**TOWN OF STAFFORD TOWN BOARD MEETING**

**SEPTEMBER 8, 2025 DRAFT**

Supervisor Clement opened the Regular Town Board Meeting at 7:30 pm with the Pledge of Allegiance, then held a moment of silence for the past Town Clerk, Walt Kershenski and past Councilman Dave Vicary after reading a prayer for them.

In attendance were Councilman Ronald Panek, Councilman Terry Young, Councilman James Duyssen, Councilman Robert Pacer, Highway Superintendent Steven Boldt and Town Clerk Barbara Radley.

Others present were Janet Ward from Catalyze, Gene Sinclair, Mr. David Roach and Mr. David DiMatteo from DiMatteo, Roach and Kelly, Donna L. Voorhees, Quentin Call, Cathy Worthington, Barbie Starowitz, Andrew Darling, James Pontillo, Laura Pontillo, Harold Leanos, Charlie Giacchino, Gary Snell, Nate Merritt, Ed Russell and Justin Steinbach.

Councilman Panek made a motion to approve the Financial Report, second by Councilman Pacer and approved on a 5-0 vote.

Councilman Panek made a motion to approve the meeting minutes of August 11, 2025 meeting, second by Councilman Young and approved on a 5-0 vote.

Councilman Panek made a motion to approve the Special Meeting Minutes of August 28, 2025, second by Councilman Duyssen and approved on a 5-0 vote.

Councilman Panek made a motion to approve the Fire Department Report, second by Councilman Young and approved on a 5-0 vote.

FIRE DEPARTMENT REPORT

Your Stafford volunteer fire department has answered 18 calls in the month of August Included were many EMS calls, 1 auto fire and a few miscellaneous fire service calls

The department members also completed 38 man hours of training in the month of August topics Included:

Lithium Ion Battery training, small engine work, and working with our meters

We are accepting applications to join the fire department.

Please Stop by any Monday night from 6:30-9:00pm and talk to a fire fighter, EMT, fire police

Tim Eckdahl

Fire Chief

Stafford Fire Department Inc

951@staffordvfd.org

6153 main road

PO Box 56

Stafford NY 14143

Councilman Panek made a motion to approve the CEO/ZEO Report, second by Councilman Pacer and approved on a 5-0 vote.

CEO/ZEO REPORT

Code Enforcement Report August 2025

Permits Etc.

#39 Deck and fence 7848 Byron Road $35.00

#40 Wood Burning Stove $35.00

 Still doing follow ups etc. CEC/Prinzi Should have resolution soon.

Legal paper work for 8904 Route 237 is complete Will need resolution from Town Board

Appears Pontillo building is being worked on. Dead line for all items to be complete is 9-15-2025.

Getting many calls from the Solar people. Referring them to the Planning Board.

Trying to help a Local citizen with a problem tenant and contractor. Also leaking sewerage problem.

Following up usual grass, weeds, junk complaints

Gene Sinclair 9-04-2025

Councilman Pacer made a motion to approve the Assessor Report, second by Councilman Young and approved on a 5-0 vote.

 ASSESSOR REPORT

SEPTEMBER 8, 2025 REPORT FROM ASSESSOR

I have finished collecting all the inventory for the 2026 reassessment. I have asked the County to run the Property Data mailers. Once I receive them, I will be sending them out to all property owners for their review of what I have on file, and any corrections that need to be made.

I will start the process of sending out the renewal exemption applications.

School tax bills have been delivered, and I’ve had many phone calls already inquiring about the STAR exemptions.

Councilman Panek made a motion to adjourn to Executive Session at 7:36 pm with the Town Attorney, Mr. David Roach, CEO/ZEO and Town Clerk Radley to discuss litigation, second by Councilman Young and approved on a 5-0 vote.

The regular meeting resumed at 8:05 pm.

Mr. James Pontillo spoke of his property on Main Rd. and his plans to seek grants to improve the property. He also asked for an extension to complete the list of requirements of the court. After a discussion, no extension was granted because the court order is in effect.

Laurie Pocock was present to give a report on the Summer Youth Recreation Program. The children had a wonderful summer filled with four field trips, activities at the park, swimming at the Stafford Country Club pool, coloring contests, talent shows and a fun day at the Stafford Fire Department. The end of the year party was a big success with Mr. Stafford being chosen; Henry Richenberg, runner up Michael Hamblin, Miss Stafford Macy Ruppert and runner up Elizabeth Breemes. Coloring Contest winner Violet Gallagher runner up Weston Morrow, Talent Show winners Jameson Liles and runner up Emily Wescott.

Next year the program will run from June 29 – August 7, 2026. Thank you Laurie for a great summer for our youth.

A D Call has a Special Use Permit presented for Land Spreading; a letter from the Planning Board Chairman, Bill VanAlst was read by Supervisor Clement. This letter was recommending that the Town Board approve the Special Use Permit stating that no objections to the spreading have been recorded.

Councilman Pacer made a motion to approve the permit for A D Call and Sons Landspreading since no complaints were filed, second by Councilman Panek and approved on a 5-0 vote.

Councilman Panek made a motion to approve Resolution 51, Bonding Highway Equipment, second by Councilman Duyssen and approved on a Roll Call vote.

Councilman Panek Yes

Councilman Young Yes

Councilman Duyssen Yes

Councilman Pacer Yes

Supervisor Clement Yes

EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING BOND RESOLUTION No. 51

At a meeting of the Town Board of the Town of Stafford, in the County of Genesee, in the State of New York on the 8th day of September, 2025:

 PRESENT: Supervisor Robert Clement

 Councilman Ronald Panek

 Councilman James Duyssen

 Councilman Robert Pacer

 Councilman Terry Young

 ABSENT:

Councilman Panek presented the following resolution and moved that it be adopted:

BOND RESOLUTION DATED SEPTEMBER 8, 2025 OF THE TOWN BOARD OF THE TOWN OF STAFFORD AUTHORIZING NOT TO EXCEED $400,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE ACQUISITION OF ONE TEN WHEELER DUMP TRUCK WITH SNOW PLOW PACKAGE, ONE UTILITY TRACTOR AND RELATED EQUIPMENT AND APPARATUS INCIDENTAL THERETO, AT AN ESTIMATED MAXIMUM COST OF $439,332, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES TO THE TOWN SUPERVISOR IN ANTICIPATION OF THE SALE OF SUCH BONDS.

 BE IT RESOLVED, by the Town Board of the Town of Stafford, Genesee County, New York (the “Town”) (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

Section 1. The Town is hereby authorized to (a) acquire one (1) 10 Wheeler Dump Truck with Snow Plow/Box Package and one (1) 6M 116 Cab Utility Tractor related equipment and apparatus incidental thereto and pay costs of issuance, and (b) issue its serial general obligation bonds or a statutory installment bond (the “Bonds”) in the aggregate principal amount of not to exceed $400,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes to be financed pursuant to this Resolution acquisition of one (1) 10-Wheeler Dump Truck with Snow Plow/Box Package and one (1) 6M 116 Cab Utility Tractor related equipment and apparatus incidental thereto and the payment of costs of issuance of the Bonds and bonds anticipation notes hereinafter referred to (collectively, the “Purpose”).

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is $439,332, (b) the Town Board has not previously authorized the expenditure of the funds necessary to finance the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose entirely from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and grants.

Section 4. It is hereby determined that said Purpose is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years. The Bonds have a proposed maturity of more than five years to be measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such Bonds, whichever date is the earlier.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 6. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of such Bonds by virtue of paragraph 9 of subsection d of Section 107.00 of the Local Finance Law, with respect to all objects and purposes authorized to be financed hereby.

Section 7. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such Bonds as the same become due and payable.

Section 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00, and 56.00, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the Bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and content, and the manner of execution of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining annual debt service, and the power to sell and deliver said Bonds and any bond anticipation notes issued in anticipation of the issuance of such Bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town.

Such Bonds and bond anticipation notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by section 51.00 of the Local Finance Law, as the Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

 Section 9. Pending the sale of Bonds herein authorized, the temporary use of funds from the Town’s available funds, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized. The Town reasonably expects to reimburse itself from the proceeds of the Bonds or notes herein authorized for expenditures made for the purpose to be financed by this resolution prior to the issuance of such Bonds or notes, and this resolution is intended to constitute a declaration of “official intent” to reimburse for the purposes of Section 1.150-2 of the Treasury Regulations. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

 Section 10. This resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the resolution’s adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, a summary of this Resolution, shall be published by the Town Clerk together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are 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 are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed Bond Counsel of the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to a permissive referendum.

The Motion having been duly seconded by Councilman Duyssen, it was adopted and the following votes were cast after a Roll Call Vote:

Councilman Panek Yes

Councilman Young Yes

Councilman Duyssen Yes

Councilman Pacer Yes

Supervisor Clement Yes

AYES 5 NAYS 0

STATE OF NEW YORK )

) SS.:

COUNTY OF GENESEE )

I, the undersigned Clerk of the Town of Stafford of the State of New York, do hereby certify as follows:

1. A Meeting of the Town Board of the Town of Stafford, State of New York, was duly held on September 8, 2025, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the Minutes of meeting of said Board. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extracts.

2. Said Minutes correctly state the time when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

3. Public Notice of the time and place of said Meeting was duly given to the general public in accordance with Article 7 of the Public Officers Law (the “Open Meetings Law”), and that the members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand have hereunto affixed the corporate seal of the Town of Stafford, State of New York this day of [August], 2025.

Town Clerk

[Seal]

Councilman Young made a motion to accept Resolution 52 Surplus Equipment, second by Councilman Pacer and approved on a 5-0 vote.

RESOLUTION 52 DATED: SEPTEMBER 8, 2025

SURPLUS EQUIPMENT

WHEREAS the Town of Stafford has determined that the following items are no longer needed for the Town use and that they should be sold at auction and deleted from inventory:

1. John Deere 6215 Tractor with loader.

2. Attachment Sweepster

3. Loader Bracket

NOW THEREFORE BE IT RESOLVED, the Stafford Town Board hereby declares

the aforementioned equipment as surplus and authorizes Highway Superintendent to sell them at auction.

Offered by: Councilman Young

Second by: Councilman Pacer

Ayes: 5

Nays: 0

CERTIFICATION

 I, Barbara Radley, Town Clerk of the Town of Stafford, County of Genesee and State of New York, DO HEREBY CERTIFY that I have compared the aforementioned resolution duly adopted by the Town Board of the Town of Stafford, on the 8th day of September, 2025 with the original now on file in my office, and the same is a correct and true copy of said Resolution and of the whole thereof.

DATED: September 8, 2025 Barbara Radley

 Town Clerk

{SEAL}

Councilman Panek made a motion to adopt the negative finding on Genesee 5 and Genesee 6 after a discussion and clarification by our Engineer Justin Steinbach from CPL, second by Councilman Young and approved 5-0.

RESOLUTION 53 DATED: SEPTEMBER 8, 2025

 TOWN OF STAFFORD

RESOLUTION MAKING THE DETERMINATION OF NON-SIGNIFICANCE REGARDING THE ISSUANCE OF SPECIAL USE PERMIT TO

GENESEE CDG 5 AND GENESEE CDG 6 SOLAR PROJECTS

 Adopted: September 8, 2025

WHEREAS, the Town Board of the Town of Stafford met at a regular board meeting at the Town Hall located at located at 8903 Route 237 Stafford, New York on the 8th day of September, 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 Town Board Members, having due notice of said meeting, and that pursuant to Article 7, Section 104 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public, with due and proper notice of the time and place whereof given as required by law; and

WHEREAS, the Town Board of the Town of Stafford received applications for a solar Special Use Permits for Genesee CDG 5 and Genesee CDG 6 solar projects on December 6, 2023; and

 WHEREAS, pursuant to, and in accordance with, the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Town Board of the Town of Stafford declared its intent to seek Lead Agency status to review the environmental impacts of such law on September 9, 2024, sending notice of such intent to all interested and involved agencies listed below:

1. Genesee County Agricultural and Farmland Protection Board

2. Genesee County Highway Department

3. Genesee County Planning Board

4. Genesee County Soil and Water Conservation

5. NYS Department of Agriculture and Markets

6. NYS Department of Environmental Conservation

7. NYS Department of Environmental Conservation, Region 8

8. NYS Department of Transportation

9. NYS Energy Research and Development Authority

10. NYS Office of Renewable Energy Siting

11. NYS Thruway Authority

12. Town of Batavia

13. Town of Byron

14. Town of Stafford Planning Board

15. U.S. Army Corps of Engineers ; and

WHEREAS, upon receiving no objection from any interested or involved agencies, the Town Board declared itself Lead Agency on June 4, 2025; and

WHEREAS, upon assuming Lead Agency status, the Town Board reviewed the proposed Local Law and all supporting documents, taking a hard look at all potential adverse environmental impacts pursuant to SEQR by completing Part 2 and Part 3 of a Full Environmental Assessment Form; and

WHEREAS, the Town Board, as Lead Agency, hereby finds and determines that it has considered the issuance of Special Use Permits to Genesee CDG 5 and Genesee CDG 6, reviewed the Full Environmental Assessment Form, reviewed the criteria set forth in 6 NYCRR Section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential environmental impacts and their magnitude in connection with said Local Law; and

WHEREAS, the Town Board believes that the issuance of Special Use Permits to Genesee CDG 5 and Genesee CDG 6, in and of itself, will have no environmental impact, and that in the event there is a proposed application for a solar energy project brought under this law, the potential environmental impacts of such action can be evaluated under the particular factual circumstances at that time; and

WHEREAS, following from the above, the issuance of Special Use Permits to Genesee CDG 5 and Genesee CDG 6 not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and

WHEREAS, the Town Board shall hereby issue a determination of non-significance; and

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

RESOLVED, that after careful and deliberate review, the Town Board of the Town of Stafford has determined that the issuance of Special Use Permits to Genesee CDG 5 and Genesee CDG 6 will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment and hereby adopts a determination of non-significance; and be it further

RESOLVED, that the Town Board authorizes the Supervisor of the Town of Stafford to sign said determination of non-significance and authorizes the Town Clerk of the Town of Stafford to forward a copy of said determination of non-significance to:

1. Genesee County Agricultural and Farmland Protection Board

2. Genesee County Highway Department

3. Genesee County Planning Board

4. Genesee County Soil and Water Conservation

5. NYS Department of Agriculture and Markets

6. NYS Department of Environmental Conservation

7. NYS Department of Environmental Conservation, Region 8

8. NYS Department of Transportation

9. NYS Energy Research and Development Authority

10. NYS Office of Renewable Energy Siting

11. NYS Thruway Authority

12. Town of Batavia

13. Town of Byron

14. Town of Stafford Planning Board

15. U.S. Army Corps of Engineers ; and be it further

RESOVLED, that a Notice of Negative Declaration will be published in the Environmental Notice Bulletin (ENB) in accordance with Section 617.12 of 6 NYCRR.

Ayes: 5

Nays: 0

Quorum Present: Yes

Dated: September 8, 2025 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Barbara Radley, Town Clerk

[SEAL] Town of Stafford

Charlie Giacchino presented a petition for reducing the speed on Transit Rd. After a brief discussion it was agreed that a resolution will be presented next month and forwarded to the County for approval.

The Budget Workshop for the year 2026 was set for September 22, 2025 at the Stafford Town Hall at 4:30pm. The public may attend and observe only.

The Fire Department will meet with one or two Councilmen soon to discuss the 2026 Budget before the Budget Workshop.

Councilman Duyssen made a motion to approve Abstract #9 General Fund in the amount of $23,827.25, second by Councilman Pacer and approved on a 5-0 vote.

Councilman Duyssen made a motion to approve Abstract #9, Highway Fund in the amount of $37,158.17, second by Councilman Pacer and approved on a 5-0 vote.

Councilman Duyssen made a motion to approve Abstract #9 Capital Projects in the amount of $175.32, second by Councilman Pacer and approved on a 5-0 vote.

Councilman Young reported on the insurance coverage. We were asked to increase our coverage for criminal activity regarding the recent washing of checks. The coverage was increased to $250,00.00 per occurrence for an additional $93.00 per year. This was agreed by all board members to increase the coverage for the additional $93.00 per year.

Councilman Young also spoke about the County hosting a meeting on September 10th at the Old County Courthouse regarding Solar projects in Genesee County; he will attend.

Cathy Worthington asked about Solar Property Protection; she stated that a letter was submitted from the experts that the Solar project does not affect the values of the neighboring properties and that it does not comply with our law. The applicant needs to send in paperwork to follow that.

Cathy also asked if she would be able to send in questions about the Budget for the Budget Workshop since the public is not allowed to speak.

Cathy asked if the reports brought to the meeting are included in the meeting minutes; it was reported to her that they are.

Andrew Darling also spoke in support of the speed reduction on Transit Road.

Barbie Starowitz asked if she was able to obtain copies of the Environmental Review in regard to the SEQR for the Solar project; Army Corp of Engineer report and any lease agreements that are in effect.

Councilman Young made a motion to adjourn the meeting at 9:50pm, second by Councilman Duyssen and approved on a 5-0 vote.

Respectfully Submitted

Barbara Radley

Town Clerk/Tax Collector