

A Public Hearing Scheduled for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday April 13, 2015 at 7:15 PM with the regular scheduled Town Board Meeting to follow at 7:30 PM with Supervisor Dianne Crowley presiding.

Present:	Supervisor	Dianne G. Crowley
	Council Person	Ronald P. Hawkins
	Council Person	Frank W. Fessner
	Council Person	William J. Mitchell Jr.
Absent:	Council Person	Michelle T. MacMillan

Attending the meeting were Margaret Gochenaur (Town Clerk), Andy Hall (Code Enforcement Officer), Brian Bernard (Highway Superintendent), Ron Roach (AWA Liaison), Scott and Kim Brocklebank, Sonny and Joanne Newbuaer, Gary Westerman, Bruce Westerman, Dee Phillipps, Heather Capwell, Ken King, Paul Westerman, Gary Zehr, Daniel Lutner, Mark and Diana McCloskey, Jay Helker, Luann Waden, Matt Rogers, Scott and Lori Needham and Josh Farrelman.

Pledge of Allegiance led by Supervisor Crowley.

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

Crowley opened the Public Hearing at 7:18 PM and the Public Notice was read by Town Clerk Gochenaur on Local Law #1 Backyard Burials.

Crowley opened the floor by offering the Town Board's condolences to Mr. Westerman and his family for their loss. Crowley asked if anyone present had any questions or comments concerning Backyard Burials. Gary Westerman started by telling the Board that there are hundreds of Backyard Burials that exist in other Towns. Gary wasn't sure why the Town Board felt that a New Local Law needed to be put in place, and why there was such a rush to do it. Crowley reported that prior to his request nothing had been in place for Backyard Burials because to the Town Board's knowledge they had never received such a request. Crowley reported that after many hours of research on the topic and after consulting with the Town's Attorney, that indeed the Town should have rules and regulations regarding Backyard Burials. Discussion was held. Mitchell reported that again after gathering information on Backyard Burials, there are more reasons to prohibit the Burials than to allow it. Discussion was held. Gary noted that he felt if the Town passed the Proposed Law that they would be discriminating against the Amish Community as this is an everyday practice for them. Discussion was held. Hall invited Gary and his family to meet with him, and that he would share all the information the Town has gathered in regards to Backyard Burials. Discussion was held. Heather Capwell informed the Board that the Westerman property will always belong to one of the family member's. Heather also informed the Board that the family intends to make this a Registered Cemetery. She noted that the family will be pursuing the requirements with the State to make this happen. Discussion was held. Heather also asked the Town Board not to vote on this Proposed Local Law until after May 23, 2015. Heather explained that family is coming in from out of State for the Burial Services to be held that day. Mitchell reported that the Board will not vote on the Proposed Local Law before that date. Discussion was held. Hall cautioned the Westerman Family that unless all guidelines are followed, and the proper Trust is set up that down the road bodies can be exhumed, and that it can be a major financial burden. Discussion was held.

Crowley closed the Public Hearing at 7:52 PM.

Crowley opened the regular Town Board meeting at 7:53 PM and noted that Councilwomen MacMillan is necessarily absent.

Crowley asked if anyone would like the floor at the start of the Town Board Meeting. Matt Rogers reported that Youth Baseball would like to pay for new fences on the last baseball field at Veterans Park. Rogers reported that a new backstop would cost \$2,680.00. Rogers reported that a new 60 foot long fence would also be installed along each side of the field at a cost of \$2,300.00. Discussion was held. Rogers asked if the Highway Department would be willing to pull out the old backstop. Bernard reported that yes, they would do that. Discussion was held. Mitchell reported that the Fence Company would need to provide the Town Clerk's Office with a Certificate of Liability Insurance naming the Town as additionally insured. Crowley reported that the Porta Potties have been ordered and should be delivered tomorrow April 15<sup>th</sup>. Hall reported that he and Bernard will be posting permanent no parking signs along the driveway during baseball season. Hall asked that the coaches, or parents please monitor the parking to ensure people only park in the designated parking areas. This will help ensure safety for those who attend. Discussion was held. Fessner reported that he has spoken with the school in regards to the mowing issues of the baseball fields last year. Fessner asked Rogers to contact him immediately if the fields are not properly mowed and he will then contact the school to find out what the problem is. Discussion was held. Matt Rogers then asked if another baseball field was scheduled to be resurfaced this year. If not, would the Town Board consider doing it

in 2016. Discussion was held. Jay Helker reported that Youth Baseball appreciates the Town's help with the fields and that the program is growing. Jay reported that 112 kids signed up this year and that going forward they would like to see the rest of the fields developed if possible. Discussion was held. Mickey Lane reported that he is ready to start the last phase of his project at Veterans Park. Mickey reported that he will be installing the approved fence possibly this weekend, weather permitting. Mickey will be in touch with Andy Hall during the final phase. Discussion was held. Joanne and Sonny Newbauer reported to the Board about a roadway drainage issue on Whalen Road beginning at 5&20 up to their property. The Newbauer's reported that they have been unable to use their driveway because it is sinking due to this drainage issue. They also reported that they have incurred flooding in the basement, along with financial costs to replace water heaters. The Newbauer's are asking that the Town put in a roadway drainage ditch to help with the water issue. Discussion was held. Bernard reported that the Highway Department will be replacing culverts that are damaged on Whalen Road sometime this summer. Bernard however noted that this will not fix their problem. Bernard noted that their issue is with the State and that he legally cannot go on the State's property. Extensive Discussion ensued. Crowley reported that after all the discussion was heard, it appeared to be an issue the Newbauer's would have to pursue with the State. Discussion was held. Luann Waden spoke to the Board concerning the proposed Bloomfield Farmers' Fare that she presented at the March 23<sup>rd</sup> Board Meeting. Luann reported that she is unable to get a 501-3c as asked by Mitchell to obtain. Discussion was held. Luann is still seeking a sponsor for the Farmers' Fare and asked the Town Board to re-consider letting the Town of East Bloomfield be the sponsor. Discussion was held. Luann reported that at this point she will need to wait and move forward next year with the proposed Farmers' Fare. Crowley reported that she has spoken with the churches and they were very positive about the Farmers' Fare. Mitchell reported that within the next 2 weeks he will be in touch with Kathy Rayburn from Victor to see how they set their Farmer's Market up and what Insurance/Liability the Town would need to require in order for the Town to become the sponsor of the Farmers' Fare. Discussion was held. Hall recommended that Luann continue thru the process for this year. Discussion was held.

**APPROVAL OF MINUTES:** Motion was made by Mitchell, seconded by Fessner, to approve the March 23, 2015 minutes. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Crowley) Nays 0.

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

**CODE ENFORCEMENT OFFICER'S REPORT:** Motion was made by Fessner, seconded by Mitchell, to approve the Code Enforcement Officer's report. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Crowley) Nays 0. Hall reported on a drainage issue at Veterans Park. Hall showed the Board Members pictures of standing water in the parking lot and said that something needs to be done. Discussion was held. Bernard reported that the driveway needs a lot of work. Bernard also reported that there are drainage issues that need to be resolved. Bernard reported that the Highway department will try and tackle some of the issues with the driveway and drainage this fall if time permits. Discussion was held. Bernard also reported that the Board should try and budget approximately \$70,000.00 in 2017 for an asphalt driveway at Veterans Park. Discussion was held. Hall reported that the Hot Water Heater at Veterans Park was replaced last week. Hall reported that the next thing that should be looked at is the stove. Discussion was held. Hall reported that he met with Glenn Thornton about the ramp on the front of the Town Hall. Hall reported that the ramp out front will not work. Discussion was held. Hall reported that the ramp out back needs to be replaced and soon. Hall reported that he wants to tear off the ramp on the back of the Town Hall and replace it with a new Portable Aluminum Modular Structure at a cost of approximately \$12,000.00. Discussion was held. Bernard cautioned the Board that they could run into complications if and when the Highway Department starts removing the old ramp. Discussion was held. Hall reported that once the project starts that it would be at least one week before completed. Discussion was held.

**HIGHWAY SUPERINTENDENT'S REPORT:** Bernard handed out information on the 2016 Dump Truck for the Board to review before the next Board Meeting. Bernard asked if anyone had any questions in regards to the truck, that they get in touch with him as soon as possible. Bernard reported that when the Diesel Fuel was delivered that the delivery man overfilled the tank causing spillage. Bernard reported that an Emergency Cleaning Crew did respond and cleaned up all areas involved at no cost to the Town.

**SUPERVISOR'S REPORT:** Crowley asked how the Town Board wanted to proceed with the sale of the Code Enforcement Officer's and Highway Superintendent's Trucks. Discussion was held. Motion was made by Fessner, seconded by Mitchell, to do a sealed bid sale. The Code Enforcement Officer's truck will go out to bid at of \$26,500.00 and the Highway Superintendent's Truck at a bid price of 28,800.00 and that the Bid's will be opened on Friday May 8<sup>th</sup> at 12:15 PM in the Town Clerk's Office. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Crowley) Nays 0. Crowley reported that

Brad Bennett will be at the April 27th Board meeting to answer any questions in regards to the Zoning Packet the Board members received for their review. Crowley reported that she will be working with the Town’s Attorney in regards to the wording of the proposed Local Law #1. Crowley reported that there is no new information in regards to the Veterans Park Usage Fees as proposed at the last meeting. Mitchell and Hawkins feel a deposit of at least \$50.00 should still be required by all groups. Discussion was held. Motion was made by Crowley, seconded by Fessner, to approve the proposed Usage Fees as presented by the committee and an additional \$50.00 deposit will be required along with proof of Insurance by all Formal Groups. Discussion was held. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Crowley) Nays 0.

**COMMITTEE REPORTS:**

**Audit-** Crowley reported that the audit will be starting as early as next week. Crowley reported that the audit should be completed by June 1<sup>st</sup>.

**Buildings and Grounds:** Hall reported that 8 trees in Elton Park have dead branches in them. Hall reported that he and Karl Rubenstein tried to reach them with a bucket truck but were unable to. Hall reported that they should be removed. Discussion was held.

**HIGHWAY:** Nothing to report.

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

**INSURANCE:** Mitchell reported that he is working with Paris Kirwan on the renewal of the Town’s Insurance.

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

**WATER/SEWER VILLAGE OF BLOOMFIELD:** Crowley reported that there was a water leak at Veterans Park that was only discovered after the Town received a \$900.00 water bill. It was fixed quickly by the Village Public Water Works Department. Discussion was held.

**COMMUNICATIONS:** Nothing to report.

**ROUND TABLE - OTHER BUSINESS:** Nothing to report.

**BUDGET TRANSFERS/AMENDMENTS:** None.

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

General Fund A	- Abs. #507- Vouchers - 116,117,120,121,123-130,132, 133, 7093,7095	\$	4,368.92
General Fund B	- Abs. #507 - Vouchers - 119,121,128,131,132	\$	30,134.66
Highway DA	- Abs. #507- Vouchers - 7089,7091,7092,7094	\$	27,793.36
Highway DB	- Abs. #507- Vouchers - 7087,7088,7090,7091,7096-7107, 7109	\$	62,512.36
Sewer District #1	- Abs. #507 - Voucher - 133,134	\$	7,891.27
Water Dist. #1	- Abs. #507 - Voucher - 115,118,122	\$	5,605.10

**ADJOURNMENT:** Motion was made by Fessner, seconded by Crowley, to adjourn the meeting at 10:00 PM. Motion Approved: Ayes 4 (Fessner, Mitchell, Hawkins, and Crowley) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur  
Town Clerk