

## MINUTES OF STAFFORD TOWN BOARD MEETING OF April 13, 2009

### PRESENT:

R. Clement	-Supervisor
D. Vicary	-Councilman
R. Panek	-Councilman
R. Pacer	-Deputy Supervisor
M. Mouery	-Councilman
Steven Boldt	- Highway Superintendent

### OTHERS PRESENT:

Walter Kershenski	-Town Clerk
Douglas Call	_ Town Justice
Lester Mullen	_ Town ZEO/CEO

Approximately 11 members of the Community per sign in form

Supervisor Clement called the meeting to order at 7:31 p.m., followed by Pledge to the Flag.

**Motion** made by Councilman Mouery sec. by Councilman Pacer to accept the minutes of the March 9, 2009, Regular Town Board Meeting as presented by the Town Clerk. **Motion** carried.

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

### OLD BUSINESS:

#### **1. Doug Call -- Appointment of new Deputy Court Clerk:**

Town Justice Douglas Call introduced to the Town Board, Teresa Maid. Teresa was recently hired by the Town Court as a 2<sup>nd</sup> Court Clerk. She will be working with the current Court Clerk to help accommodate the processing of traffic tickets and court proceedings in the Stafford Town Court.

## 2. DAVID RUMSEY -- FD Request for Road Closure for Parade



### STAFFORD FIRE DEPARTMENT, INC.

*Serving Stafford Since 1945*

6153 Main Road, Rt. 5, Stafford, New York 14143

Stafford Town Board

3/22/09

#### Parade Route Closure Request

I respectfully request approval to close down Route 5 and Route 237 for approximately 2 hours for the annual Fireman's Parade beginning at 7:00 pm on June 19, 2009. I also request that Clipnock Road be limited to parade and residential traffic one-way from 5:30 pm until the last unit crosses the Route 5 starting line for the parade.

The detour route for traffic will be as in years past. The detour from the North will be right on Bartof Road or left on Prentice Road. From the East the detour will be right on Buckley Road or left on Roanoke Road. From the West the detour will be right on Fargo Road, left on Prole Road or left on Sanders Road. From the South the detour will be Sweetland Road in either direction.

There will be fire police directing traffic at key intersections.

All fire apparatus will be parked in the Town Hall parking lot. Areas will be roped off to keep the trucks off the grass.

Any member of the board desiring to sit in the reviewing stand is asked to RSVP the parade chairman before the event.

The medical coverage for the parade will be provided by the East Bethany Fire Department. The Stafford Fire Department will stage their apparatus at each outgoing main thoroughfare for rapid coverage in case of an emergency after going through the parade.

Thank you for your continued support and consideration to this request.

  
David A Rumsey 951  
Chief/Parade Chairman

**Motion** was made by Councilman Pacer seconded by Councilman Vicary to approve the request by the Stafford Fire Department as per the attached letter to close Rt 5 & 237 for the annual Fireman's Parade on June 19, 2009 beginning at 7:00 PM. **Motion** was passed.

**3. LESTER MULLEN -- APPOINTMENT OF NEW ZEO/CEO DEPUTY :**

Town ZEO/CEO Mr. Lester Mullen asked the Board to consider appointment of Mr. Kevin Wolfe as 2<sup>nd</sup> ZEO/CEO officer in the Town of Stafford. Mr. Mullen noted that Kevin was recently selected by the Town Board members from a list of potential candidates to assist him with the day to day Zoning and Code enforcement issues in the Town.

**Motion** was made by Councilman Pacer seconded by Councilman Panek to appointment Kevin Wolfe as a second ZEO/CEO in the Town of Stafford at the pay rate of \$15 per hour. **Motion** was passed.

**4. STEVE BOLDT -- APPOINTMENT OF DEPUTY HIGHWAY SUPT.**

Highway Superintendent Steven Boldt noted that Highway Dept. employee Mr. Douglas Snell had not been officially appointed as Deputy Highway Superintendent at the January 2009 Organizational meeting and therefore he asked the Board Members to consider this appointment now.

**Motion** was made by Councilman Vicary seconded by Councilman Pacer to appoint Mr. Douglas Snell as Deputy Highway Superintendent for the Town of Stafford at a rate of \$22.50 per hour when acting in that capacity upon absence of the Highway superintendent. **Motion** was passed.

## NEW BUSINESS:

### **1. REQUEST FOR IMPLEMENTATION OF GYMNASTICS & AFTER School Facility**

Supervisor Clement presented the following letter for the Town board to consider:

Town of Stafford Board  
Robert S. Clement  
8790 Route237  
P.O. Box 733  
Stafford, NY 14143

March 24, 2009

Dear Mr. Clement,

My name is Amy Mathisen and I have lived in Stafford for 33 years. I grew up on my parent's (Elmer and Joanne Mills) farm located on the corner of Griswold and Caswell Rd, which my husband and I now help operate. I would like to appear before the Town Board on April 13 to request the use of 3-4 acres located on Caswell Rd for a Gymnastics and After-School Facility. The building would be approximately 9,900 square feet with 400 square feet dedicated to before and after-school programming and recreation activities. There would be 3 sinks, 4 toilets and **no showers** in the facility. There will not be a paved parking lot it will be large gravel covered by fine gravel.

To give you some background about me I have a Bachelors Degree in Accounting and have been involved in the gymnastics industry for 18 years. I started doing gymnastics when I was 13 and started volunteering at 14 and became a paid instructor at 15. I have been teaching ever since and managed the gymnastics program at the YMCA from the spring of 2005 to October of 2008. In 2008 I left to take an accounting position and at the time it was what was best for my family. As I constantly search for before and after school care for my children I have discovered that there is very little quality care in the Byron-Bergen School District, that coupled with my daughters love for gymnastics I started putting together a plan to offer both.

Gymnastics is a sport that prepares youth for any sport through gross motor skill development, strength training, flexibility and balance. Gymnastics is for both boys and girls of all ages and with the afterschool program right at the center, some parents will have one less stop to make in their busy schedules, which in turn strengthens the family unit. I want gymnastics in Genesee County to have a facility that will be around for years to come with the tools it needs for gymnasts to excel. I have been involved in a program that has moved at least 8 times in the last 10 years. I want there to be a permanent home for gymnastics in Genesee County.

I am well aware of the plan in place by the town with regards to specific uses of land and where that land is located. I know the importance of agriculture in the community and want my children to grow up with the same opportunities as I did. The building would not be anything elaborate it could be used as a work shop or storage facility if the need arises. I am looking to the town board for a way to bring a successful business to the community in a way that will benefit both the town and my family. I would like to ask the town board to grant a special use permit for an indoor recreational facility? This recreational facility could potential benefit the town through their summer recreation program and give the public more options for recreation activities at no cost to the town.

I look forward to discussing this project more on April 13 and am excited at a potential collaboration. Please feel free to forward me any information that I need to fill out before hand.

Sincerely,

Amy Mathisen  
5939 Griswold Rd  
Byron, NY 14422  
Cell (585) 409-3000

Cc: Walter Kersheuski  
Other Town Council Members

Supervisor Clement then introduced Mrs. Mathisen and she addressed the Town Board in regards to her proposal to implement Gymnastics and after School recreational facility on the Caswell Rd. in the Town of Stafford. After a brief discussion with Mrs. Mathisen and the board members, it was noted by supervisor Clement that the location proposed is designated as Agricultural Residential and her project is considered proper for a Commercial Recreational area only. Therefore, she must apply 1<sup>st</sup> for a land separation permit and then after that is approved, she must apply to the ZBA and the Planning Board for a Special Use Permit.

## 2. DOG SHELTER SERVICE AGREEMENT -- OFFICE OF THE SHERIFF:

Supervisor Clement presented the following letter he recently received from the Office of the Genesee County Sheriff:



NEW YORK STATE  
ACCREDITED AGENCY

## Office of the Sheriff Genesee County, New York

Gary T. Maha, Sheriff  
William A. Sheron, Jr., Undersheriff

April 1, 2009

Bob Clement  
Supervisor  
Town of Stafford  
8903 Route 237, P.O. Box 52  
Stafford, New York 14143

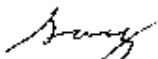
Dear Bob:

The New York State Department of Agriculture and Markets is requiring Genesee County to have agreements with all municipalities for providing dog shelter services, pursuant to Article 7 of the Agriculture and Markets Law.

Enclosed is such an agreement for the Town of Stafford. Please review the agreement and have it endorsed after approval. Once approved by the Town, return it to me, and I will submit it to the Genesee County Legislature for approval. After approval by the Genesee County Legislature, a fully executed copy will be returned to you for your records. There are no costs associated with this agreement.

If you have any questions in reference to this agreement, please feel free to contact me.

Sincerely,

  
Gary T. Maha  
Sheriff

GTM/ml

Enclosures

Sheriff's Office  
105 Park Road  
Batavia, New York 14020  
(585) 345-3000

Genesee County Jail  
P.O. Box 151  
Batavia, New York 14021-0151  
(585) 343-0838

A **Motion** was made by Councilman Vicary and seconded by Councilman Panek to approve the agreement with from the NYS Dept. of Ag. & Mkts. and Genesee County to provide dog shelter services. The Motion was passed.

**3. NYS SNOW AND ICE REMOVAL CONTRACT:**

**Resolution 13-2009**

**State of New York County of Genesee**

**Town of Stafford**

**Date:** April 13, 2009

**Authorization to accept "Agreement to Extend Fixed Lump sum Municipal Snow and Ice Agreement" for the 2010/2011 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 2010/2011 contract year.

This Resolution was presented to the Stafford Town Board at the April 13, 2009 regular meeting regarding the 2010/2011 Snow and Ice Contract with the State of New York. After discussing the details of the contract there were some questions and references that the Board members felt needed further clarification. Therefore a **Motion** was made by Councilman Vicary and seconded by Councilman Mouery to table this resolution until Highway Superintendent Steven Boldt can talk to NYS Dept. of Transportation resident Engineer, Patricia Reinhold about the Snow and Ice agreement contract for 2010/2011.

**4. TAX COLLECTOR'S REPORT -- WALT KERSHENSKI**

Town Clerk / Tax Collector Kershenski presented the following final tax report for 2009 to the Town Board as reported to the Genesee County Treasurer on April 3, 2009:

April 03, 2009  
Genesee County Treasurer  
County Bldg. #1  
Main and Court St.  
Batavia, New York 14020

Dear Scott:

Enclosed is Check #306 in the amount of \$ **80,224.55** which represents the Final Tax collection Payment for the Town of Stafford for 2009.

<b><u>ADJUSTED TOTAL WARRANT</u></b>	<b>\$1,597,087.17</b>	<b>_____</b>
<b>Jan. 2009 Amt. Pd. Supervisor</b>	<b>\$ 254,667.00</b>	
<b>Jan. 2009 Amt. Pd. County Treas.</b>	<b>\$ 917,363.75</b>	
<b>Amt. Collected Feb 2009</b>	<b>\$ 74,515.00</b>	
<b>Amt. deducted for Feb 2009 P&amp;I</b>	<b>\$ (729.32)</b>	
<b>Amt. Pd. County Treasurer</b>	<b>\$ 73,785.68</b>	<b>-----</b>
<b>For tax collected February 2009</b>		

Amt. Collected March 2009 + Interest	\$	82,744.55
Amt due Town for Bank Interest, Penalties & Mailing Fees	\$	-2520.00
4/03/09 Amt Pd. To County Treasurer March 2009	\$	80,224.55

Walt Kershenski Tax Collector, Town of Stafford

**5. GAM MEETING:**

Councilman Pacer gave a brief report of the content of the recent GAM meeting that was held in Leroy on March 19th, 2009. Councilman Pacer gave a brief report of the meeting to the Board Members. The next meeting will be held at the Town of Oakfield on April 16, 2009. None of the Councilmen or Supervisor are able to attend this meeting, so Walt Kershenski the Town Clerk was asked if he could attend in their place. He agreed to attend.

**6. HIGHWAY DEPT. – STEVE BOLDT:**

- **Emery Park Pavilions:**

- Re-roofing Materials quotes.  
Highway Superintendent Steven Boldt presented 3 quotes for Materials and Labor to re-roof the pavilions at Emery Park. It was decided that Low Key Construction Co. submitted the low bid and therefore Low key should be contracted with to do the job. Councilman Mouery objected to how the quotes were obtained. She stated that because of the cost of the project, the project should have gone out for formal Bid as an RFP. After a brief discussion and research of the Town Procurement Policy, A **Motion** was made by Councilman Pacer and seconded by Councilman Vicary that the project must be submitted to a formal Bid Process with a deadline of April 16, 2009 and when the Bids are received, Supervisor Clement will contact all Councilman by Telephone and relay the new Bid information to them and they will each vote accordingly on approval of the low bid. The Motion was passed.

- **Resolution 12-2009 :**

Supervisor Clement presented the following Resolution regarding Highway Dept. purchases of Highway Materials:

**RESOLUTION NO. 12-2009 DATED: April 13, 2009**

**Resolution on Road Construction Material Purchases**

**WHEREAS**, the Highway Department of the Town of Stafford, Genesee County, New York, periodically requires purchases for Road Construction materials for maintenance of Roads in the Town of Stafford.

**NOW, THEREFORE,**

**BE IT RESOLVED, that** for The Town of Stafford Highway Superintendent be authorized to purchase road construction material based on Genesee County Bid Specifications.

**Offered by: Councilperson Vicary**

**Second by: Councilperson Pacer**

Passed by a vote of 5 yeas and 0 nays.

**Roll Call vote as follows:**

Councilperson Vicary	<u>Yes</u>
Councilperson Mourey	<u>Yes</u>
Councilperson Panek	<u>Yes</u>
Councilperson Pacer	<u>Yes</u>
Supervisor Clement	<u>Yes</u>

- **New Loader Purchase**  
Highway Superintendent Boldt asked the Town Boards permission to put out Bid quotes for a new Rubber Tired front end Loader. Steve noted that there is enough money in his Highway Dept budget to purchase such a Loader and therefore he would like to do so in 2009. After a brief discussion with the Board Members Supervisor Clement told the Highway Superintendent that it would be Okay to proceed with the formal Bid process to purchase a new Loader for the Highway Department.
- **Resolution 01-2009 Equipment Standardization:**

**RESOLUTION NO. 01-2009 DATED: April 13, 2009**

**WHEREAS**, the Highway Department of the Town of Stafford, Genesee County, New York, presently owns 4 pieces of equipment all manufactured by the John Deere Manufacturing Company and has on hand a supply of spare parts therefore, and

**WHEREAS**, to purchase a different brand of equipment would be inefficient and uneconomical since alternate and additional supplies of spare parts would have to be purchased which would not be interchangeable with the ones already on hand and,

**WHEREAS**, for other reasons such as handling and operation of the equipment and attaching accessories it is determined by the Board desirable to purchase an additional piece of equipment of the same make as the one presently owned by the Town,

**NOW, THEREFORE,**

**BE IT RESOLVED, that** for reasons of efficiency and economy and pursuant to the authority conferred by subdivision 5 of section 103 of the General Municipal law, it is determined by this Board that there is a need for standardization in the purchase of equipment for the Town Highway Department, and

**BE IT FURTHER RESOLVED** that the Superintendent of Highways be and be hereby is authorized to contract for the purchase of a John Deere 644 Loader of the same model as the ones presently owned by the Town Highway Department with the lowest responsible bidder after advertisement for sealed bids and public bidding in the manner provided by the General Municipal Law.

**Offered by:** Councilperson Vicary

**Second by:** Councilperson Panek

Passed by a vote of 5 yeas and 0 nays.

Roll Call vote as follows:

Councilperson Vicary	<u>Yes</u>
Councilperson Mourey	<u>Yes</u>
Councilperson Panek	<u>Yes</u>
Councilperson Pacer	<u>Yes</u>
Supervisor Clement	<u>Yes</u>

#### 7. MISC:

- **Revisions to Stafford Zoning Laws -- David Vicary.**

Councilman Vicary stated that the Comprehensive Plan / Zoning Upgrade Committee in conjunction with the County Planning Department have developed a Final Draft version of the Town of Stafford Zoning Law upgrades. This draft version will be presented to the Zoning Board of Appeals, Planning Board, and Town Board for review and final approval on May 4, 2009 at 7:00 PM at the Town Hall. Therefore a **Motion** was made by Councilman Mourey and seconded by Councilman Pacer to table and final approval of the Stafford Zoning Law revisions until after the scheduled Workshop meeting on May 4, 2009. Motion was passed.

ABSTRACT PROCESSING & VERIFICATION:

GENERAL FUND

**Motion** by Councilman Vicary, sec by Councilman Panek to pay  
Abstract #06(Vouchers #101 – #155) in the amount of \$47,691.72  
Motion Passed

HIGHWAY FUND

**Motion** by Councilman Mouery, sec by Councilman Pacer to pay  
Abstract #05(Voucher #47 - #61) in the amount of \$10,764.62  
Motion Passed

HIGHWAY FUND (Prepay)

**Motion** by Councilman Mouery, sec by Councilman Pacer to pay  
Abstract #04(Voucher #46) in the amount of \$1514.19  
Motion Passed

WATER FUND

**Motion** by Councilman Mouery, sec by Councilman Pacer to pay  
Abstract #5(Voucher #13 - #15) in the amount of \$6075.27  
Motion Passed

**Motion** made by Councilman Pacer and seconded by Councilman Vicary to adjourn at 10:15 PM.  
**Motion** was carried and meeting was thus adjourned.

Dated April 13, 2009  
*Approved at May 11, 2009 meeting*

Walter Kershenski , Town Clerk