

The regular scheduled meeting for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday evening, September 23, 2019 at 6:15 PM with Supervisor Frederick Wille presiding.

Wille opened the regular Town Board meeting at 6:37 PM

Present:	Supervisor	Frederick A. Wille
	Council Member	Michelle T. MacMillan
	Council Member	Frank W. Fessner
	Council Member	Kathleen M. Conradt
	Council Member	William J. Mitchell Jr.

Attending the meeting were Margaret Gochenaur (Town Clerk), Scott Kimball (Highway Superintendent), Jim Kier (Code Enforcement Officer), Ron Roach (AWA Liaison), Todd Campbell (West Bloomfield Supervisor), David Damaske (Boughton Park Board), and James Voorhees.

Pledge of Allegiance led by Council Member Fessner.

Wille welcomed everyone to the meeting and thanked them for coming.

**APPROVAL OF MINUTES:** Motion was made by Mitchell, seconded by Fessner, to approve the September 9, 2019 minutes. No Discussion was held. Motion Approved: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

**HIGHWAY SUPERINTENDENT'S REPORT:** Motion was made by Mitchell, seconded by Fessner, to approve the Highway Superintendent's report. No Discussion was held. Motion Approved: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

**SUPERVISOR'S REPORT:**

Motion was made by Fessner, seconded by Conradt, to adopt Resolution 2019-051 To Adopt the 2019-2020 Ontario County Snow and Ice Contract and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

**RESOLUTION 2019-051**

**TO ADOPT THE 2019-2020 ONTARIO COUNTY SNOW AND ICE CONTRACT**

**WHEREAS**, the Town of East Bloomfield has contracted with Ontario County for many years to provide snow and ice control on their 8.12 miles of County roads within the Town, and,

**WHEREAS**, Ontario County and the Town of East Bloomfield are desirous of extending that contract through the 2019/20 season, from October 1, 2019 through September 30, 2020; and

**WHEREAS**, the agreement provides for payment to the Town for these services by Ontario County of \$5,800 per mile; and

**WHEREAS**, in the event of a County-declared snow emergency, the County may agree to pay for extended services, such as snow hauling from intersections, on a time/material basis; now, therefore, be it

**RESOLVED**, that this Town Board hereby authorizes the Town Supervisor to execute the Agreement to provide Snow and Ice Control Services with Ontario County, and, be it also

**RESOLVED**, that certified copies of this resolution be forwarded to the Ontario County Commissioner of Public Works, 2962 County Road 48, Canandaigua, NY 14424.

Motion was made by Fessner, seconded by MacMillan, to adopt Resolution 2019-052 Resolution to Award Remedial Property Work and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

**Resolution 2019-052**

## **Resolution to Award Remedial Property Work**

**WHEREAS**, Justice Doran of the Seventh Judicial District has issued an order to have the Singer Property in East Bloomfield remediated,

**WHEREAS**, the deadline has passed and extended deadline has passed for the owner to follow the judicial order,

**WHEREAS**, the Judicial Order has permitted the Town of East Bloomfield to coordinate the clean-up project and seek bids on the project,

**RESOLVED**, that the Town of East Bloomfield has selected BR Damico Inc. P.O. Box 168 Webster, New York 14580 to do the work on the Singer Property,

**RESOLVED**, that this Board approve this cleanup project in the amount not to exceed \$20,590.00

**RESOLVED**, that copies of this resolution be forwarded to all appropriate parties.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2019-053 A Resolution to Retain Lewis & Greer, PC as Legal Counsel to the Town and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

### **RESOLUTION 2019-053 A RESOLUTION TO RETAIN LEWIS & GREER, PC AS LEGAL COUNSEL TO THE TOWN**

**WHEREAS**, the Town Board of the Town of East Bloomfield seeks to retain Lewis & Greer, PC Attorneys at Law to handle legal matters in defense of the challenge and dispute for solar assessment and represent the Town of East Bloomfield at a rate of \$195.00 per hour; now, therefore, be it

**RESOLVED**, that the Town Supervisor is hereby authorized to execute a retainer agreement with Chalifoux Law, PC; and be it also

**RESOLVED**, that the Clerk of this Board send a certified copy of this Resolution to be sent to Lewis & Greer, PC Attorneys at Law and retain a copy in the official Town records.

Motion was made by Mitchell, seconded by Conradt, to adopt Resolution 2019-054 Intermunicipal Agreement Between the Towns of East Bloomfield and West Bloomfield to Share Code Enforcement Officer and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

### **RESOLUTION 2019-054 INTERMUNICIPAL AGREEMENT BETWEEN THE TOWNS OF EAST BLOOMFIELD AND WEST BLOOMFIELD TO SHARE CODE ENFORCEMENT OFFICER**

**WHEREAS**, the Town of East Bloomfield and the Town of West Bloomfield desire to work cooperatively to provide continuous and reliable service to residents and minimize undue expenses in providing such necessary, and,

**WHEREAS**, the Town of East Bloomfield and the Town of West Bloomfield have Code Enforcement Officers that, on occasion, due to scheduled absences from their respective office, conflicts, illness, incapacity, or other reasons, are not able to provide required inspections of various phases of building and construction, emergency inspections, enforcement inspections, town code prosecutions, or fulfill other official duties, and,

**WHEREAS**, due to these aforementioned reasons, building construction may be unreasonably delayed or impaired for lack of required inspection services, and/or enforcement efforts may be delayed, endangering the health, safety, and welfare of each town's residents, and,

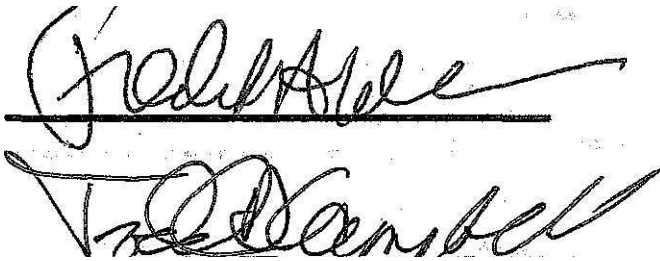
**WHEREAS**, the aforementioned municipalities are agreed to share such required services on an as needed basis throughout the year as determined by the Code Enforcement Officers, now,

**IN CONSIDERATION THEREOF**, the Town of East Bloomfield and the Town of West Bloomfield do

hereby agree:

1. To the use of each Code Enforcement Officer: To perform construction inspections, including final inspections, as required by the New York State Executive Law in accordance with the rules and regulations set forth by the Uniform Fire Prevention and Building Codes; to perform emergency inspections on an as-needed basis, such as potential structural damages from fire, reuse of chimneys and wood stoves resulting from fire, and/or other inspections as may be deemed necessary by emergency personnel; to perform inspections relating to town code enforcement matters, to respond to code violation complaints and pursue enforcement of violations in any court of competent jurisdiction; and to issue Certificates of Occupancy and Certificates of Compliance.
2. Each municipality shall be reimbursed for mileage incurred by their respective Code Enforcement Officer in performing these duties at each Town's approved mileage rate.
3. Each Code Enforcement Officer shall maintain accurate files and records of the hours incurred in performing such inspections and shall provide such information to the respective Town Board upon request.
4. Each of the parties shall protect, defend, indemnify and hold the other party harmless from all claims for personal injury, property damage and disability.
5. This agreement shall be automatically terminated by either party upon 30 days written notice.
6. This reciprocity agreement will be reviewed on an annual basis.

**IN WITNESS WHEREOF**, the parties have executed this agreement on the dates set forth below, intending to be bound. Town of East Bloomfield Town of West Bloomfield.



Wille noted the information in the packet regarding electricity supply companies. The two companies are MEGA and RG&E. Discussion was held. Motion was made by Mitchell, seconded by Conradt, to authorize the signing of a 3-year fixed rate contract for an electricity supply company for all Town of East Bloomfield facilities. Discussion was held. Motion Approved: Ayes 5 (Fessner, Conradt, Mitchell, MacMillan, and Wille) Nays 0

**COMMITTEE REPORTS:**

**Audit:** Nothing to report.

**Buildings and Grounds:** Fessner reported that the Veterans Park Building project is completed. Fessner reported that the project went \$6,000 over the projected cost. Discussion was held.

**HIGHWAY:** Kimball reported that the road striping has been completed. Discussion was held.

**IT/Technology:** Nothing to report.

**INSURANCE:** Mitchell reported that he, and Patty Conklin, met with Pat McCluskey on Monday September 16<sup>th</sup> regarding employee health insurance. Mitchell reported that there were no surprises and the meeting went well. Discussion was held.

**PARKS and RECREATION:** Nothing to report.

**WATER/SEWER VILLAGE OF BLOOMFIELD:** Wille will meet with Don Collins to get moving forward on the Pond Road water numbers. Discussion was held.

**PERSONNEL:** Nothing to report.

**COMMUNICATIONS:** Gochenaur read a thank you from Barbara Morsheimer thanking the Town Board for its generous donation to the Gardening Angels. Discussion was held. Gochenaur reported that she received a letter from Paul Spitzer Regional Traffic Engineer acknowledging the towns request to investigate traffic conditions on Routes 5 & 20, between Mud Creek and Hillcrest Drive, relative to the establishment of a lower speed limit. Discussion was held.

**ROUND TABLE – OTHER BUSINESS:** Kier reported that he has been in conversation with the West Bloomfield Town Supervisor Todd Campbell regarding a property in West Bloomfield. Discussion was held.

**BUDGET TRANSFERS/AMENDMENTS:** Motion was made by Fessner, seconded by MacMillan, to approve the Budget Transfers and Amendments as submitted. Discussion was held. Motion Approved: Ayes 5 (Fessner, Conrardt, Mitchell, MacMillan, and Wille) Nays 0

**PAYMENT OF BILLS:** Motion was made by Fessner, seconded by Conrardt, to approve paying of the bills as submitted. Discussion was held. Motion Approved: Ayes 5 (Fessner, Conrardt, Mitchell, MacMillan, and Wille) Nays 0

General Fund A	- Abs. #918-	Vouchers -	331,332,335-343,345,7194	\$	11,604.31
General Fund B	- Abs. #918-	Vouchers -	327,332,342,344,346	\$	1,420.40
Highway DA	- Abs. #918-	Vouchers -	332,7209	\$	2,774.99
Highway DB	- Abs. #918-	Vouchers -	334,7194,7205-7208,7210-7214	\$	30,992.74
Sewer Dist. #1	- Abs. #918-	Vouchers -	339,347	\$	320.25
Water Dist. #1	- Abs. #918-	Vouchers -	328-330,333,347	\$	2,549.95
Water Dist. #2	- Abs. #918-	Vouchers -	328-330,339,347	\$	6,232.47
Water Dist. #2 Ext.#2	- Abs. #918-	Vouchers -	328,330,339,347	\$	607.38
Water Dist. #2 Ext.#6	- Abs.#918-	Vouchers -	328-330,339,347	\$	1,005.59

David Damaske reported on Dam Safety, and the Engineering Assessment at Boughton Park. It was noted that under current regulations, the dams are classified B (Intermediate Hazard) however, this will likely change to C (High Hazard). Discussion was held. Also discussed was what would need to be done to maintain the dams in compliance with NYS regulations. Damaske noted that things are very much up in the air regarding expenses for 2020. Discussion was held. Todd Campbell said he has very different concerns as both the Town of West Bloomfield Supervisor and his position as a County Supervisor. Campbell said why as a County Supervisor would I want to take over something that could cost million of dollars to fix? Discussion was held. Campbell noted as a Town Supervisor it's hard to budget for the unknown future costs. Discussion was held. Jeff Martin noted in a letter to the Supervisor that the dam costs were unknown 28 years ago when decisions were made to acquire the park mainly because the NYS DEC regulations only came into effect August 19, 2009. Discussion was held.

**EXECUTIVE SESSION:** Motion was made by Wille, seconded by Conrardt, to move into an Executive Session at 7:32 PM to discuss the employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, salary, demotion, discipline, suspension, dismissal of a particular person or corporation. Motion Approved: Ayes: 5 (Fessner, Conrardt, Mitchell, MacMillan, and Wille) Nays: 0

**RETURN TO REGULAR SESSION:** Motion was made by Wille, seconded by Conrardt, to end Executive Session and return to regular session at 8:06 PM. Motion Approved: Ayes 5 (Fessner, Conrardt, Mitchell, MacMillan, and Wille) Nays 0

**ADJOURNMENT:** Motion was made by Wille, seconded by Conrardt, to adjourn the meeting at 8:06PM. Motion Approved: Ayes 5 (Fessner, Conrardt, Mitchell, MacMillan, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur  
Town Clerk