

MINUTES OF STAFFORD TOWN BOARD MEETING OF Dec. 11, 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.
10 members of the Community per sign in form.

Supervisor Clement called the meeting to order at 7:49 p.m., followed by Pledge to the Flag.

Motion made by Councilman Vicary, sec. by Councilman pacer to accept the minutes of the Nov. 13, 2006 Regular 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 Nov. 13, 2006 Budget Public Hearing as presented by the Town Clerk. **Motion** carried.

Motion made by Councilman Pacer, sec. by Councilman Vicary to accept the minutes of the Nov. 13, 2006 Fire Contract Public Hearing as presented by the Town Clerk. **Motion** carried.

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

OLD BUSINESS

RESOLUTION ADOPTING LOCAL LAW 2-2006:

Supervisor Clement presented the following resolution for consideration to Adopt Local Law 2-2006 for the enforcement of Uniform Fire Prevention & Building Codes:

RESOLUTION ADOPTING LOCAL LAW No. 2 OF 2006

WHEREAS, proposed Local Law No. 2 of 2006 of the Town of Stafford entitled "A Local Law Providing For The Administration And Enforcement Of The New York State Uniform Fire Prevention And Building Code", which proposed Local Law in its final form was presented to the Town Board at the meeting held on November 13, 2006, and a copy thereof was kept with the Town Clerk and copies both laid upon the desks of the members of said Town Board Members and mailed to each member of the Town Board Members not in attendance at said meeting; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on December 11, 2006, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

WHEREAS, the Town Board of the Town of Stafford, New York is of the opinion that adoption of said proposed Local Law No. 2 of 2006 is in the best interest of the Town of Stafford, New York,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Stafford, New York that said proposed Local Law No. 2 of 2006 be and the same hereby is adopted; and

BE IT FURTHER RESOLVED, that a certified copy of said Local Law No. 2 of 2006 be filed with the New York State Secretary of State in accordance with Law.

A **Motion** was made by Councilman Pacer and seconded by Councilman Vicary to adopt Resolution No. 02-2006 for enforcement of Uniform Fire Prevention & Building Codes.

Roll Call Vote as Follows:

Councilman	Vicary	Yes
Councilman	Panek	Yes
Councilman	Mourey	Yes
Councilman	Pacer	Yes
Supervisor	Clement	Yes

Motion was passed

RESOLUTION ADOPTING LOCAL LAW 3-2006:

Supervisor Clement introduced the following legal procedures required for adoption of a resolution for consideration to Adopt Local Law 3-2006 for a second moratorium extension regarding Wind Energy Conversion Systems:

- Referral and approval from Town Planning Board which has already been completed at the Dec. 4, 2006 Planning Board meeting.
- Referral and approval from the County Planning Board. This has already been scheduled for the County Planning Board meeting on December 14, 2006.
- Set date of December 18, 2006 at 7:00 PM after all Town & County Planning Board approvals have been received for a special Town Board Meeting to act upon of the Resolution adopting Local Law #3-2006 for the 6-month moratorium extension.
- Town Clerk will Post Notice of the Special Town Board meeting on Dec. 18th, 2006 in the Batavia Daily New, the Town Hall Bulletin Board and the Town Web site.

NEW BUSINESS

COMPREHENSIVE PLAN:

Supervisor Clement stated that it is time that the Town reviews the current draft of the Comprehensive Plan. It was generally agreed that a date of January 22, 2007 at 7:30 PM be scheduled at the Stafford Town Hall to conduct a Public Hearing in regards to the Comprehensive Plan. The Town Clerk will advertise this meeting accordingly. It was also suggested that the Town Board would accept applications from Candidates in the Town of Stafford who would be interested in serving on a Comprehensive Plan Implementation Committee. Interested candidates can file letters of intent with the Town Clerk.

JUSTICE CALL -- STATUS UPDATE PROCESSING TRAFFIC TICKETS:

Town Justice Doug Call gave a brief status update in regards to the new State Police policy that was recently implemented stating that the State Police Officers can no longer talk to defendants and prosecute tickets that they have issued. They are advocating that the Town hire local District Attorney's to prosecute traffic tickets thereby eliminating overtime pay to the State Troopers for prosecuting these tickets. Justice Call is stating that this is unfair to the Towns and is pursuing legislation that would require the New York State Police to return to the old way of prosecuting their own tickets.

Justice Call is also looking into the feasibility of implementing a credit card system for the Town Court. He is stating that this would make it easier and more convenient for people to pay their fines and thus would result in increased revenues for the Town.

Also, the Court Clerk is requesting education and training for her new assistant Clerk. Supervisor Clement stated that this would be OK.

TOWN OF ALABAMA PETITION FOR SUPPORT FOR VETERANS CEMETERY:

Supervisor Clement read a letter from the Town of Alabama soliciting support from the Town of Stafford to implement a veteran's cemetery in the Town of Alabama. An accompanying petition will be available in the Town Clerk's office until Jan. 15, 2007 for the public to sign in support of this cemetery.

BLACK CREEK WATERSHED COALITION SUPPORT REQUEST:

Supervisor Clement presented a letter from the Black Creek Watershed Coalition requesting donations in support of the various projects relating to the preservation and maintenance of the Black Creek Watershed

which partially runs through the Town of Stafford. Supervisor Clement stated that he suspects that the Town of Stafford can not legally contribute donations for such requests, but said that the general public if they so desire can do so. The Town Clerk will have the form available in his office.

TOWN HALL DEFIBRILLATOR QUOTE:

Councilman Vicary is proposing that the Town purchase an Automated External Defibrillator for the Town Hall. He has been researching various types of Defibrillators and has obtained a preliminary quote of approximately \$2,247.00. Councilman Vicary stated that he is looking into possibly getting a better quote through the Fire Department. After further discussion with the Town Board members, Councilman Vicary made a **Motion** that was seconded by Councilman Pacer to proceed with procuring a Defibrillator for the Town Hall. **Motion** was passed.

QUOTE TO PAINT TOWN CLERK'S OFFICE:

Town Clerk Kershenski requested that the Town Board consider a quote to paint the Town Clerk's Office. After a brief discussion, a **Motion** was made by Councilman Pacer and seconded by Councilman Vicary to authorize Stafford Painters a contract to paint the Town Clerk's office for the quoted cost of \$295. The Motion was passed.

GAM MEETING:

Councilman Mouery gave a brief report on the GAM meeting she recently attended. She reported that representatives from FEMA hosted the meeting. Councilman Pacer is scheduled to attend the December 21st meeting in the Town of Alabama.

SET DATE FOR SPECIAL TOWN BOARD MEETINGS:

After a brief discussion the following dates were set for special year-end town board meetings:

- Year End Financial Meeting Dec. 28, 2006 at 2:00 PM at the Town Hall
- 2007 Organizational Meeting Jan 8, 2007 at 7:30 PM at the Town Hall

MISCELLANEOUS TOPIC OF DISCUSSION:

- Question from the audience regarding incentive zoning in the town of Stafford? Supervisor Clement responded that it could be a possibility but highly unlikely. He stated that there has been no discussion in favor of incentive zoning.
- Councilman Vicary questioned why the Town is leasing the new Highway Equipment rather than paying off the cost in full, which would save finance charges. Supervisor Clement stated that originally money was not available to pay in full so a lease was negotiated. Since then money is available, but a payoff was not considered in the budget so therefore the town must continue the lease for another year. Councilman Vicary recommended that a pay out be budgeted for 2008.
- Councilman Vicary requested that the Town request from Nationalgrid that a new streetlight be installed at the intersection of Rt. 237 & Rt. 33. Supervisor Clement stated that this was discussed in the past and a study was conducted and it was determined that there was no increase in safety if a streetlight was installed.
- Councilman Vicary commented that he recently found out that the USDA may allocate some fund for a new Water Plant on the West Side of Monroe County. If this happens it could be conducive to enhanced water availability into Genesee County.
- Councilman Panek presented an outline he developed based on the recent Town Board Workshop that was conducted on Nov. 27, 2006 regarding the job description of the recording secretary & interactions with the ZBA and Planning Boards. After a brief discussion and review of the various items of the outline,

A **Motion** was made by Councilman Panek and seconded by Councilman Pacer to adopt this outline as a required responsibility profile to be followed by the Recording Secretary and the ZBA and Planning Boards.

Roll Call Vote as Follows:

Councilman	Vicary	Yes
Councilman	Panek	Yes
Councilman	Mourey	Yes
Councilman	Pacer	Yes
Supervisor	Clement	Yes

Motion was passed

- Supervisor Clement read a notice he recently received from the Zoning Board of Appeals stating that Brian Wormley was in violation of the zoning laws in the Town of Stafford by renting apartments on the Corner of Rt. 5 and Fargo Road above the Fastenal Business in a Commercial Zone. A use variance was denied Mr Wormley for this in the past.

A **Motion** was made by Councilman Pacer and seconded by Councilman Vicary to refer this matter for enforcement to the Town ZEO.

Roll Call Vote as Follows:

Councilman	Vicary	Yes
Councilman	Panek	Yes
Councilman	Mourey	Yes
Councilman	Pacer	Yes
Supervisor	Clement	Yes

Motion was passed

- Supervisor Clement presented a letter from the USDA that he recently received regarding Pre-Eligibility Determination Notification for WD #4 Service Area 1. He explained that it appears that there is money available and that Stafford may be eligible for funding for WD #4. It will now be up to Stuart Brown & Associates to submit a full application for this funding.
- Town Clerk Kershenski reported that a Town Newsletter is in the process of being mailed to all the residents in Stafford. Also the County/Town tax bills are being prepared for mailing.
- Highway Superintendent Boldt reported that he has submitted paperwork to FEMA for October Storm related reimbursements and also that the Highway Crew is currently working on road drainage issues on the Transit Road.

ABSTRACT PROCESSING & VERIFICATION:

GENERAL FUND

Motion by Councilman Panek, sec. by Councilman Pacer to pay
Abstract #22 (Vouchers #594 – #602) in the amount of \$46,662.41

Motion by Councilman Mouery, sec. by Councilman Pacer to pay
Abstract #23 (Vouchers #603 – #657) in the amount of \$11,364.51

HIGHWAY FUND

Motion by Councilman Panek, sec. by Councilman Vicary to pay
Abstract #17 (Voucher #249 - #250) in the amount of \$27,884.21

Motion by Councilman Panek, sec. by Councilman Vicary to pay
Abstract #18 (Voucher #251 -#262) in the amount of \$3,876.29

Motion made by Councilman Vicary and seconded by Councilman Panek to adjourn at 10:00 PM.

Motion was carried and meeting was thus adjourned.

Dated Dec. 11, 2006

Approved at 01/08/2007 Town Board Meeting

Walter Kershenski, Town Clerk