested that some sort of dehumidification system be installed in the basement archive records retention room. Councilman Pacer said he will do some research on this.

MOTION was made by Councilman Panek and seconded by Councilman Pacer to hire Humphrey Electric to install a Sump Pump monitoring system in the Town Hall for the quoted price of \$325.00. Motion was passed.

TIME WARNER FRANCHISE RENEWAL:

Supervisor Clement reported that a meeting was recently held with Time Warner representatives relative to their Franchise Renewal here in the Town of Stafford. Some proposals were initiated and Supervisor Clement said that he is waiting for Time Warner to respond.

CARL ALTMAN – CERTIFICATE OF OCCUPANCY STATUS:

Supervisor Clement reported that he has forwarded information to CEO Robert Mullen relative to a request from Carl Altman to finalize his outstanding Certificate of Occupancy permits. Supervisor Clement is awaiting CEO Mullen's response to this request.

NEW BUSINESS

GARDEN CLUB – JEANETTE KRAMARZ:

Jeanette Kramarz, the president of the Stafford Garden Club petitioned the Town Board members and the Town Highway Superintendent to proceed with plans to construct a Garden Path Walkway in Ilette Park next to the Gazebo. She presented to Highway superintendent Boldt drawn plans of how they suggest that the Garden Path be built. Jeanette also asked for the Town Board's approval to conduct monthly Garden Club meeting in the Town Hall on Wednesday evenings at 7:00 PM. After a brief discussion, permission was granted for the meetings.

CLARK PATTERSON ASSOC. -- WATER PROJECT ISSUES:

----WATER DISTRICT #3 -----

Steve Mountain formerly of Clark Patterson Associates, reported that he has accepted a new job with the Town of Batavia and would no longer represent Clark Patterson regarding water project consultation in the Town of Stafford. Steve then introduced two new Clark Patterson employees who will act as his replacements. He also stated that he would still be available for consultation during the transition period. Mr. Mountain reported that open bids were recently solicited to implement the water system in Water District number 3. The Town of Byron was accepted as the low bidder. Water District number 3 needs to be formally established by soliciting petition signatures from residents in the proposed Water District area. Then State Comptroller approval would be necessary. Kevin Earl, the Town of Stafford Attorney presented legal petition forms to Supervisor Clement. These forms will be forwarded to Harold Collier a resident in proposed Water District #3 who has volunteered to petition the local residents for authorized signatures. After the required signatures are garnered, then a Public Hearing will be scheduled.

----WATER DISTRICT #4 -----

Steve Mountain reported that the Town of Stafford Water District #4 had recently applied for a Small Cities Grant, but based on a survey taken in the area relative to income level, it was determined that the District was not eligible for the Grant. Stuart Brown & Associates, recommends applying for a new Grant in a smaller subdivision area of Water District 4. They feel that the chances would be better to receive some sort of Grant funds, and then associated costs of water service could be calculated and people in the District would then vote on whether their individual costs are acceptable.

SANDRA SWANSON -- STATUS UPDATE REQUEST:

The Town Board was asked why the test wind energy tower on the Sanders Road has not been removed. It was noted that a Variance was granted to issue an 18 month permit to construct this Tower in June of 2004. Therefore it was questioned as to why this Tower is still standing. Supervisor Clement stated that he was unaware that the permit had expired and that he would talk to the Zoning Enforcement Officer in the Town to begin the process to have it removed.

The Town Board was then asked a series of questions as follows:

What Windmill Company's are pursuing installation of Windmills in Stafford?

Supervisor Clement stated that he did not know.

Will final decision on whether to implement Windmills in Stafford be put up to a Town Vote?

Supervisor Clement stated that there is nothing to vote on. They are in the process of waiting for a full Report from the Wind Energy Committee. Councilman Pacer stated that there is no yes or no answer needed to develop amendments and updates to the Zoning Laws.

Has there been any recent contact with Wind Energy Companies?

All Board members stated that they recently received something in the mail from UPC.

Each Board member was individually asked what their Due Diligence has been relative to the issue of potential Wind Turbines being introduced into Stafford. Each responded as follows:

Supervisor Clement. Directed formation of a Town Sponsored Citizens Wind Energy research Committee.

Councilman Mouery. Did research, listened to the needs of the people and will support what the majority of the people want.

Councilman Pacer. Personal research. Listen to the opinions of the citizens of Stafford.

Councilman Vicary. Introduced Idea of implementing the 1st Moratorium. Have had discussions with people in the Town of Stafford relative to Wind Energy issues, review reports and attended meetings.

Councilman Panek. Did research prior to election and took a stand against Wind Energy systems in Stafford. Strong proponent of implementation of final draft of Comp. Plan.

GENERATOR FOR TOWN HALL:

Supervisor Clement brought to the attention of the Board Members that there is a possible need to implement a backup Generator for the Town Hall. A brief discussion ensued and it was generally agreed that a backup generator is needed. Supervisor Clement will try to get more information on implementation of this generator and also if any grant funds would be available.

GAM Meeting

Dave Vicary attended the May 18, 2006 GAM meeting. No report was given at this time. The next meeting will be hosted by the Town of Pavilion on June 15, 2006. Councilman Panek is scheduled to attend.

CHAMBER OF COMMERCE RESOLUTION:

Supervisor Clement reintroduced the following resolution that was submitted by The Chamber of Commerce for consideration by the Stafford Town Board. This resolution was originally introduced at the May 8, 2006 Town Board meeting and a motion was made to table it until the June 12, 2006 meeting:

WHEREAS, Assemblyman Brodsky has sponsored Bill No. A06904C to enact reforms to local development corporations and industrial development agencies in the areas of conflicts of interest, standard tax exemption policies, municipal input, more information to be made public, economic impact statements, public hearings, and payment of prevailing wages, and

WHEREAS, the bill would require local development agencies and industrial development agencies to remit to the local government revenues received from the sale of land and fees collected from projects completed, and would create a standard tax exemptions policy for all IDA's, and would establish new requirements for additional public hearings before projects could be approved for support, and would require two-thirds of board members to be present for all public hearings, and would classify as public works projects subject to prevailing wages all projects funded by IDA's and

WHEREAS, these provisions of the bill would substantially hinder economic development, increase the cost of building construction, limit local flexibility in responding to specific projects and substantially lengthen the time it takes to approve a package of support for a business, and

WHEREAS, the Genesee county Economic Development Center aka Genesee county Industrial Development Agency has successfully worked with local municipalities for the furtherance of economic development in Genesee county and the proposed bill would jeopardize its ability to effectively support economic growth for the community,
NOW THEREFORE, be it resolved that _____ is in opposition to the passage of the above legislation and requests our elected officials to vote no.

Councilman Panek commented that this resolution does not address issues of eminent domain and therefore he feels it is misleading and incomplete.

MOTION was made by Councilman Panek to not support this resolution. No second was made to this Motion. Therefore the **Motion** was overruled and no action was taken on this resolution.

FIRE DEPT. NEW MEMBER APPROVAL:

Town Clerk Kershenski, presented the following list of new members to be approved for membership of the Stafford Fire Department:

Jennifer Carbery social member as of May 22, 2006.

A **Motion** was made by Councilman Pacer and seconded by Councilman Mouery to approve this candidate as a member of the Stafford Fire Department.

Motion was passed.

MISC. TOPICS OF DISCUSSION:

- **Fire Dept. Fireworks Permit:** Town Clerk presented a Fireworks Permit Application submitted by the Stafford Fire Department.
Motion was made by Councilman Pacer and seconded by Councilman Vicary to approve the Fireworks Permit application for the Stafford Fire Department. **Motion** was passed.
- **Godfrey's Pond Resolution notice:** Supervisor Clement said that he recently received a letter from the Genesee County Fish & Game Protective Association stating that they passed a resolution in opposition to Power Generating Windmills in the Town of Stafford.
- **Town Hall parking lot sealing status:** Superintendent Boldt reported that work needs to be done to recondition the parking lot at the Stafford Town Hall. He suggested possibly just filling in the cracks with a filler material and then maybe sealing the repaired cracks. Then money can be appropriated in next year's budget to repair the cracks permanently and level off the low spots and then seal the entire parking lot. After a brief discussion it was generally agreed that the Highway Superintendent should use his discretion to take care of the repairs to the driveway.
- **Cleaning person -- Highway Dept. Garage:** Superintendent Boldt requested permission from the Board to forgo having the rugs cleaned weekly at the Town Highway Garage and instead hire a cleaning person to clean the office and take care of the rugs. This was generally approved by the Town Board members. Superintendent Boldt will contact someone to do the cleaning.
- **Highway Stripping – Town of Stafford:** Superintendent Boldt reported that Highway Stripping will begin soon on the following Town of Stafford Roads:
Transit Rd., Batavia Stafford Town line Rd., Roanoke Rd., Buckley Rd., Griswold Rd., and Fotch Rd.
- **New Truck – Highway Dept.:** Superintendent Boldt reported that he is looking into drawing up a resolution to purchase a new Dump Truck for the Highway Department. He will introduce it at the July Town Board meeting.
- **Thwing Road Trash Cleanup & Town Ranking:** Councilman Panek reported that the Gary Rapalee residence on Thwing road has still not been cleaned up. There have been bags of trash on this property for months. Also Councilman Panek noted that in a recent newspaper article it was noted that the Town of Stafford was ranked as the 3rd best small Rural Town in western New York for being a well-rounded community and generally acknowledged to offer an excellent quality of life
- **Assistance for people in Stafford with Dry Wells:** Councilman Vicary suggested that the Town of Stafford should provide some sort of assistance to the people who experience water shortages because of their wells drying up. Possibly the availability to purchase tanks of water from the town for their personal use.

- **Reserved Signs at Emery Park:** Terry Young, the custodian at Emery Park, asked for approval to purchase reserved signs for the Pavilions at Emery Park. **Motion** was made by Councilman Pacer and seconded by Councilman Vicary to allow Terry to purchase these signs from a local sign maker. **Motion** was passed.
- **Wind Moratorium Extension time period:** Town Attorney Kevin Earl was questioned by a resident of the Town as to why the deadline for the Wind Energy Moratorium Extension was changed from Jan. 31, 2007 to Dec 31, 2006 even though a motion was made by the Town Board to accept the Jan 31, 2007 date. Mr. Earl stated that it was his determination to set the Dec. 31, 2006 end date to expedite the process of upgrading the Comprehensive Plan and Zoning Laws relative to the introduction of Wind Energy systems in the Town of Stafford. He then stated that if the Citizens Wind Energy committee deems it to be necessary, another Moratorium extension could then be applied for.

ABSTRACT PROCESSING & VERIFICATION:

GENERAL FUND

- Motion** by Councilman Mourey, sec. by Councilman Pacer to pay
Abstract #02 (Vouchers #272 – #279) in the amount of \$25,111.12
- Motion** by Councilman Vicary, sec. by Councilman Pacer to pay
Abstract #03 (Vouchers #280 – #342) in the amount of \$10,683.17

HIGHWAY FUND

- Motion** by Councilman Mourey, sec. by Councilman Vicary to pay
Abstract #09 (Voucher #112 - #142) in the amount of \$78,997.92

WATER FUND

- Motion** by Councilman Panek, sec. by Councilman Pacer to pay
Abstract #02 (Voucher #2) in the amount of \$6,084.00

Motion made by Councilman Vicary and seconded by Councilman Panek to adjourn at 10:30 PM.
Motion was carried and meeting was thus adjourned.

Dated June 12, 2006
Approved at 7/10/06 Town Board meeting with amendments

Walter Kershenski, Town Clerk