

## MINUTES OF STAFFORD TOWN BOARD MEETING OF August 10, 2009

### PRESENT:

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

### OTHERS PRESENT:

Walter Kershenski -Town Clerk  
Steven Boldt - Highway Superintendent  
Eric Weiss - Clark, Patterson, Lee Associates

Approximately 9 members of the Community per sign in form

Supervisor Clement called the meeting to order 7:41 p.m., followed by Pledge to the Flag.

**Motion** made by Councilman Mouery sec. by Councilman Panek to accept the minutes of the July 13, 2009 Public Hearing for Zoning Amendments as presented by the Town Clerk. **Motion** carried.

**Motion** made by Councilman Mouery sec. by Councilman Panek to accept the minutes of the July 13, 2009, Regular Town Board Meeting 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:

#### **1. Action on approval of Zoning Amendments:**

- **Referred to county Planning Dept for Aug. 13<sup>th</sup> meeting.**

Supervisor Clement stated that the next step in the process to implement upgrades to the Town of Stafford Zoning laws is to refer the upgrades to the County Planning Department for their review and approval. ZEO/CEO Mullen will work with Town Clerk Kershenski to prepare referral forms to submit to the County Planning Department.

- **Table till Sept. 14, 2009 Town Board Meeting**

A **Motion** was made by Councilman Vicary and **Sec by Councilman Panek** to table till Sept. 14, 2009 Town Board Meeting and by then the County Planning Dept. decision will be made regarding the Zoning Upgrades.

#### **2. Gymnastics Facility -- Amy Mathisen:**

A **Motion** was made by Councilman Panek and **Sec** by Councilman Pacer to schedule a Public Hearing for Sept. 10<sup>th</sup> at 7:00 PM regarding a request by Amy Mathisen to build a Gymnastics facility in the Town of Stafford in an Agricultural Residential Zone. The Motion was passed.

A **Motion** was made by Councilman Pacer and **Sec** by Councilman Mouery to refer the Gymnastics facility application to county Planning Board for their Sept. 14, 2009 meeting. The Motion was passed.

A **Motion** was made by Councilman Pacer and **Sec** by Councilman Mouery to refer the Gymnastics facility application to Town Planning board for their Sept. 23, 2009 meeting. The Motion was passed.

## **NEW BUSINESS:**

### **1. Water District Status Reports:**

Supervisor Clement & Eric Weiss:

Supervisor Clement reported that the Application for Approval of Water district #8 from the State Comptroller's Office has been rejected. The reason for the rejection was that the Comptroller's Office received letters from some of the residents of the Water District who are opposed to implementation of the Water district. Therefore, it will be necessary to redefine the scope of Water District #8 to try to get the Unit Cost down. Eric Weiss, an engineer with Clark Patterson Lee Associated, suggested that the district be expanded to include a portion of Clipnock Road. Eric developed 3 proposals for the redefinition of the Water District and suggested that we have public informational meeting to discuss the feasibility of the various scenarios.

**A Motion** was then made by Councilman Vicary and Seconded by Councilman Pacer to schedule a Public Informational meeting for Water District #8 for Monday, August 24, 2009 at 7:00 PM. The Motion was passed.

Eric Weiss also reported that bids will be going out shortly for construction of Water District #7.

### **2. Kevin Reilly – Court Resource Center:**

#### **• Court Budget:**

Mr. Kevin Reilly a representative of the NYS Court Resource Center addressed the Town Board Members on behalf of the Stafford Court Clerks. Mr. Reilly spoke about the intricacies of the NYS court system and how it affects the scope of the Town Court Clerk's jobs. He stressed the need for ongoing education for the Clerks and advocated budget increases for the Town Court Personnel accordingly.

### **3. Planning & Zoning Board Applicant Status :**

Town Clerk Kershenski reported that there have been 3 applicants for Town Planning Board and he is working with Bill VanAlst, the Planning Board Chairman, to schedule interviews. Also will be contacting past applicants (2) to see if they are still interested. Deadline is Aug. 14<sup>th</sup>.

There have also been 3 applicants for the Town Zoning board of Appeals and they are scheduled for interviews with the ZBA on August 17<sup>th</sup>. Recommendations will be forwarded to the Town Board for their final approval at the Sept. 14<sup>th</sup> meeting.

### **4. County Ambulance Status -- Contract:**

Supervisor Clement presented the Town Board members with a contract Proposal for Pre -Hospital Emergency Service. It was noted under the terms of this new contract that there would be no fees incurred by the local municipalities. Supervisor Clement noted that Town Attorney, Kevin Earl, is currently reviewing the contract and will make recommendations accordingly. **A Motion** was made by Councilman Panek and seconded by Councilman Pacer to authorize Supervisor Clement to sign the Contract Proposal contingent on Town Attorney Kevin Earl's final evaluation and recommendation. Passed by a vote of 4 yeas and 0 nays and 1 Abstention.

Roll call vote as follows:

Councilman Vicary Yes

Councilman Mouery Abstain

Councilman Panek Yes

Councilman Pacer Yes

Supervisor Clement Yes

### **5. Highway Dept Union Contract Status:**

Councilman Pacer reported that the New Union Contract has been approved by the Teamsters Union and the Highway Union Members. There were minor changes implemented and the Highway employees were in the process of canceling their old Health Insurance Policies with the Union and applying for Health Insurance Coverage with a New Carrier. **A Motion** was made by Councilman Pacer and seconded by Councilman Mouery to authorize Supervisor Clement to sign the new Union Contract.

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

Roll Call vote as follows:                      Councilman Vicary   Abstain                      Councilman Mouery   Yes  
Councilman Panek   Yes                      Councilman Pacer     Yes                      Supervisor Clement   Yes

**6. A.D. CALL LANDSPREADING PERMIT:**

Deputy Supervisor Pacer stated that the next item of business would be to review and approve an application from A.D. Call & Sons for Land Spreading in the Town of Stafford.

After a brief discussion, amongst the Town Board Members and review of the application forms submitted, a **Motion** was thus made by Councilman Mouery and seconded by Councilman Pacer to approve issuance of the Land Spreading Permit to A.D. Call & Sons for a period of 1 ye ar. Motion was passed.

**7. GAM MEETING:**

No meeting in August. Next meeting will be in Sept. 2009 and Councilman Mouery will attend .

**8. Town Liability Issue -- Youth Recreation Program**

- **Letter form Town Attorney Kevin Earl.**

Supervisor Clement recently received a letter from Town Attorney, Kevin Earl, regarding the issue of recreation program children riding in cars with program directors while running errands for the program. It was stated that in such circumstances if the automobile is involved in a accident and injuries are sustained, the Town of Stafford would be liable and there could even be the possibility of lawsuits if other vehicles are involved. Upon further review, the Board Members recommended that the Recreation Program Director receive a copy of the Attorney's Letter and that the Recreation Program Staff be informed accordingly.

**9. HIGHWAY Dept. Status - S. Boldt:**

Superintendent Boldt had nothing new to report.

**10. Miscellaneous:**

- **Repairs to Emery Park Septic System :**

It was noted that recently there have been recurring problems with the septic system at Emery Park. The tank has had to be pumped a couple of times and part of the drainage system has had to be dug up. These issues prompted the board Members to inquire as to the status of the Park Expansion Program that has been proposed in the recent past. Supervisor Clement stated that he would meet with a representative of the Fire Dept. and discuss the Park Expansion Status. If necessary, then funds can be appropriated accor dingly in the upcoming budget process for 2010. Need to get estimates from contractors also.

- **Scofield Penalty:**

Town Clerk Kershenski noted that Mr. Scofield has not paid his Zoning Violation Installment payment that was due by July 31, 2009. He has 2 mor e payments left. The Board advised the Town Clerk to contact Town Attorney, Kevin Earl, and inform him that payment is overdue so legal proceeding can begin to acquire the balance of the fine.

**ABSTRACT PROCESSING & VERIFICATION:**

**GENERAL FUND PrePay**

**Motion** by Councilman Mouery, sec by Coucilman Pacer to pay  
Abstract #13(Vouchers #298- #301) in the amount of \$4,984.98

**GENERAL FUND**

**Motion** by Councilman Panek, sec by Councilman Vicary to pay  
Abstract #14(Vouchers #302- #350) in the amount of \$9,847.04

HIGHWAY FUND PrePay

**Motion** by Councilman Mouery, sec by Councilman Panek to pay  
Abstract #9(Voucher #130) in the amount of \$183.65

HIGHWAY FUND

**Motion** by Councilman Mouery, sec by Councilman Pacer to pay  
Abstract #10(Voucher #131 - #141) in the amount of \$13,799.36

WATER FUND

**Motion** by Councilman Mouery, sec by Councilman Pacer to pay  
Abstract #10(Voucher #24 - #25) in the amount of \$8,691.57

**Motion** made by Councilman Pacer and seconded by Councilman Pacer to adjourn at  
9:35 P.M. **Motion** was carried and meeting was thus adjourned.

Dated August 10, 2009  
*Approved at Sept 14., 2009 meeting*

Walter Kershenski , Town Clerk