**TOWN OF STAFFORD TOWN BOARD MEETING**

**MAY 12, 2025 DRAFT**

Supervisor Clement opened the Regular Town Board meeting with the Pledge of Allegiance at 7:30pm with Councilman Panek, Councilman Duyssen and Councilman Pacer present, Councilman Young was absent. Highway Superintendent Boldt and Town Clerk Radley were also in attendance.

Others attending were, Janet Ward from Catalyze, Nathan Merritt, Tony Prinz, Donna Vorhees, Andrew Darling, David DiMatteo, Attorney, Barbie Starowitz, Laurie and Zach Pocock, Sandy Swanson and Charlie Giacchino.

Councilman Panek made a motion to approve the Financial Report, Councilman Pacer second the motion and was passed on a 4-0-1 vote.

Councilman Panek made a motion to approve the Fire Department Report, second by Councilman Pacer and approved on a 4-0 -1 vote.

Councilman Pacer made a motion to approve the CEO/ZEO Report second by Councilman Duyssen and approved on a 4-0-1 vote.

Councilman Duyssen made a motion to approve the Assessor Report, second by Councilman Panek and approved on a 4-0-1 vote.

Councilman Panek made a motion to approve the meeting minutes of the Public Hearings of April 14, 2025, second by Councilman Duyssen and approved on a 4-0-1 vote.

Councilman Panek made a motion to approve the Regular Meeting Minutes of April 14, 2025 second by Councilman Pacer and approved on a 4-0-1 vote.

Laurie Pocock, Recreation Director spoke about the 2025 Summer Recreation Program. This year’s program will be from June 30 until August 8. She will have the packets ready in about two weeks for the families to see and sign-ups will be June 8 10:00 am to 12:00 pm at Emery Park. She plans to have four field trips and the staff has been chosen; the applications are all in and in process of being accepted.

Councilman Pacer made a motion to approve Resolution 35, Hiring Summer Recreation Employees for 2025, second by Councilman Panek and approved on a 4-0-1 vote.

RESOLUTION 35 DATED: MAY 12, 2025

HIRING SUMMER RECREATION EMPLOYEES FOR 2025

WHEREAS the Town Board of the Town of Stafford has a Summer Recreation Program and,

WHEREAS the Town of Stafford would like to hire Laure Pocock for Recreation Aide for $5,000.00 per year, Andrew Pocock as Recreation Supervisor for $22.00 per hour, Lily Stalica as Recreation Leader for $19.00 per hour, Jayce Panepento as Recreation Aide for $16.50 per hour, Nate Yauchzee as Recreation Aide for $16.50 per hour, Hayleigh Kavanaugh for Recreation Aide at $16.00 per hour, and Sydney Shaw as Recreation Aid Sub for $15.50 per hour not to exceed the $30,000.00 budgeted amount and,

THEREFORE, the Town of Stafford will hire Recreation Employees Laurie Pocock at a rate of $5,000.00 per year, Andrew Pocock at a rate of $22.00 per hour, Lily Stalica at a rate of $19.00 per hour, Jayce Panepento at a rate of $16.50 per hour, Nate Yauchzee at a rate of $16.50 per hour, Hayleigh Kavanaugh at a rate of $16.00 per hour and Sydney Shaw at a rate of $15.50 per hour and not to exceed the $30,000.00 budgeted amount.

Offered by: Councilman Pacer

Second by: Councilman Panek

Approved on a Roll Call Vote:

Councilman Panek Yes

Councilman Young Absent

Councilman Duyssen Yes

Councilman Pacer Yes

Supervisor Clement Yes

Attorney David DiMatteo spoke about the firm Camoin and the study they are helping us conduct. On Tuesday, May 13, 2025 there will be a webinar with Bill VanAlst, our Planning Board Chair, Supervisor Clement and a Board Member to give an overview of the Socio-Economic Impact Study Camoin is conducting. Soon we will have a Work Session with the Planning Board; this is open to the public for listening purposes only, no comments or input from the public will be allowed. After that, there will be a Public Hearing for discussion with anyone who wishes to speak and then get the final report; no draft report will be given. The SEQR will be performed with the application and a Special Use Permit will be issued also.

The Financial Clerk was asking for Remote Access for Bank Accounts and was denied.

Councilman Panek made a motion to approve Resolution 30 Water District #30 Project Budget Modifications, second by Councilman Pacer and approved on a Roll Call Vote.

TOWN OF STAFFORD

RESOLUTION #30 DATED: MAY 12, 2025

WATER DISTRICT #12 PROJECT BUDGET MODIFICATIONS

WHEREAS, the Town of Stafford has received funding from Rural Development for their Water District #12 Project (“Project”); and

WHEREAS the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of Stafford authorizes the following Budget modifications for the Project:

1. Bond Counsel Decrease of $629.43

2. Fiscal Coordination Increase of $2,400

3. Single Audit Increase of $11,698

On a motion offered by Councilman Panek and second by Councilman Pacer

I, Barbara Radley, Town Clerk of the Town of Stafford, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Stafford on May 12, 2025, by the following vote:

AYE

Robert Clement, Supervisor X

Ronald Panek, Board Member X

Robert Pacer, Board Member X

James Duyssen, Board Member X

Terry Young, Board Member Absent

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Barbara Radley

Town Clerk – Town of Stafford

Councilman Panek made a motion to approve Resolution 31Stafford Town Board Accepts Information from Water District #12, 14 and 15, second by Councilman Pacer and approved on a 4-0-1 vote.

RESOLUTION 31 DATED: May 12, 2025

STAFFORD TOWN BOARD ACCEPTS INFORMATION FROM

WATER DISTRICT #12, 14 and 15

WHEREAS the Town Board has received information regarding Water District #12, 14 and 15,

WHEREAS the Town Board reviewed the information,

THEREFORE, the Town Board of the Town of Stafford has reviewed the information and accepts the information for Water District #12, 14 and 15.

Offered by: Councilman Panek

Second by: Councilman Pacer

Approved on a 4-0-1 vote.

Councilman Panek made a motion to approve Resolution 32 Resolution to Allow Funds for the Annual Audit to be Paid from Water District #12, second by Councilman Pacer and approved on a 4-0-1 vote.

RESOLUTION 32 DATED: MAY 12, 2025

RESOLUTION TO ALLOW FUNDS FOR THE ANNUAL AUDIT TO BE PAID FROM WATER DISTRICT #12

Adopted: May 12, 2025

WHEREAS the Town Board of the Town of Stafford met at a regular board meeting at the Town Hall located at 8903 Route 237, Stafford, New York on the 12 day of May, 2025, commencing at 7:30 P.M. at which time and place the following members were:

Present: Supervisor Robert Clement

Councilmember Ronald Panek

Councilmember Terry Young

Councilmember James Duyssen

Councilmember Robert Pacer

Absent:

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town of Stafford is not normally required to perform an annual audit; and

WHEREAS, the Town of Stafford is required to conduct an annual audit since the Town of Stafford received $2,992,000.00 in funding for Water District No. 12 from United States Department of Agriculture Rural Development (USDA RD), as USDA RD makes funding over the amount of $750,000.00 contingent on conducting an annual audit; and

WHEREAS, due to the USDA RD requirements, the Town of Stafford is required to perform an audit of all its books for the 2024 fiscal year, and has contracted such audit out to the firm Lumsden & McCormick; and

WHEREAS the audit for the fiscal year 2024 performed by the firm Lumsden & McCormick came to a cost of $21,000.00; and

WHEREAS, the Town Board desires to pay such audit fee with the funds for Water District No. 12 rather than the General Fund, as such fee was expended only due to the USDA RD requirements for funding Water District No. 12; and

NOW ON MOTION OF Councilman Panek which has been duly seconded by Councilman Pacer, be it

RESOLVED, by the Town Board of the Town of Stafford, that the audit expenses incurred for the audit of fiscal year 2024 performed by the firm Lumsden & McCormick, such expenses being in the amount of $21,000.00, shall be paid with the funds for Water District No. 12.

Ayes: 4

Nays: 0

Absent: 1

Quorum Present: X Yes

Dated: May 12, 2025

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[SEAL] Barbara Radley, Clerk

Town of Stafford

Councilman Duyssen made a motion to approve Resolution 33 Approval of Mowing Contract with the Stafford Volunteer Fire Department, second by Councilman Pacer and approved on a Roll Call Vote.

RESOLUTION 33 DATED: MAY 12, 2025

APPROVAL OF MOWING CONTRACT WITH THE STAFFORD VOLUNTEER FIRE DEPARTMENT

WHEREAS the Stafford Volunteer Fire Department needs services for mowing the grounds of the Department at 6153 Main Rd. Stafford, NY and,

WHEREAS Town of Stafford Highway Department has the means to assist in this matter and

WHEREAS the Town of Stafford has an Agreement for Mowing Services contract written to be approved by the Town Board of the Town of Stafford and the Stafford Volunteer Fire Department and

WHEREAS the contract states the timeframe for the services to be performed as from May 1 to October 31, 2025 on a weekly basis for a fee of $4,544.60 per year payable on November 15, 2025. This is subject to renewal on a yearly basis.

THEREFORE, the Town of Stafford will enter into a contract with the Stafford Volunteer Fire Department for mowing the grounds at the Stafford Volunteer Fire Department, 6153 Main Rd. Stafford, NY weekly and to be paid $4,544.60 per year payable on November 15, 2025. This may be renewed on a yearly basis.

Offered by: Councilman Duyssen

Second by: Councilman Pacer

Approved on a Roll Call Vote:

Councilman Panek Yes

Councilman Young Absent

Councilman Duyssen Yes

Councilman Pacer Yes

Supervisor Clement Yes

Councilman Pacer made a motion to approve Resolution 34, Town of Stafford Water District No. 14 Lateral Restrictions, second by Councilman Panek and approved on a Roll Call Vote.

RESOLUTION 34 DATED: MAY 12, 2025

TOWN OF STAFFORD WATER DISTRICT NO. 14 LATERAL RESTRICTIONS

Councilperson Pacer offered the resolution:

WHEREAS, the Town Board of the Town of Stafford has created the Town of Stafford Water District No. 14 pursuant to Town Law for the express purpose of providing public water supply to residents along portions of Clapsaddle Road and Fargo Road; and

WHEREAS part of the land area within Water District No. 14 is also within Genesee County Agricultural District No. 1; and

WHEREAS the Town Board is filing a Notice of Intent to Undertake Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District No. 1; and

WHEREAS the New York State Department of Agriculture and Markets (“Department”) may express concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District and will most likely request the adoption of its Lateral Restrictions policy to avoid potential adverse impacts to the Agricultural District.

NOW THEREFORE BE IT RESOLVED that the Town Board, in recognition of the concerns that may be raised, hereby resolves to adopt the “Lateral Restriction - Conditions on Future Service” specified by the New York State Department of Agriculture and Markets as follows:

Lateral Restriction - Conditions on Future Service

The Town of Stafford imposes the following conditions, as warranted or recommended on the management of water/sewer lines located in Water District 14, within an agricultural district:

(1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted; State certified agricultural district.

(2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the Department of Health, and agreed to by the Department of Agriculture and Markets.

(3) If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

(4) If land is removed from a county adopted, State certified agricultural district and the district have been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

(5) Hydrants and valve boxes must not be placed directly in agricultural fields.

Councilperson Panek seconded the resolution which was approved by roll call vote:

Councilperson Panek Yes Councilperson Pacer Yes

Councilperson Duyssen Yes Councilperson Young Absent

Supervisor Clement Yes

CERTIFICATION

STATE OF NEW YORK}

COUNTY OF GENESEE}

I hereby certify that the aforementioned is a true and accurate copy of a resolution adopted by the Town of Stafford Town Board on May 12, 2025

DATED: May 12, 2025

Barbara Radley, Town Clerk

Councilman Pacer made a motion to adjourn to Executive Session at 8:23pm to discuss personnel issues and invited Highway Superintendent Boldt and Town Clerk Radley, second by Councilman Duyssen and approved on a 4-0-1 vote.

The Regular Meeting resumed at 8:55pm.

Resident Charlie Giacchino asked if the Town would consider adding a pathway behind the Town Hall for the purpose of residents walking there instead of using the parking lot that is being used now. He mentioned the people walking a young child daily and an older couple walking in the evening; he feels this is dangerous but a nice site to see. This was discussed and the thought is that the cost was too much for this project.

Charlie also mentioned the truck traffic on Rt 237 and Rt 5. This is also a danger, the trucks do not have adequate room to turn and we would like to see some resolution; the island on the corner being removed to give the trucks more room. Another thought was to investigate the possibility of using the old railroad bed to the north on Rt 237 that would connect Rt 237 to Sanders Rd. for truck traffic only to alleviate any congestion or problems with turning to or from Rt 237 and Rt 5.

The Town Board will consider drafting a letter to the State DOT to reconstruct the island to improve the corner.

Councilman Duyssen made a motion to pay Abstract 5 General Fund in the amount $73,557.53, second by Councilman Pacer and approved on a 4-0-1 vote.

Councilman Duyssen made a motion to pay Abstract 5 Highway Fund in the amount $35,165.59, second by Councilman Pacer and approved on a 4-0-1 vote.

Councilman Duyssen made a motion to pay Abstract 5 Capital Fund in the amount $14,008.50, second by Councilman Pacer and approved on a 4-0-1 vote.

Town Clerk Radley reported that she received a phone call from Linda Snell regarding the flag project. 15 more flags are needed and ordered they are red with navy blue and white letters with Stafford written. This comes at a price of $2,205.00, Linda was able to keep the price the same as last year and should have them in two weeks. She is requesting that the present flags be lowered and the new flags be placed alternately with the present flags. She is very grateful to have this project in motion and that the Highway Department is doing such a good job with it.

Highway Superintendent Boldt reported that Roanoke Road from East Bethany LeRoy Road to the Pavilion line was oiled and stoned last week. Batavia Stafford Townline Road was oiled and stoned this week; Fotch Road will be done next week with the Water District #12 Funds.

The New York State Budget has passed with no increases for Highway improvements.

Councilman Pacer made a motion to adjourn the meeting at 9:15pm, second by Councilman Duyssen and approved on a 4-0-1 vote.

Respectfully Submitted,

Barbara Radley

Town Clerk/Tax Collector