

The regular scheduled meeting for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday evening, March 13, 2017 at 7:00 PM with Supervisor Frederick Wille presiding.

Wille opened the regular Town Board meeting at 7:00 PM.

Present:	Supervisor	Frederick A. Wille
	Council Person	Frank W. Fessner
	Council Person	Ronald P. Hawkins
	Council Person	William J. Mitchell Jr.

Absent:	Council Person	Michelle T. MacMillan
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Attending the meeting were Margaret Gochenaur (Town Clerk), Brian Bernard (Highway Superintendent), Jim Kier (Code Enforcement Officer), Ron Roach (AWA Liaison), and James Voorhees.

Pledge of Allegiance led by Supervisor Wille.

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

APPROVAL OF MINUTES: Motion was made by Fessner, seconded by Mitchell, to approve the February 27, 2017 minutes. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0 Motion was made by Fessner, seconded by Mitchell, to approve the March 1, 2017 Special Meeting minutes. No Discussion was held. Motion Approved: Ayes 3 (Fessner, Mitchell, and Wille) Nays 0 Abstain 1 (Hawkins)

TOWN CLERK’S REPORT: Motion was made by Fessner, seconded by Hawkins, to approve the Town Clerk’s report. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0.

CODE ENFORCEMENT OFFICER’S REPORT: Motion was made by Fessner, seconded by Hawkins, to approve the Code Enforcement Officer’s report. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille)

SUPERVISOR’S REPORT: Wille reported that he, along with the help of Kathy Conrardt, will be taking over the Comprehensive Plan, and adding the notes from the Committees. Discussion was held.

Motion was made by Wille, seconded by Mitchell, to adopt Resolution 2017-022 To Renew Franchise Agreement with Time Warner Cable Northeast LLC (locally known as Charter Communications) and waive the reading of the Resolution. Discussion was held. Hawkins asked that the motion be tabled. Wille tabled the Resolution 2017-022 until the next meeting.

RESOLUTION 2017-022

**TO RENEW FRANCHISE AGREEMENT WITH
TIME WARNER CABLE NORTHEAST LLC
(locally known as CHARTER COMMUNICATIONS)**

WHEREAS, the Town of East Bloomfield has a franchise agreement with Time Warner Cable Northeast LLC (locally know as Charter Communications), referred hereinafter as Time Warner Cable; and

WHEREAS, the agreement between the Town of East Bloomfield and Time Warner Cable is up for renewal; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Bloomfield hereby agrees that the Town of East Bloomfield should renew the franchise agreement with Time Warner Cable; and it is further

RESOLVED, that the Town Supervisor is hereby authorized to execute the Agreement on behalf of the Town of East Bloomfield; and it is further

RESOLVED, that a copy of this resolution with a fully executed copy of the Agreement be forwarded to Chris Mueller, Director, Government Affairs, Charter Communications, 71 Mount Hope Avenue, Rochester, NY 14620.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2017-023 Appointment of James Kier as Flood Plain Administrator and Erosion Control Officer for 2017 and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

RESOLUTION 2017-023

APPOINTMENT OF JAMES KIER AS FLOOD PLAIN ADMINISTRATOR AND EROSION CONTROL OFFICER FOR 2017

WHEREAS, William A. Hall has resigned as Code Enforcement Officer including the positions of Flood Plain Administrator and Erosion Control Officer for the year 2016 as of December 31, 2016; and

WHEREAS, the Town of East Bloomfield must maintain the position of Flood Plain Administrator and Erosion Control Officer for the Code and Planning Office in the Town of East Bloomfield, and

WHEREAS, James Kier was appointed to the position of Code Enforcement Officer for the Town of East Bloomfield; and

WHEREAS, James Kier is currently attending training to be certified as a Code Enforcement Officer; and

WHEREAS, James Kier will attend the necessary training, when offered, for the position of Flood Plain Administrator and Erosion Control Officer; now

THEREFORE BE IT RESOLVED that the East Bloomfield Town Board appoint James Kier as the Town's Flood Plain Administrator and Erosion Control Officer for the year of 2017; and be it also

RESOLVED, that a certified copy of this resolution be forwarded to James Kier, Town Code Enforcement Officer.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2017-024 Resolution to Award Court Area Upgrade Project to SDC Construction and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

RESOLUTION 2017-024

RESOLUTION TO AWARD COURT AREA UPGRADE PROJECT TO SDC CONSTRUCTION

WHEREAS, the Town of East Bloomfield wishes to upgrade the Court area located in the lower level of the Town Hall; and

WHEREAS, request for bids with specifications were pursued to upgrade the Court area for security purposes; and

WHEREAS, three (3) bids were received per attached, with SDC Construction being the lowest responsive bidder; now, therefore, be it

RESOLVED, that this Board accept the bid of SDC Construction for \$15,000 to execute the work; and, be it also

RESOLVED, that this Board authorize via contract the work to be done as specified; and, be it also

RESOLVED, that a copy of this resolution be sent to SDC Construction, 6600 Rice Road, Victor, New York 14564

Motion was made by Fessner, seconded by Mitchell, to adopt Resolution 2017-025 Resolution Authorizing Payment to Sprint and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

RESOLUTION 2017-025

RESOLUTION AUTHORIZING PAYMENT TO SPRINT

WHEREAS, the Town of East Bloomfield received notice from Sprint Spectrum L.P. (“Sprint”) regarding certain overpayment(s) previously made as a result of the Lease Agreement between the Town of East Bloomfield and Sprint dated October 28, 1996 (the “Lease”); and

WHEREAS, the Town has verified and acknowledged that it received overpayments in connection with the Lease;

WHEREAS, the Town after discussions with Sprint representatives and the Town’s Attorney, Lacy Katzen LLP negotiated a reduction of the total remittance due and owing as a result the overpayments made; and now therefore be it

RESOLVED, that this Board hereby authorizes the Town Supervisor to pay Sprint the agreed upon sum of \$62,264.38 in full satisfaction of all sums due and owing; and also be it

RESOLVED, that a copy of this Resolution be filed with the Sprint Lease Agreement retained in the records held by the Town Clerk.

Motion was made by Fessner, seconded by Hawkins, to approve the January Financial Reports as submitted. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille)
Nays 0

COMMITTEE REPORTS:

Audit: Nothing to report.

Buildings and Grounds: Fessner asked how the NYS Department of Health Inspection went at Veterans Park. Gochenaur reported good.

HIGHWAY: Nothing to report.

IT/Technology: Nothing to report.

INSURANCE: Nothing to report.

PARKS and RECREATION: Fessner reported that he is working on getting 2 quotes for the New Playground at Veterans Park. Fessner will have those prepared for the next meeting.

WATER/SEWER VILLAGE OF BLOOMFIELD: Mitchell reported that the Whalen Road Water Project bid opening will take place on Tuesday April 4th at 2:00 PM. Discussion was held. Mitchell reported that he will be putting together another letter to be sent to all Whalen Road Residents with the latest updates. Discussion was held.

PERSONNEL: Nothing to report.

COMMUNICATIONS: None.

ROUND TABLE – OTHER BUSINESS: Wille reported that back in 2012 the Town Hall underwent an Indoor Fungal Spore Air Sampling test. Wille reported that the test results were borderline at that time. Wille is asking to have the Lower Level of the Town Hall Re-Tested as it has been 5 years. Discussion was held. Motion was made by Mitchell, seconded by Fessner, to authorize the expenditure of not more than \$600.00 to Test the Air Quality of the Lower Level of the Town Hall. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0 Gochenaur reported on the amount of monies the Town has received through the Court over the last 3 years. Discussion was held. Bernard reported that last week he took his yearly trip to Albany. Bernard reported that there was over 600 Towns and Counties present at the Capitol trying to get more money and funding for Consolidated Local Streets and Highway Programs (CHIPS), Bridge NY, and Pave NY. Bernard reported it was a good trip. Discussion was held. Bernard reported that now they just sit back and see what both houses, and the Governor are going to do. Discussion was held.

BUDGET TRANSFERS/AMENDMENTS: Motion was made by Fessner, seconded by Hawkins, to approve the Budget Transfers and Amendments as submitted. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

PAYMENT OF BILLS: Motion was made by Fessner, seconded by Hawkins, to approve paying of the bills as submitted. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

General Fund A	- Abs. #705-	Vouchers -	78,80,83,86-89,91,92,94,95, 7051,7063	\$	13,061.35
General Fund B	- Abs. #705 -	Vouchers -	83,91,93	\$	317.38
Highway DA	- Abs. #705-	Vouchers -	7053,7054	\$	25,293.58
Highway DB	- Abs. #705-	Vouchers -	77,7052,7055-7062,7064,7065	\$	69,718.76
Water Proj-Whalen Rd-	Abs. #705-	Vouchers -	81,85	\$	6,370.73
Sewer Dist. #1	- Abs. #705-	Vouchers -	82	\$	4,381.25
Water Dist. #1	- Abs. #705-	Vouchers -	79,84,90	\$	62,394.88
Water Dist. #2	- Abs. #705-	Vouchers -	79	\$	32.50

EXECUTIVE SESSION: Motion was made by Wille, seconded by Mitchell, to move into an Executive Session at 7:28 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: 4 (Fessner, Mitchell, Hawkins, and Wille) Nays: 0

RETURN TO REGULAR SESSION: Motion was made by Wille, seconded by Hawkins, to end Executive Session and return to regular session at 7:50 PM. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

ADJOURNMENT: Motion was made by Wille, seconded by Hawkins, to adjourn the meeting at 7:50 PM. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur
Town Clerk