

**VILLAGE OF OAKFIELD BOARD OF TRUSTEES  
MONTHLY MEETING**

**October 10<sup>th</sup>, 2017 @ 5:00 pm**

A regular monthly meeting of the Village of Oakfield Board of Trustees was called to order at 5:00 p.m. by Mayor Jason Armbrewster, followed by the Pledge to the Flag. The following Trustees were present: John Igoe, David Boyle, John Mullen. Absent Trustee: Scott Boring. Mayor Armbrewster left meeting @ 6:15 PM for a Family Emergency.

Also Present: Clerk-Treasurer, Andrew Maguire; David Laney, DPW Supervisor; Zoning Enforcement Officer, Rick Pastecki; Code Officer, Bruce Gerould;

**PUBLIC HEARING:**

- 1) **RESOLUTION #23 OF 2017: AUTHORIZING THE ACCEPTANCE OF CREDIT CARD AND E-CHECKS THROUGH A THIRD-PARTY VENDOR IN PC1 COMPLIANCE AND THE POLICY GOVERNING SUCH TRANSACTIONS IN ACCORDANCE WITH GENERAL AND VILLAGE MUNICIPAL LAW SECTIONS 5 & 5b.**

A Motion was made by Trustee Boyle to open the public hearing on **RESOLUTION #23 OF 2017: AUTHORIZING THE ACCEPTANCE OF CREDIT CARD AND E-CHECKS THROUGH A THIRD-PARTY VENDOR IN PC1 COMPLIANCE AND THE POLICY GOVERNING SUCH TRANSACTIONS IN ACCORDANCE WITH GENERAL AND VILLAGE MUNICIPAL LAW SECTIONS 5 & 5b** at 5:02 PM, second by Trustee Igoe. Ayes: Boyle, Igoe, Mullen. Carried.

A Motion was made by Trustee Igoe to approve **RESOLUTION #23 OF 2017: AUTHORIZING THE ACCEPTANCE OF CREDIT CARD AND E-CHECKS THROUGH A THIRD-PARTY VENDOR IN PC1 COMPLIANCE AND THE POLICY GOVERNING SUCH TRANSACTIONS IN ACCORDANCE WITH GENERAL AND VILLAGE MUNICIPAL LAW SECTIONS 5 & 5b**, at 6:21 PM, second by Trustee Mullen. Ayes: Boyle, Igoe, Mullen. Carried.

A Motion was made by Trustee Igoe to close the public hearing on **RESOLUTION #23 OF 2017: AUTHORIZING THE ACCEPTANCE OF CREDIT CARD AND E-CHECKS THROUGH A THIRD-PARTY VENDOR IN PC1 COMPLIANCE AND THE POLICY GOVERNING SUCH TRANSACTIONS IN ACCORDANCE WITH GENERAL AND VILLAGE MUNICIPAL LAW SECTIONS 5 & 5b**, at 6:50 PM, second by Trustee Boyle. Ayes: Boyle, Igoe, Mullen. Carried.

**PUBLIC COMMENTS:** None.

**OLD BUSINESS:**

- 1) **Waste Water Treatment Plant Improvements Update; Mountain Engineering.** Mayor Armbrewster provided a verbal update to the Board.

- 2) **60 Main St Sink Hole/Drainage Cap Pro Update.** Mayor Armbruster provided a verbal update to the Board.
- 3) **Fire Department: Fire District/Fire Protection District/Village Operated Fire Dept.** Mayor Armbruster discussed last meeting's public hearing and the comments that the public had about making the fire department its own entity. The Board of Trustees would like to discuss this further next meeting and hold another public hearing as no public is in attendance for the current meeting.

**A Motion** was made by Trustee Boyle to hold another public hearing to discuss the Fire Department becoming its own taxable entity as a fire district, or the possibility of creating a fire protection district within the Village, Second by Trustee Mullen. Ayes: Boyle, Mullen, Armbruster. Abstain: Trustee Igoe.

- 4) **Part-Time DPW Laborer Position.** Trustee Boyle and Trustee Igoe did not receive any applications. Clerk-Treasurer Maguire will take on the posting/receiving/communicating requirements to ensure maximum candidates and post the job online at Indeed.com at no cost. The pay scale will be between \$12/hr- \$15/hr based on qualifications and a Genesee County Employment Application must be received to be considered by October 20<sup>th</sup>, 2017.

#### **NEW BUSINESS:**

1. **Genesee County Proposed Water Agreement Review.** The Board of Trustees reviewed the proposed water agreement with the County of Genesee. The Board will compile questions they have to be answered prior to approving this agreement.
2. **Fire Department Report.** A Verbal Report was given.
3. **Zoning/Code Report.** A Written Report was submitted.

**A Motion** was made by Trustee Igoe to pursue legal action and fine vehicles at 15 Water Street and Crazy Cheap Cars for any cars parked there that should not be allowed to in accordance with the Genesee County Court ruling from August 2014, second by Trustee Mullen. Ayes: Boyle, Igoe, Mullen. Carried. Opposed: Mayor Armbruster. **Carried** with a vote of 3-1.

4. **Oakfield Historical Society Report.** No Report Submitted.

5. **Approval of September 11<sup>th</sup>, 25<sup>th</sup> 2017 Minutes.**

**A Motion** was made to by Trustee Igoe to approve the September 11<sup>th</sup> and 25<sup>th</sup> Minutes, Second by Trustee Boyle. Ayes: Boyle, Igoe, Mullen.

6. **Approval of October 2017 Abstract.**

**A Motion** was made to by Trustee Igoe to approve the October 2017 Abstract, Second by Trustee Boyle. Ayes: Boyle, Igoe, Mullen.

7. **September 2017 Investment Report.** The Board reviewed the Investment Report and found no issues.
8. **D.P.W. Report.** Written Report Submitted.
9. **Clerk's Report.** Written Report Submitted.

**10. Mayor's Report.** No Report Given, Mayor Armbrewster had to leave the meeting at 6:15 PM due to a family emergency.

**A Motion** was made by Trustee Boyle to enter Executive Session @ 6:16 PM to discuss a personnel matter, second by Trustee Igoe. Ayes: Boyle, Mullen, Igoe.

**A Motion** was made by Trustee Mullen to exit the Executive Session @ 6:24 PM second by Trustee Igoe. Ayes: Boyle, Mullen, Igoe.

Having no further business to come before the Board, the meeting was adjourned @ 6:26 PM on **A Motion** by Trustee Igoe seconded by Trustee Mullen. Ayes: Boyle, Mullen, Igoe. Carried. The next regular Board Meeting and Public Hearing will be October 23<sup>rd</sup>, 2017. @ 5:00 p.m.

Respectfully Submitted,

Andrew Maguire  
Clerk/Treasurer  
October 10<sup>th</sup>, 2017

## VILLAGE OF OAKFIELD

### **RESOLUTION #23 OF 2017: AUTHORIZING THE ACCEPTANCE OF CREDIT CARD AND E-CHECKS THROUGH A THIRD-PARTY VENDOR IN PC1 COMPLIANCE AND THE POLICY GOVERNING SUCH TRANSACTIONS IN ACCORDANCE WITH GENERAL AND VILLAGE MUNICIPAL LAW SECTIONS 5 & 5b.**

WHEREAS, the Village of Oakfield Board of Trustees would like to provide its customers and residents with convenient options for making payments; and

WHEREAS, the Village of Oakfield Board of Trustees believes many customers would take advantage of the ability to make payments via credit card; and

WHEREAS, The Village of Oakfield of Oakfield Board of Trustee will enact the following policy, in accordance with General and Village Municipal Law Section 5 and 5-b;

#### **Credit Card and E-Check Acceptance Policy:**

The following terms, when used or referred to in this section, shall have the following meaning:

1. "Credit card" means any credit card, credit plate, charge card, charge plate, courtesy card, debit card, other identification card, value transfer device as defined by the state comptroller or device issued by a person to another person which may be used to obtain a cash advance or a loan or credit, or to purchase or lease property or services on the credit of the person issuing the credit card or a person who has agreed with the issuer to pay obligations arising from the use of a credit card issued to another person.

1-a. "Card issuer" means an issuer of a credit card, charge card or other value transfer device.

2. "Financing agency" means any agency defined as such in subdivision eighteen of section four hundred one of the personal property law .

3. "Person" means an individual, partnership, corporation or any other legal or commercial entity.

(b) The Village of Oakfield, by this resolution, has determined that it is in the public interest and authorize such local government to enter into agreements with one or more financing agencies or card issuers to provide for the acceptance, by the Administrator, Clerk-Treasurer or Deputy Clerk-Treasurer may be designated pursuant to subdivision (f) of this section, of credit cards and E-checks/ACH Deposits as a means of payment of fines, civil penalties, rent, water and sewer bills, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest, owed to the Village of Oakfield. Any such agreement shall govern the terms and conditions upon which a credit card proffered as a means of payment of a fine, civil penalty, rent, water and sewer bills, rate, tax, fee, charge, revenue, financial obligation or other amount, including penalty, special assessment or interest, shall be accepted or declined and the manner in and conditions upon which the financing agency or card issuer shall pay to the Village of Oakfield the amount of fines, civil penalties, rent, water and sewer bills, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalty, special assessment or interest, paid by means of a credit card pursuant to such agreement. Any such agreement may provide for the payment by the Village of Oakfield to such financing agency or card issuer of fees for the services provided by such financing agency or card issuer pursuant to such agreement, which fees may or may not consist of a discount deducted from or payable in respect of the amount of each such fine, civil penalty, rent, water and sewer bills, rate, tax, fee, charge, revenue, financial obligation or other amount, including penalty, special assessment or interest. If fees are paid by such a discount, they shall be post-audited by Administrator, Clerk-Treasurer or Deputy Clerk-Treasurer or the Board of Trustees responsible for auditing claims against the local government.

(c) The village of Oakfield has entered into an agreement with a financing agency or card issuer as authorized by the provisions of subdivision (b) of this section may accept credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessment or interest, as provided in such agreement and may pay such fees as are specified in such agreement to such financing agency or card issuer in consideration of the services rendered by such financing agency or card issuer thereunder. Notwithstanding any other provision of law to the contrary, it shall be the option of the governing board of the local government to require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee to the local government not exceeding costs incurred by the Village of Oakfield in connection with the credit or charge card payment transaction, including any fee owed by the local government to the financing agency or card issuer arising from that transaction.

(d) Contracts entered into pursuant to this section between the Village of Oakfield and financing agencies or card issuers shall be awarded in accordance with the Village's written internal policies and procedures governing procurements adopted.

(e) The underlying debt, lien, obligation, bill, account or other amount owed to the local government for which payment by credit card is accepted by the local government shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the Village of Oakfield has received final and unconditional payment of the full amount due from the financing agency or card issuer for such credit card transaction.

(f) The Board of Trustees, in enacting this resolution pursuant to this section, shall designate the Administrator, Clerk-Treasurer or Deputy Clerk-Treasurer charged with the duty of collecting or receiving moneys on behalf of the local government, shall be authorized to accept credit cards and E-Checks/ACH Deposits as a means of payment of fines, taxes, rent, water and sewer bills, rates, fees, charges, revenue, financial obligations and other amounts, including penalties, special

assessments or interest for the exact amount owed. Any fee's charged by the third party vendor must be paid by the payee.

(g) Under circumstances where local governments are otherwise authorized by law to contract for the collection of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments or interest, such contract shall provide that the contractor accept credit cards as a mechanism for payment.

The Village of Oakfield Board of Trustees have determined that it is in the public interest and authorize such local government to provide for the acceptance of penalties, rents, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments or interest via a municipal internet website or the website of a third-party vendor that has contracted with the local government to receive such payments on its behalf.

Submission via the internet may not, however, be required as the sole method for the collection of fines, civil penalties, rent, water and sewer bills, rates, taxes, fees, charges and other amounts. Such payments shall be accepted via the internet in a manner and condition defined by this resolution. Any method used to receive internet payments shall comply with article three of the state technology law and any rules and regulations promulgated and guidelines developed thereunder and, at a minimum must (a) authenticate the identity of the sender; and (b) ensure the security of the information transmitted.

2. Any local government authorizing the payment of taxes via the internet shall provide or direct its vendor to provide a confirmation page to the taxpayer following the completion of the internet transaction. Such confirmation page shall include, at least, the following:

(a) the date the internet transaction was completed and sent by the taxpayer;

(b) the amount paid;

(c) a unique confirmation number; and

(d) a notice advising the taxpayer to print out and retain the confirmation page as his or her receipt.

3. Payments received via the internet shall be considered received by Administrator, Clerk-Treasurer or Deputy Clerk-Treasurer and paid by the taxpayer at the time the internet transaction is completed and sent by the taxpayer.

4. The underlying debt, lien, obligation, bill, account or other amount owed to the local government for which payment by internet is accepted by the Village of Oakfield shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the local government has received final and unconditional payment of the full amount due.

5. The Village Board of Trustees, by this resolution, shall designate the Administrator, Clerk-Treasurer or Deputy Clerk-Treasurer, charged with the duty of collecting or receiving moneys on behalf of the local government, shall be authorized to accept such payments via the internet.

6. The state comptroller shall issue such guidelines as he or she deems appropriate governing the use of third-party vendors for this purpose. Any local government contracting with a third-party vendor for this purpose shall follow the guidelines issued by the state comptroller

NOW THEREFORE BE IT RESOLVED, The Village of Oakfield Board of Trustees hereby authorize the acceptance of Credit Cards and E-Check/ACH Deposits for the payment of money owed for fines, civil penalties, rent, water and sewer bills, rates, taxes, fees, charges and other amounts the Board of Trustees deems appropriate, to the Village of Oakfield.

BE IT FURTHER RESOLVED, The Village Board of Trustees authorizes the posting and accepting of water and sewer moneys owed to the Village of Oakfield through a link on the Village's Website, [www.oakfield.govoffice.com](http://www.oakfield.govoffice.com), by credit card or E-check/ACH Deposit through the third party PCI Compliant contracted vendor.

BE IT FURTHER RESOLVED, This policy took effect on June 1<sup>st</sup>, 2017 and will be filled at the Village Office and posted on the Village Information Board until June 1<sup>st</sup>, 2018.

**By Order of the Village Board of Trustees,  
Village of Oakfield**

**Andrew Maguire  
Clerk/Treasurer**