

The regular scheduled meeting for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday evening, January 9, 2023, at 6:00 PM with Supervisor Frederick Wille presiding.

Wille opened the regular Town Board meeting at 6:08 PM.

Present:	Supervisor Council Member Council Member Council Member	Frederick A. Wille Michelle T. MacMillan Kathleen M. Conradt William J. Mitchell Jr.
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Absent:	Council Member	Frank W. Fessner
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Attending the meeting were Margaret Gochenaur (Town Clerk), Scott Kimball (Highway Superintendent), Don Collins (Assessor), John Mueller (Willow Bend Farms), Heather Tucker, Steve Russel, Pat Trepannier, Ryan James, Dan Morley, Dave Conklin, and Don Morley.

Don Collins introduced John Mueller from Willow Bend Farms. Mueller gave a summary of the management practices they use that comply with Federal, State, and Environmental laws to manage their manure nutrient program. Willow Bend utilizes agricultural best management practices to protect the riparian and soil health on the farmland they work. Willow Bend had in hand documentation on the laws and best management practices they use for soil and water conservation. Discussion was held. Dan Morley asked how many cows they are currently milking? Mueller replied 2,600. Morley then asked about the spreading of the manure. Muller replied they can spread 15,000 gallons per acre per year. Mueller also added the soil gets tested every 3 years. Discussion was held. Mueller noted more than once they want to be good neighbors and he hopes if anyone has any questions about what they do or the process, they reach out to him. Discussion was held. Heather Tucker asked for privilege of the floor so she could talk about her concerns regarding the new coarse shoulder on Wheeler Road. She provided the Town Board with 2 handouts, one of which she read from. Steve Russel then asked the Town Board members to drive their vehicle on the shoulder of the road at 55mph to see what happens. Russel said, "they don't like the shoulder of the road".

APPROVAL OF MINUTES: Motion was made by Mitchell, seconded by Conradt, to approve the December 12, 2022 minutes. No Discussion was held. Motion Approved: Ayes 3 (Conradt, Mitchell, and Wille) Nays 0 Abstain 1 (MacMillan)

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

CODE ENFORCEMENT OFFICER'S REPORT: Motion was made by Wille, seconded by MacMillan, to approve the Code Enforcement Officer's report. No Discussion was held. Motion Approved: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

SUPERVISOR'S REPORT:

Motion was made by Mitchell, seconded by MacMillan, to adopt Resolution 2023-009 To Designate the Supervisor as a Voting Delegate to Attend the Association of Towns' Annual Conference and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

RESOLUTION 2023-009

TO DESIGNATE THE SUPERVISOR AS A VOTING DELEGATE TO ATTEND THE ASSOCIATION OF TOWNS' ANNUAL CONFERENCE

WHEREAS, the Supervisor of the Town of East Bloomfield will be attending the Association of Towns Annual Conference and Training in February 2023; and

WHEREAS, the Town of East Bloomfield is in good standing as a member of the Association of Towns of New York State; and

WHEREAS, the Supervisor will be attending the informational and voting sessions during the Association of Towns Annual Conference; therefore, be it,

RESOLVED, that the East Bloomfield Town Board designates Supervisor Frederick Wille as an in person voting delegate to vote on the Association of Town's annual legislative platform.

Motion was made by MacMillan, seconded by Conradt, to adopt Resolution 2023-010

Resolution to Adopt Municipal Cooperation Agreement with the Town of Bristol for Joint use of Transfer Station and waive the Reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

RESOLUTION 2023-010

**RESOLUTION TO ADOPT MUNICIPAL COOPERATION
AGREEMENT WITH THE TOWN OF BRISTOL
FOR JOINT USE OF TRANSFER STATION**

WHEREAS, the Town of East Bloomfield and the Town of Bristol have an Agreement for the joint use of the Town of Bristol's refuse transfer station situated at the intersection of County Road 2 and Tilton Road in Bristol, and

WHEREAS, the Agreement must be renewed, and

WHEREAS, the current Agreement expired on December 31, 2022, and

WHEREAS, the Town of Bristol has provided the Town with a renewal Agreement covering the period from January 1, 2023, through December 31, 2023; and

WHEREAS, the cost associated with the operation of the transfer station will be an amount equal to one-half (1/2) of the annual wages (2023 total annual wage will be \$5241.00) and other costs associated with the operation of the transfer station; and

WHEREAS, such costs shall be paid every three (3) months during the term of the agreement based upon invoices/billings submitted by the Town of Bristol; and

WHEREAS, the Board of the Town of East Bloomfield has reviewed said renewal Agreement; now, therefore, be it

RESOLVED, that this East Bloomfield Town Board approve of the renewal Agreement for the term January 1, 2023, through December 31, 2023; and be it

RESOLVED, that a copy of this Resolution and a copy of the signed renewal Agreement be sent to the Town Supervisor for the Town of Bristol.

Motion was made by Mitchell, seconded by MacMillan, to adopt Resolution 2023-011 Authorizing the Town Assessor to Grant Exemptions on the 2023 Town Assessment Roll and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

RESOLUTION 2023-011

**AUTHORIZING THE TOWN ASSESSOR TO GRANT
EXEMPTIONS ON THE 2023 TOWN ASSESSMENT ROLL**

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a state disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of **East Bloomfield** and rendered senior citizens and individuals with disabilities residing in **East Bloomfield** homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of **East Bloomfield**) to adopt a Resolution directing the Assessor to grant exemptions on the 2023 assessment roll to all property owners who received such exemptions on the 2022 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if he has reason to believe that an owner who qualified for the exemption on the 2022 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of **East Bloomfield** wishes to adopt such Resolution directing the Town Assessor of the Town of **East Bloomfield** to grant exemptions on the 2023 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of **East Bloomfield** the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of **East Bloomfield** hereby directs the Town Assessor of the Town of **East Bloomfield** to:

1. Grant exemptions on the 2023 assessment roll to all individuals who received the senior exemption on the 2022 assessment roll and all individuals who received the exemption on the 2022 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;
2. The Town Assessor may, in his sole discretion, require a renewal application to be timely filed with his office if he has reason to believe that any such individual, who qualified for the exemption on the 2022 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, he shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor's office located at 99 Main Street, East Bloomfield, New York 14443.

Motion was made by Conradt, seconded by MacMillan, to adopt Resolution 2023-012 Appointment of Michelle Rhoda to the East Bloomfield Planning Board as Alternate and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

RESOLUTION 2023-012

APPOINTMENT OF MICHELLE RHODA TO THE EAST BLOOMFIELD PLANNING BOARD AS ALTERNATE

WHEREAS, the term for Planning Board member will need an alternate member on January 1, 2023; and

WHEREAS, Michelle Rhoda has expressed her desire to serve as alternate member; and

WHEREAS, the Town of East Bloomfield Planning Board Chair has recommended the reappointment of Michelle Rhoda; now, therefore, be it

RESOLVED, that this Town Board hereby appoints Michelle Rhoda of Bloomfield, New York to the Planning Board for the one-year term year term ending December 31, 2023; and be it further,

RESOLVED, that a certified copy of this resolution be forwarded to Michelle Rhoda who resides in Bloomfield, NY.

Motion was made by Conradt, seconded by MacMillan, to adopt Resolution 2023-012 Bond Resolution Dated January 9, 2023, of the Town Board of the Town of East Bloomfield, New York, Authorizing General Obligation Serial Bonds to Finance the Acquisition of a 2023 International Model #HX520 SFA Plow Truck, Authorizing the Issuance of Bond Anticipation Notes in Contemplation Thereof, the Expenditure of Sums for Such Purpose, and Determining Other Matters in Connection Therewith and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

RESOLUTION 2023-013

BOND RESOLUTION DATED JANUARY 9, 2023, OF THE TOWN BOARD OF THE TOWN OF EAST BLOOMFIELD, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF A 2023 INTERNATIONAL MODEL # HX520 SFA PLOW TRUCK, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF EAST BLOOMFIELD, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of East Bloomfield shall undertake the acquisition of the vehicle as more specifically described in Section 3 hereof.

Section 2. The Town of East Bloomfield is hereby authorized to expend up to \$235,000.00 for such acquisition, and the Town is authorized to issue its General Obligation Serial Bonds in an aggregate principal amount up to \$235,000.00 pursuant to the Local Finance Law of the State of New York, in order to finance the purpose described herein.

Section 3. The specific object or purpose to be financed pursuant to this resolution (hereinafter described as "purpose") is the acquisition of a 2023 International Model # HX520 SFA Plow Truck (at an estimated maximum cost of \$235,000.00).

Section 4. It is hereby stated that (a) the estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing therefor, is estimated to be \$235,000.00 and said amount is hereby appropriated therefor, (b) the plan for financing of said purpose is to provide \$235,000.00 by issuance of obligations as herein authorized.

Section 5. It is hereby determined and declared that said purpose is one of the class of objects or purposes described in Subdivisions 28, 29 and 89 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years.

Section 6. The Town of East Bloomfield is hereby authorized to issue its Bond Anticipation Notes and renewals thereof in an aggregate principal amount not to exceed \$235,000.00, pursuant to the Local Finance Law of New York, in order to finance the purpose in anticipation of the issuance of the above-described Bonds.

Section 7. It is hereby stated that (a) there are presently no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Bonds, (b) the Bond Anticipation Notes authorized by this resolution shall mature within one (1) year from the date of their issuance or such later date as may be desired in accordance with the Local Finance Law, (c) such Bond Anticipation Notes are not issued in anticipation of Bonds for an assessable improvement, (d) the proposed maturity of the obligations authorized by this resolution will not be in excess of 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 the Bonds, whichever date is the earlier, and (e) prior to the issuance of the Bond Anticipation Notes or Bonds herein authorized there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 8. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount subject to applicable statutory limitations, if any.

Section 9. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 10. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this

resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bond and notes the corporate seal of the Town of East Bloomfield.

Section 11. The faith and credit of the Town of East Bloomfield, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes 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 obligations becoming due and payable in such year.

Motion was made by Conradt, seconded by Fessner, to ratify the actions taken on December 27, 2022, to adopt Resolution 2020-050 Authorizing the Purchase of a 2022 International HX520 FA 6X4 Plow Truck for the Highway Department and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

Resolution 2022-050

**Authorizing the Purchase of a 2022 International HX520
FA 6x4 Plow Truck for the Highway Department**

WHEREAS, the Town Board has approved the purchase of a 2023 International HX520 SFA 6/4 Plow Truck at a cost of \$234,949.99: and,

Whereas, said plow truck has been delivered, and

RESOLVED, pursuant to **General Municipal town Law 9-A**, this Board authorizes an interfund advance of \$234,949.99 from the General Fund to pay Navistar, Inc. for receipt of the plow truck, and

RESOLVED, the interfund advance will be reimbursed to the General Fund at the earliest receipt of the BAN.

COMMITTEE REPORTS:

Audit: Nothing to report.

Buildings and Grounds: Kimball reported Tom Parker will be providing him with written notice of the following: The American Legion, Savage Post 970, relinquishes all ownership of the medical supply contents located within Veterans Park. The Town of East Bloomfield is free to dispose of the contents as they see fit, although it is recommended by Savage Post 970 the Memorial Day Ceremony stand be kept for future observances, but this is not binding by the Legion upon the Town of East Bloomfield. Discussion was held. Kimball reported the Boy Scouts would like to know if they can store some of their supplies at Veterans Park. Kimball is recommending once the Legion items are gone the Boy Scouts be allowed to use that area. Discussion was held. Kimball reported Burrows came and installed the new pipe. Connection to the main will take place tomorrow 1/10. Discussion was held. Kimball is seeking permission to order the new front door for the Town Hall. Discussion was held. Mitchell asked that Kimball wait on that until further discussion can be had. Kimball will be doing some needed work in the Code Enforcement Office. Discussion was held.

HIGHWAY: Kimball reported he and Wille will be meeting with DOT on Friday 01/13/23. Kimball provided the Town Board with a handout of photos regarding the work done on Wheeler Road. Kimball discussed the work done in great detail. Discussion was held.

IT/TECHNOLOGY: Nothing to report.

INSURANCE: Nothing to report.

PARKS and RECREATION: Nothing to report.

WATER/SEWER VILLAGE OF BLOOMFIELD: Mitchell reported he will be looking into the request from Grow Bloomfield for the Town to consider expanding the sewer lines. Discussion was held.

PERSONNEL: Kimball reported he has hired Nicole Voorhees at the Highway Department. Discussion was held.

COMMUNICATIONS: None.

ROUND TABLE – OTHER BUSINESS: Wille reported he was contacted by George Heisenberg regarding the Volunteer Fire Department and EMT’s getting a 10% property tax credit. Wille is looking into it and will report back to the board. Discussion was held. Mitchell reported the Bloomfield Public Library is seeking to get a credit card. Discussion was held.

PAYMENT OF BILLS: Motion was made by Mitchell, seconded by MacMillan, to approve paying of the bills (Abstract #229-2022) as submitted. No Discussion was held. Motion Approved: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

General Fund A	- Abs. #229- Vouchers -	455,457,462-473,477,479-485,7287	\$	11,938.89
General Fund B	- Abs. #229 - Vouchers -	459-461,464,475,485	\$	2,756.48
Highway DA	- Abs. #229 - Vouchers -	485,7284-7286	\$	64,441.04
Highway DB	- Abs. #229 - Vouchers -	459,476,7281-7283	\$	240,966.03
Sewer Dist. #1	- Abs. #229 - Vouchers -	470	\$	62.02
Water Dist. #1	- Abs. #229 - Vouchers -	456,458,470,474	\$	322.27
Water Dist. #2	- Abs. #229 - Vouchers -	456,458,470,478	\$	8,137.77
Water Dist. #2 Ext.#2	- Abs. #229 - Vouchers -	458,470	\$	18.93
Water Dist. #2 Ext.#6	- Abs. #229 - Vouchers -	456,458,470,478	\$	912.13
Payroll Account (T/A)	- Abs. #229 - Vouchers -	14	\$	751.87

Motion was made by Mitchell, seconded by MacMillan, to approve paying of the bills (Abstract #301-2023) as submitted. Discussion was held. Motion Approved: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

General Fund A	- Abs. #301- Vouchers -	1,5-7,9,10,12-16,18	\$	5,162.07
General Fund B	- Abs. #301 - Vouchers -	3,4,8,15,17	\$	1,054.20
Highway DA	- Abs. #301 - Vouchers -	15	\$	64.80
Highway DB	- Abs. #301 - Vouchers -	15	\$	64.80
Sewer Dist. #1	- Abs. #301 - Vouchers -	11,14	\$	15,318.30
Water Dist. #2	- Abs. #301 - Vouchers -	2	\$	27.84

ADJOURNMENT: Motion was made by MacMillan, seconded by Conradt, to adjourn the meeting at 7:49 PM. Motion Approved: Ayes 4 (Conradt, Mitchell, MacMillan, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur
Town Clerk