

## MINUTES OF STAFFORD TOWN BOARD MEETING OF July 14, 2008

### PRESENT:

D. Vicary -Councilman  
R. Panek -Councilman  
R. Pacer -Deputy Supervisor  
R. Clement -Supervisor

### ABSENT:

M. Macan-Mouery -Councilman

### OTHERS PRESENT:

Walter Kershenski -Town Clerk  
Steven Boldt - Highway Superintendent  
Robert Patterson - Zoning Enforcement Officer  
Lester Mullen - Code Enforcement Officer  
8 members of the Community per sign in form

Supervisor Clement called the meeting to order at 7:35 p.m., followed by Pledge to the Flag.

**Motion** made by Councilman Pacer, sec. by Councilman Panek to accept the minutes of the June 9, 2008, Regular Town Board Meeting as presented by the Town Clerk. **Motion** carried.

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

### OLD BUSINESS:

#### DEPT. of LABOR – VIOLATION NOTICES:

Supervisor Clement gave a brief report of the Status of the Recent Dept. of Labor inspection of the Town Hall and the subsequent violations notices that were registered with the Town of Stafford. Some of the notices were in regards to violations in the basement area of the Town Hall relative to exit signs, stairs hand railings, electrical circuit box labeling etc. Also there was a notice relative to an Emergency Response Plan that needs to be developed for the Town of Stafford in case an emergency evacuation condition occurs. Supervisor Clement assured the Board that he has been in contact with a representative of the Dept. of Labor and that he is working with them to correct the issues noted and also to develop an Emergency Response Plan for the Town. No time table was set at this time for completion.

#### WATER DISTRICT #8 – INCOME SURVEY:

Supervisor Clement reported that the Income Survey has been completed for WD #8 and that the next step for formation of this Water District will be to apply for a Small Cities Grant. The earliest that this Grant can be applied for is April of 2009 and there is only a 50/50 percent chance that we would be awarded the Grant. This would probably delay the project at least two years. The other alternative is to move forward without the Grant, but then the unit costs for the customers in this district would be much greater. After further discussion, a **Motion** was made by Councilman Vicary and seconded by Councilman Pacer to hold a Public Informational meeting for people in Water District #8 only on July 28<sup>th</sup>, 2008 at 7:30 PM at the Stafford Town Hall to discuss how the people want to proceed with this process. The Motion was passed.

#### MASONIC TEMPLE – STATUS:

Supervisor Clement presented a letter to the Board members from Town Attorney Kevin Earl regarding an application to build and operate a Masonic Lodge on Rt. 5 in the Town of Stafford. Mr. Earl noted that the location for the Temple, which can be classified as a Club would be in an Agricultural -Residential Zoned area and therefore would not be allowed unless a variance was granted or a zoning change was implemented. Mr. Earl further recommended that the Town board take steps to expedite the process of revising the Zoning Law to conform to the comprehensive Plan that is currently being implemented. He felt this would alleviate having to consider projects on an individual basis. The revision therefore would hopefully consider such uses as fraternal organizations.

## **NEW BUSINESS:**

Councilman Pacer made a brief statement prior to proceeding with the New Business Agenda. He stated that he recently talked to a person by the name of Tim Tyler who is in the process of building a new home in Stafford. Councilman Patterson noted that Mr. Tyler was very complimentary and pleased with the service he is receiving from ZEO Robert Patterson in regards to Zoning and Building issues relating to the construction of his new home in Stafford.

## **PROPERTY MAINTENANCE CODES – CEO LES MULLEN:**

CEO Lester Mullen spoke to the Board briefly about his frustrations with enforcement of property maintenance codes in the Town of Stafford. There are several blatant code violations occurring in the Town and he noted that he may need legal council as to how to proceed in regards to enforcement of these violations. He was requesting advice and support from the Board Members in these matters. He noted that there were multiple pool violations and home yard maintenance violations. After a brief discussion, the Board recommended that CEO Mullen should meet with Town Attorney, Kevin Earl to get legal counsel on how to proceed with these violations.

## **FIRE DEPT. RETIREMENT PLAN:**

Supervisor Clement reported that there has been a request by the Fire Dept. for the Town of Stafford to Sponsor a retirement plan for Active Stafford Volunteer Firemen. Representatives from Tompkins Ins. Co. were in attendance and Supervisor Clement turned the meeting over to them for a brief demonstration on how such a plan would work and be implemented. Supervisor Clement stated that if a retirement plan is implemented, it would require an additional tax item on the Town of Stafford Tax Bills to pay for this retirement plan. After the presentation no further action was taken on this issue at this time. Approval of such a plan would have to be on the November Election Ballot as a referendum.

## **PREPARATION OF ZONING REGULATIONS :**

- Stuart Brown – Proposal for services

Supervisor Clement was contacted by Town Attorney, Kevin Earl and told that the Town of Batavia recently contracted with Stuart Brown Associates to revise their Zoning Laws and that they were pleased with the results. Supervisor Clement then contacted Stuart Brown and expressed an interest in also contracting with them to likewise update the Town of Stafford Zoning Laws. Mr. Brown thereby submitted a letter to the Town with a formal proposal for Services to prepare revisions for the Town Zoning Laws. Supervisor Clement provided the Board Members with a copy of this letter for their review. The total cost of the proposal was \$21,500. Councilman Vicary questioned whether there is enough money in the Town budget in 2008 to cover such a project. There is not. Therefore a **Motion** was made by Councilman Panek and seconded by Councilman Pacer to table decision on Mr. Brown's Service Proposal until the Town Comprehensive Plan Committee can complete their current implementation of the comprehensive Plan. The **Motion** was passed.

## **TEAMSTERS CONTRACT NEGOTIATIONS :**

- Set Date and Time

Supervisor Clement noted that he recently received a letter from Glenn Miller of Teamsters Local No. 264 requesting a date and time to begin negotiations for a new Union Contract for Town Highway Employees. Councilman Pacer stated that he will confer with Councilman Mouery and then contact Mr. Miller to set a date and time to get started.

## **GAM MEETING:**

Councilman Pacer gave a brief report relative to the June GAM meeting he attended in the town of Pavilion. County Clerk, Don Read was the main speaker at the GAM meeting. Also, Lorie Cleveland the Director of Real Property Tax services spoke in regards to County wide tax services. Councilman Mouery is scheduled to attend the next GAM meeting on Sept. 18, 2008 in the Town of Bethany.

**SNOW & ICE CONTRACT EXTENSION:**

- Amendment to Resolution 12-2008

Supervisor Robert Clement offered the following amended resolution:

State of New York County of Genesee  
Town of Stafford

Date: July 14, 2008

Authorization to accept "Amendment B of the Agreement to Extend Fixed Lump sum Municipal Snow and Ice Agreement" for the **2008/2009** contract year.

Be it resolved that, the Town of Stafford, Town Board hereby authorizes the Supervisor to sign the 'Agreement to Extend Fixed Lump sum Municipal Snow and Ice Agreement' for the **2007/2008 season.**

This Resolution was presented to the Stafford Town Board at the July 14, 2008 regular meeting and a motion was made by Councilman Vicary, and seconded by Councilman Pacer. The motion was passed by a vote of

4 to 0.

Roll Call vote as follows:

Councilman Vicary	Yes
Councilman Mouery	Absent
Councilman Panek	Yes
Councilman Pacer	Yes
Supervisor Clement	Yes

**MILEAGE REIMBURSEMENT FEE INCREASE :**

Supervisor Clement announced that the Internal Revenue Service has raised the mileage reimbursement rate for the final six months of 2008 to .585 cents per mile. This is an increase of 8 cents per mile due to the high gasoline prices currently in effect. After a brief discussion, the Board chose not to act on increasing the Town of Stafford Mileage reimbursement fee as recommended by the IRS.

**COLD WAR VETERANS EXEMPTION MEMO:**

Town Assessor Anne Sapienza forwarded a memo to the Town Board requesting that they consider adopting a 'Cold War Veteran's' tax exemption similar to the recent exemption that was adopted by the Genesee County Legislature. It was noted that this would become a local law in the Town of Stafford and that in order for it to become effective beginning January 2010, the local law must be adopted by March 1, 2009.

A **Motion** was thus made by Councilman Panek and seconded by Councilman Vicary to follow the Genesee County Legislature's lead and draft a Local Law for a Cold War Veteran's tax exemption for the Town of Stafford. The Motion was passed.

**MISCELANEOUS TOPICS OF DISCUSSION:**

- **Town Hall Generator Status – D. Vicary:**

Councilman Vicary reported that the new Generator installation at the Town Hall has been completed and tested.

- **Water Station at Highway Garage – Status Report:**

The new Water pumping station at the Town Highway Garage has been installed and is currently open for business. Highway superintendent Boldt reported that he has collected about \$40 so far for the sale of water at the Station.

ABSTRACT PROCESSING & VERIFICATION:

**GENERAL FUND**

**Motion** by Councilman Mouery, sec. by Councilman Pacer to pay  
Abstract #12 (Vouchers #295 – #301) in the amount of \$27,352.46  
Motion was passed

**GENERAL FUND**

**Motion** by Councilman Vicary, sec. by Councilman Panek to pay  
Abstract #13 (Vouchers #302 – #354) in the amount of \$13,568.12  
Motion was passed

**HIGHWAY FUND**

**Motion** by Councilman Mouery, sec. by Councilman Pacer to pay  
Abstract #8 (Voucher #159) in the amount of \$35.79  
Motion was passed

**HIGHWAY FUND**

**Motion** by Councilman Mouery, sec. by Councilman Panek to pay  
Abstract #18 (Voucher #160 - #174) in the amount of \$48,536.01  
Motion was passed

**WATER FUND**

**Motion** by Councilman Mouery, sec. by Councilman Pacer to pay  
Abstract #10 (Voucher #18) in the amount of \$22,437.51  
Motion was passed

**WATER FUND**

**Motion** by Councilman Mouery, sec. by Councilman Pacer to pay  
Abstract #11 (Voucher #19 - #20) in the amount of \$28,715.05  
Motion was passed

**Motion** made by Councilman Vicary and seconded by Councilman Pacer to adjourn at 10:09 PM.  
**Motion** was carried and meeting was thus adjourned.

Dated July 14, 2008  
*Approved at Aug. 11, 2008 meeting*

Walter Kershenski, Town Clerk