

**MINUTES OF STAFFORD TOWN BOARD MEETING OF June 8, 2009**

**PRESENT:**

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

**ABSENT:**

D. Vicary - Councilman

**OTHERS PRESENT:**

Walter Kershenski -Town Clerk  
Approximately 6 members of the Community per sign in form

Supervisor Clement called the meeting to order at 7:33 p.m., followed by Pledge to the Flag.

**Motion** made by Councilman Pacer sec. by Councilman Mouery to accept the minutes of the May 11, 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. WATER DISTRICT STATUS -- SUPERVIOSR CLEMENT: .**

• **NYS Comptrollers Approval Applications:**

Supervisor Clement informed the Board Members that he has recently received notices of Approval from the NYS Comptrollers Office for permission to move forward with the process to establish Water districts #5 & #7. Water District #7 cost is not to exceed \$659,900 and Water District #5 is not to exceed \$900,000. He also reported that to date, no response has been received from the NYS Comptroller in regards to WD #8 which is the being contested by some of the residents of that district.

• **WD #7 Loan Resolution Adoption:**

Supervisor Clement presented to the Town board Members, a Loan Resolution for Adoption for Water District Nbr. 7. After a brief re view and discussion of the Loan Resolution, a Motion was made by Councilman Pacer and seconded by councilman Mouery. To adopt the Loan Resolution. Motion was passed.

**2. BOND RESOLUTION 17-2009:**

• **Water District #7**

Supervisor Clement offered the following Bond Resolution for review and approval by the Stafford Board Members:

**RESOLUTION NO. 17-2009 DATED: June 8, 2009**

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$368,000 SERIAL  
WATER DISTRICT #7 BONDS OF THE TOWN OF STAFFORD, IN THE COUNTY  
OF GENESEE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
COST OF CONSTRUCTING A WATER SYSTEM IN WATER DISTRICT #7.

**Dated June 8, 2009**

WHEREAS, Water District #7, hereinafter described, is a water district of the Town of Stafford in the County of Genesee, duly established by the Town Board of said Town, and, as such, proposes to construct, maintain and operate a water system for said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Stafford, in the County of Genesee, as follows:

Section 1. The Town of Stafford, in the County of Genesee, shall issue its serial bonds of the aggregate principal amount of \$368,000 (the "Serial Bonds") pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose to be financed pursuant to this resolution is the construction of a water system to provide a safe and reliable potable water supply and fire protection to certain residences in Water District #7 of said Town, consisting of the installation of all required water lines, appurtenances and connections necessary for the operation of such system, connection thereof to water mains and establishment of lateral line connections to permit commercial, residential and other connections thereto, and including the acquisition of any necessary rights-of-way and easements in accordance with and at the locations stated in the map and plan referred to in the order adopted by the Town Board of said Town on January 12, 2009, establishing said District pursuant to Article 12 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$659,900; (b) no money has heretofore been authorized to be applied to the payment of the costs of said purpose, except for a \$291,900 grant which the Town intends to procure from Rural Development, an agency of the U.S. Department of Agriculture; (c) the Town Board plans to finance the Town's cost of said purpose entirely from funds raised from the issuance of such Serial Bonds and from said grant; and (d) the cost of such improvement is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Local Finance Law § 11.00, and that the period of probable usefulness of said purpose is forty (40) years. The final redemption date of the bonds to be issued will not extend beyond December 31, 2048.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

Section 6. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Local Finance Law §§ 50.00 and 56.00, the power to prescribe the terms, form and contents of said Serial Bonds, and the power to sell and deliver said Serial Bonds in accordance with Local Finance Law §§ 57.00 and 60.00, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Serial Bonds issued pursuant to this resolution and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said Serial Bonds and to attest such seal. Each interest coupon, if any, representing interest payable on such Serial Bonds shall be authenticated by the facsimile signature of the Town Supervisor.

Section 7. It is hereby determined that, due to the fact that said Serial Bonds are for a special improvement authorized by Article 12 of the Town Law, this bond resolution is not subject to permissive referendum, pursuant to paragraph b.1(2) of Local Finance Law § 35.00.

Section 8. It is hereby determined that the issuance of the Serial Bonds is subject to the permission of the State Comptroller therefore pursuant to paragraph 4 of Local Finance Law § 104.10.

Section 9. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Local Finance Law § 8 1.00, and such publication shall be in The Daily News, a newspaper published in the City of Batavia, New York, and having a general circulation in said Town. The validity of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money; or if the provisions of law which should have been complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations were authorized in violation of the provisions of the Constitution of New York.

**Section 10. This resolution shall take effect immediately upon its adoption.**

**Offered by: Councilperson Pacer**

**Second by: Councilperson Panek**

Passed by a vote of 4 yeas and 0 nays and 1 absent.

Roll Call vote as follows:

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

**NEW BUSINESS:**

**1. COMP PLAN UPDATE 2009 FUTURE LAND USE PLAN:**

• **County Planning Department Approval at June 11, 2009 meeting:**

Supervisor Clement reported to the Board Members that Town Clerk Kershenski has submitted the Town of Stafford Comprehensive Plan Text Amendments and Future Land use Plan Map to the Genesee County Planning Department for their review and approval at their June 11, 2009 meeting.

• **Schedule Public Hearing for July 13, 2009:**

Supervisor Clement stated that if the County Planning Board approves the Comprehensive Plan Text Amendments and future Land Use Plan Map, a public hearing on these amendments would then be required. A **Motion** was made by Councilman Pacer and seconded by councilman Mouery to set a date of July 13, 2009 at 7:00 PM for the Public Hearing if the amendments are approved by the county Planning Board. The Motion was passed.

**2. FIRE DEPT. FIREWORKS PERMIT:**

Town clerk Kershenski presented an application for a Permit recently submitted by the Town of Stafford Fire Department to conduct a Fire Works Display during their Summer Carnival. Each Board member reviewed copies of the Permit Application and the associated licenses and Insurance Liability forms provided by the Fireworks Company. The application and associated licenses and Insurance forms were to the satisfaction of the Board Members so a **Motion** was thus made by Councilman Pacer and seconded by Councilman Panek to approve issuance of the requested Fireworks Permit and to authorize Supervisor Clement to sign the Permit accordingly. The Motion was passed.

### **3 LETTER FROM CRAIG COLOPY REGARDING GYMNASTICS FACILITY PROPOSAL :**

Supervisor Clement presented to the Board members, a copy of a letter he recently received from Craig Colopy who lives on Caswell Road. His property close proximity to property where there has been a recent proposal by Amy Mathisen to implement a Gymnastics and after School facility. He has some concerns regarding this business venture and wanted to share them with the Town Board Members . The Board member took time to read the letter and commented briefly. No further action was taken on t his issue at this time.

### **4. ASSEMBLY HAWLEY -- ISSUES:**

- **Highway Services Bids Assembly Bill A.5437:**

Superintendent Boldt recently received a letter from Assemblyman Hawley addressing the recent concerns which require local municipalities to bid certain highway services, which consequently disallows municipalities to “piggyback” on County bids. Assemblyman Hawley is co -sponsoring a Bill that would amend the law and permit Municipalities to make purchase or contract for services through the County in which the municipality is located. There was a brief discussion amongst the Board Members regarding this issue. No action was taken.

- **Gov’t. Reorganization & citizen empowerment Act Bill 8501:**

Town Clerk Kershenski recently received a press release from Assembly Hawley regarding his vote in favor of Assembly Bill 8501 NY Government Reorganization and Citizen Empowerment Act. This legislation will help save taxpayer dollars by allowing local government to become more effective and efficient, while at the same time standardizing state law regarding the process of government consolidation. The Board members discussed this briefly. No action was taken.

### **5 GAM MEETING:**

Supervisor clement gave a brief report of the recent GAM meeting that was hosted By the Town of Darien on May 21, 2009. There were discussion regarding updates on the County Ambulance RFP by Jay Gsell, county Manager and it was reported that Mercy Flight was the one potential provider that meets all the RFP minimum requirements. Justice Gary Graber from the Town of Darien, gave a presentation regarding the action plan for Justice Courts. Councilman Panek is scheduled to attend the June 18, 2009 meeting in the Town of Pavilion

### **6. HIGHWAY DEPT. – STEVE BOLDT:**

Superintendent Boldt reported on the following:

- The Highway Dept. is currently working on paving of Mullen Rd., Britt Rd., Bat. Stafford Townline Rd. and installing new culvert pipes on Transit Rd.
- There is a need for a new Salt Spreading Controller for two of the Snow Plow trucks. Steve will look into the estimated cost and develop an RFP accordingly. The new spreaders should pay for themselves because there will be less salt usage and more accurate spreading.
- Fascia Boards will be fixed on the Bathroom Building at Emery Park after the refurbished park sign is reinstalled on the building.
- Looking into upgrading the Wireless Cell Phone plan to include Himself as primary owner of the plan with Zoning/Code Officers Mullen and Wolff as secondary.
- Stafford Highway Superintendent signs will be put on Highway Dept. pickup truck.
- Excess Gravel will be declared as Surplus Inventory and disposed of accordingly
- Research issue of Weight Limit Signs on Town Roads. May need an item on the Organization Meeting Agenda to specify on an annual basis what weight limits will be for the year.

## 7. HIGHWAY DEPT. UNION CONTRACT STATUS :

### o Councilman Pacer & Councilman Mouery :

Councilman Pacer reported that they are in the process of working with the Teamsters Union to transfer the Health Insurance Coverage for the Highway Dept. Union Employees to a new Health Ins. Company by July 1<sup>st</sup> and then the Contract will be finalized.

## 8 Miscellaneous:

- Town Clerk Kershenski reported that the Town Clerks association in Genesee County recently had a presentation given to them by Business Automated Systems software Company regarding implementation of Credit Card Systems in the Town Clerk's Offices. Walt will get quotes from BAS and evaluate whether it is feasible for the Town of Stafford to engage in such a system for the Town Clerk's Office.
- Councilman Mouery reported that there are 3 new staff members from Byron Bergen, Stafford and Batavia in the Recreation Program. The Rec. program. Directors are also currently negotiating with the Stafford Country Club for the use of there Swimming Pool for the children. Also CPR courses are being scheduled for the staff members of the recreation program.
- Councilman Mouery noted that there has been a request to install doors on the stalls in the bathroom at emery Park. Superintendent Boldt stated that he would install the doors as requested.

### ABSTRACT PROCESSING & VERIFICATION:

#### GENERAL FUND Prepay

**Motion** by Councilman Mouery sec by Councilman Pacer to pay  
Abstract #09Vouchers #200- #201 in the amount of \$496.59  
Motion Passed

#### GENERAL FUND

**Motion** by Councilman Panek sec by Councilman Pacer to pay  
Abstract #10Vouchers #202- #239 in the amount of \$57,743.88  
Motion Passed

#### HIGHWAY FUND

**Motion** by Councilman Mouery sec by Councilman Pacer to pay  
Abstract #07(Voucher #83- #99) in the amount of \$57,089.20  
Motion Passed

#### WATER FUND

**Motion** by Councilman Mouery sec by Councilman Pacer to pay  
Abstract #7(Voucher #19 - #20) in the amount of \$3,539.40  
Motion Passed

**Motion** made by Councilman Pacer and seconded by Councilman Panek to adjourn at 8:22 PM. **Motion** was carried and meeting was thus adjourned.

Dated June 8, 2009  
Approved at July 13, 2009 meeting

Walter Kershenski, Town Clerk