

## MINUTES OF STAFFORD TOWN BOARD MEETING OF Sept. 14, 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  
Approximately 3 members of the Community per sign in form

Supervisor Clement called the meeting to order at 7:25 p.m., followed by Pledge to the Flag.

**Motion** made by Councilman Mouery sec. by Councilman Panek to accept the minutes of the Aug. 10, 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 Aug. 10, 2009, Regular Town Board Meeting as presented by the Town Clerk. **Motion** carried.

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

### OLD BUSINESS:

#### **1. Action on approval of Recreational Gymnastics facility proposal:**

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

Deputy Supervisor Pacer presented to the Board a Copy of a letter from Mr. William VanAlst , Chairman of the Town Planning Board regarding their recommendations for the Recreation Facility. It was recommended by the Town Planning Board that they be the Lead Agency on this issue. Councilman Vicary stated that according to zoning regulations this is an issue that ultimately has to be decided on by the Town Board and therefore he felt that the Town Board should take the responsibility of being the lead agency on this project.

After review and discussion regarding the '**County Planning Board Notice of Final action**' and the letter sent to the Town Board on behalf of the Town Planning Board regarding the proposed Mathisen Gymnastics Facility in Stafford, the following action was taken by the Town Board:

A **Motion** was made by Councilman Vicary and seconded by Councilman Mouery to appoint the Town Board of Stafford as the Lead Agency for the Environmental Review of the referenced proposed Gymnastics Facility by Amy Mathisen in the Town of Stafford. The Motion was passed on Roll Call vote of 4 yeas and 0 nays as follows:

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

**2. Water District Water Main & Appurtenance Standardization:**

Deputy Supervisor Pacer offered the following Resolution regarding Water Main Appurtenance Standardization:

RESOLUTION NO. 22-2009 DATED: Sept. 14, 2009

**RESOLUTION REGARDING  
WATER MAIN & APPURTENANCE STANDARDIZATION**

WHEREAS, the Town of Stafford (Town) has entered into an agreement with the Monroe County Water Authority (MCWA) for the operation and maintenance of Town water districts.

WHEREAS, the MCWA has specific material requirements for water main and appurtenances that are operated and maintained by the MCWA. The material requirements are outlined in the Uniform Design and Construction Standards for Extending Water Distribution Systems available from the MCWA.

WHEREAS, the MCWA requires that all proposed water districts and extensions in the Town utilize the materials outlined in the Uniform Design and Construction Standards for Extending Water Distribution Systems.

BE IT RESOLVED, the Town shall standardize on the material requirements as outlined in the Uniform Design and Construction Standards for Extending Water Distribution Systems prepared by the MCWA for all proposed water districts and extensions.

**Offered by:** Councilperson Vicary

**Second by:** Councilperson Mourey

Passed by a vote of 4 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>Absent</u>

**NEW BUSINESS:**

**1 Zoning Amendments -- Status:**

- County Planning Board Referral
  - Notice of Final Action

Deputy Supervisor Pacer presented the Board with the County Planning Board Zoning Referral 'Notice of Final Action'. The County Planning Dept. decision was for approval of the proposed amendments to the Town of Stafford Zoning Law.

A **Motion** was then made by Councilman Panek and Seconded by Councilman Vicary to accept the 'Final Action' recommendation by the County Planning Board.

The Motion was passed

- Publication of Updated Zoning Law:

Town Clerk Kershenski reported that he recently had a conversation with Felipe Oltremari, Sr. Planner with the Genesee County Planning Dept. regarding updating and printing of the Town Zoning law manual. Felipe said that they would provide us with an electronic updated copy of the Town Zoning Law and we could use this to publish on our WEB site and also produce hard copy printed manuals for sale or use by our local Government officials.

**2. County Ambulance Issue:**

- Action on email from Kevin Earl regarding Ambulance Contract :

Deputy Supervisor Pacer presented an email that was recently received from Kevin Earl the Town Attorney regarding Mercy Flight and the newly proposed ambulance contract. Mr. Earl indicated that he is concerned about indications in the new contract that the Town of Stafford might be held responsible with regard to the operation of ambulance service. After reviewing the details of the email and discussion accordingly amongst the Board Members, it was decided that Mr. Earl needs to be consulted for further advice on how to proceed with this matter.

**3 Scofield penalty payment status:**

Town Clerk Kershenski reported that Mr. Scofield was several days overdue in paying his Zoning Violation Fine, but that he came in today, Sept. 14th just prior to this meeting and paid the last payment of his fine in full.

**4. Correction of Tax Rolls:**

Town Clerk Kershenski presented to the Board Members the following resolution per the Genesee County Real Property Tax Service Department for consideration regarding corrections to the Town of Stafford Tax Roll for 2006 thru 2009 for property owned by Mary Majors-Brown that was erroneously listed on the tax map.

**RESOLUTION NO. 22-2009**

**DATED: Sept. 14, 2009**

Correction to Tax Roll -- Town of Stafford -- Approval of

**Dated Sept. 14, 2009**

WHEREAS, The Director of Real Property Tax Services has received applications for corrections to the 2006-2007, 2007-2008, 2008-2009 tax rolls in the Town of Stafford for the following parcel, where taxes remain unpaid:

Tax Map No. 1.-2-105, owned by Mary Majors-Brown (estate), 5292 Clinton St. Rd., Batavia, NY 14020, and

WHEREAS, This parcel is a parcel that was erroneously listed on the tax map and tax rolls, Now, therefore, Be it

RESOLVED, That the Genesee county Legislature hereby authorize the removal of this entry from the tax rolls, and Be it further

RESOLVED, That the Town of Stafford be charged the amount of \$15.21, the Batavia City School district be charged the amount of \$210.96 for prior tax years 2006 -2007 and 2007-2008, and the amount of \$124.77 charged to Account A342 Uncollectibles; and also that the Batavia City School District 2008 -2009 tax amount be reduced by \$91.04

**Offered by: Councilperson Vicary**

**Second by: Councilperson Mouery**

Passed by a vote of 4 yeas and 0 nays.

Roll Call vote as follows:

Councilperson Vicary	<u>Yes</u>
Councilperson Mouery	<u>Yes</u>
Councilperson Panek	<u>Yes</u>
Councilperson Pacer	<u>Yes</u>
Supervisor Clement	<u>Absent</u>

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

Councilman Pacer reported that the New Union Contract has been approved by the Teamsters Union and the Highway Union Members. The final contract is being mailed to the Town Supervisor and upon receipt he will sign it accordingly. The Health Insurance contracts have been canceled with the Teamsters and transferred to a new independent carrier as per terms of the new contract.

## **6 Yearly Financial Audit Report Review:**

Deputy Supervisor Pacer presented to the Board the Yearly Financial Audit Report that was recently received by the Town Auditing Firm. Mr. Pacer suggested that because of the volume and complexity of the report, a copy should be taken home by each council member and reviewed by them accordingly. After a general discussion of this, A Motion was made by Councilman Vicary and seconded by Councilman Panek to table any action regarding approval of the audit report until the October 12, 2009 Town Board meeting.

Motion was passed.

## **7 GAM MEETING:**

After a summer break, the GAM meetings will resume again in September.

- Next meeting will be Sept. 17<sup>th</sup> 2009. Councilman Panek will attend. The Town of Leroy will host this meeting.

## **8. Planning Board, new member approval**

A **Motion** was made by Councilman Mouery and Seconded by Councilman Panek to accept the Town Planning Board's recommendation to approve Mr. Donald Bausch to fill the term of Shin Iburi in the Town Planning Board. The Motion was passed

## **9. Zoning Board of Appeals new member approval:**

A **Motion** was made by Councilman Mouery and Seconded by Councilman Panek to accept the Town Zoning Board of Appeal's recommendation to approve Mr. Michael Lathan to fill the term of Richard Smith in the Town Planning Board. The Motion was passed

## **10. Zoning Board of Appeals new member approval:**

A **Motion** was made by Councilman Vicary and Seconded by Councilman Mouery to accept Mr. John Meulbauer's application to serve a 5 year reappointment to the Assessment Board of Review. The Motion was passed

## **11. Highway Dept. Status:**

Highway Superintendent Boldt gave a brief status update regarding issues with the Highway Dept... They are currently working on getting the Plowing Equipment repaired and ready for the winter Season, and replacing a sander on the Pickup Truck. Also he inquired about procedures for some budget fund transfers that may be needed.

## **12. Set date for Budget Workshop:**

- Monday Sept. 28, 2009 at 5:00 PM.

Deputy Supervisor Pacer announced that the budget Workshop Meeting is scheduled for Monday Sept. 28, 2009 at 5:00 PM at the Stafford Town Hall. This meeting is open to the public and will require attendance by all Town Budget Officers. The purpose of this meeting is to develop initial tentative budget figures for the 2010 fiscal year. This Tentative Budget will then be forward to the Town Clerk who will formally type up the tentative Budget and present it to the Town Board for Preliminary Budget approval at the October 12, 2009 Town Board Meeting.

**13. Fire Dept. Land Transfer:**

The following resolution was offered for consideration by Attorney W. Douglas Call on behalf of the Stafford Fire Department regarding land transfer adjacent to Emery Park for an expanded Town recreational facility:

RESOLUTION NO. 23-2009 DATED: Sept. 14, 2009

STATE OF NEW YORK : COUNTY OF GENESEE  
TOWN OF STAFFORD : TOWN BOARD

RESOLUTION

Authorizing acceptance of grant of 7.685 acres from the Stafford fire Department, Inc., for attachment to Emery Park as a public ball park recreational lands.

WHEREAS: The public of the Town has expressed, over the years, interest in the creation of recreational ball fields for use by residents of the Town; and

WHEREAS: The Stafford fire Department, Inc., has expressed a willingness to transfer a 7 .685 acre parcel of land immediately adjacent to the Town’s Emery Park located along West Main Road in the Town of Stafford; and

WHEREAS: The Town is willing to accept the transfer of the said 7.685 acre parcel, as depicted on a certain survey map of The Stafford fire Department, Inc. Town Park Land Separation, prepared by Welch & O’Donoghue, Land Surveyors, P.C., dated June 30, 2008 and designated ad Job No. G07 -3308S (copy attached), for the purpose of converting the lands into a recreational facility a s part of the said Emery Park.

NOW THEREFORE, it is hereby

RESOLVED: That the Town of Stafford will hereby accept, for annexation to Emery Park, the transfer of the said 7.685 acre parcel of land from the Stafford Fire Department and the Supervisor is a uthorized to execute all documents necessary to bring about the full transfer, including to arrange for the payment of any and all fees necessary to record the resulting deed on the public record, if any.

This Resolution was presented to the Stafford To wn Board at its September 14, 2009 regular meeting and motion was Councilman David Vicary, and seconded by Councilman Michelle Mouery. The motion was passed by a vote of  4  to  0 .

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>Absent</u>

**14. Miscellaneous:**

Linda Call the president of the Stafford Historical Society addressed the Town Board and asked permission to conduct a Bake Sale at the Town Hall on Election Day in November. After a brie discussion, a **Motion** was made by Councilman Mouery and seconded by Councilman Vicary to permit the Historical Society to conduct a Bake Sale at the Town Hall on Nov. 3, 2009 in the Hallway adjacent to the Museum Entrance.

The Motion was passed.

ABSTRACT PROCESSING & VERIFICATION:

GENERAL FUND Prepay

**Motion** by Councilman Mouery, sec by Councilman Vicary to pay  
Abstract #15(Vouchers #351– #358in the amount of \$3340.28

GENERAL FUND

**Motion** by Councilman Panek, sec by Councilman Vicary to pay  
Abstract #16(Vouchers #359– #392) in the amount of \$33,320.05

HIGHWAY FUND

**Motion** by Councilman Mouery , sec by Councilman Panek to pay  
Abstract #11(Voucher #142 - #155) in the amount of \$44,518.48

WATER FUND

**Motion** by Councilman Mouery, sec by Councilman Vicary to pay  
Abstract #11(Voucher #26 - #28) in the amount of \$181.66

**Motion** made by Councilman Vicary and seconded by Councilman Panek to adjourn at  
9:12 PM. **Motion** was carried and meeting was thus adjourned.

Dated Sept. 14, 2009  
*Approved at Oct. 12th, 2009 meeting*

Walter Kershenski , Town Clerk