

A Public Hearing Scheduled for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday August 12, 2019 at 6:30 PM with the regular scheduled Town Board Meeting to begin immediately following with Deputy Supervisor Michelle MacMillan presiding

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

Absent: Supervisor Frederick A. Wille

Attending the meeting were Margaret Gochenaur (Town Clerk), Scott Kimball (Highway Superintendent), Jim Kier (Code Enforcement Officer), Don Collins (Assessor), Ron Roach (AWA Liaison), Brigid Heenan, Steve Lester, Joe Rizzo, and James Voorhees.

Pledge of Allegiance led by Town Clerk Gochenaur.

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

MacMillan opened the Public Hearing at 6:30 PM and the Public Notice was read by Town Clerk Gochenaur to adopt Local Law No.1 of 2019 entitled "Parks and Recreation". Brigid Heenan shared points regarding tobacco free parks. Discussion was held. No one further wished to speak.

MacMillan closed the Public Hearing to adopt Local Law No.1 of 2019 entitled "Parks and Recreation" at 6:33 PM.

MacMillan opened the regular Town Board meeting at 6:34 PM.

**APPROVAL OF MINUTES:** Motion was made by Fessner, seconded by Conradt, to approve the July 8, 2019 minutes. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

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

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

**HIGHWAY SUPERINTENDENT'S REPORT:** Motion was made by MacMillan, seconded by Fessner, to approve the Highway Superintendent's report. Kimball asked who is responsible to replace the flags at Veterans Park? Discussion was held. It was determined that the flags are the responsibility of the Town. Kimball asked about the Wyand property on Route 444 near Veterans Park. Discussion was held. Kimball reported that the north end of Flatiron Road is complete. Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0 Kimball offered an expanded list of items to be declared surplus from Veterans Park. Discussion was held. Motion was made by Mitchell, seconded by Conradt, to declare the expanded list from Veterans Park surplus. Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**TOWN HISTORIAN REPORT:** Motion was made by Fessner, seconded by Conradt, to approve the Town Historian's report. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**SUPERVISOR'S REPORT:** Conradt reported that 238 Survey Responses were collected or approximately 14%. Conradt will be completing the final tally from said responses. Discussion was held.

Motion was made by MacMillan, seconded by Mitchell, to adopt Resolution 2019-042 Authorizing the Adoption of Local Law No. 1 of 2019, to Amend Certain Sections of Chapter 94 of the Town Code of the Town of East Bloomfield Entitled "Parks and Recreation" and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**RESOLUTION 2019-042**

**AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 1 OF 2019, TO AMEND CERTAIN SECTIONS OF CHAPTER 94 OF THE TOWN CODE OF THE TOWN OF EAST BLOOMFIELD ENTITLED "PARKS AND RECREATION"**

**WHEREAS**, a public hearing was duly held by said Town Board on August 12, 2019 at 6:30 p.m. at the East Bloomfield Town Hall, 99 Main Street, East Bloomfield, New York, to hear all interested parties on a proposed Local Law to Amend Certain Sections of Chapter 94 of the Town Code of the Town of East Bloomfield Entitled "Parks and Recreation".

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of East Bloomfield, on August 1, 2019 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing being duly held on August 12, 2019, at 6:30 p.m. at the East Bloomfield Town Hall, 99 Main Street, East Bloomfield, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of East Bloomfield, after due deliberation, finds it in the best interest of the Town of East Bloomfield to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of East Bloomfield hereby adopts said Local Law No. 1 of 2019, entitled, "A local law to Amend Certain Sections of Chapter 94 of the Town Code of the Town of East Bloomfield Entitled "Parks and Recreation", a copy of which is attached hereto and made a part of this resolution, and be it further

**RESOLVED**, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of East Bloomfield, and to give due notice of the adoption of said local law to the Secretary of State of New York.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2019-043 The Town of East Bloomfield Ontario County, New York Authorizing the Issuance of Serial Bonds (Renewal) of the Town of East Bloomfield in an Amount not to Exceed \$188,800 to Partially Pay for the Purchase of a 2018 International Model #HX520 Plow Truck with Wing and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**RESOLUTION 2019-043**

**THE TOWN OF EAST BLOOMFIELD  
ONTARIO COUNTY, NEW YORK  
AUTHORIZING THE ISSUANCE OF SERIAL BONDS (RENEWAL)  
OF THE TOWN OF EAST BLOOMFIELD  
IN AN AMOUNT NOT TO EXCEED \$188,800  
TO PARTIALLY PAY FOR THE PURCHASE OF  
A 2018 INTERNATIONAL MODEL #HX520  
PLOW TRUCK WITH WING**

**WHEREAS**, the Town Board (the "Board") of the Town of East Bloomfield (the "Town") having previously authorized the purchase of a 2018 International Model #HX520 Plow Truck with Wing (the "Equipment") for the Town's use and the financing thereof to partially defray the costs of the Equipment by issuance of serial bonds in the aggregate principal amount of \$236,000 pursuant to a bond resolution dated August 13, 2018 (the "\$236,000 BAN"); and

**WHEREAS**, the \$236,000 BAN will mature on August 14, 2019;

**NOW, THEREFORE,**

**BE IT RESOLVED**, by the Town Board of the Town of East Bloomfield located in the County of Ontario, New York, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Supervisor is hereby authorized to pay the sum of \$47,200 on the principal balance of the \$236,000 BAN, plus interest of \$5,664, to Canandaigua National Bank and Trust Company on August 14, 2019, and shall renew the Bond Anticipation Note with Canandaigua National Bank and Trust Company for a one-year term. The renewal serial bond amount shall be \$188,800 with an interest rate of 2.35% and shall mature on August 14, 2020.

Section 2. This Resolution shall take effect immediately upon its adoption.

Motion was made by Fessner, seconded by Mitchell, to adopt Resolution 2019-044 The Town of East Bloomfield Ontario County, New York Authorizing the Issuance of Serial Bonds (Renewal) of the Town of East Bloomfield in an Amount not to Exceed \$110,000 to Partially Finance Certain Improvements/Embellishments to an Existing Town Park Including Installation of Utilities and Resurfacing/Paving Parking Area and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**RESOLUTION 2019-044**

**THE TOWN OF EAST BLOOMFIELD  
ONTARIO COUNTY, NEW YORK  
AUTHORIZING THE ISSUANCE OF SERIAL BONDS (RENEWAL)  
OF THE TOWN OF EAST BLOOMFIELD  
IN AN AMOUNT NOT TO EXCEED \$110,000  
TO PARTIALLY FINANCE CERTAIN IMPROVEMENTS/EMBELLISHMENTS  
TO AN EXISTING TOWN PARK INCLUDING INSTALLATION OF  
UTILITIES AND RESURFACING/PAVING PARKING AREA**

**WHEREAS**, the Town Board (the "Board") of the Town of East Bloomfield (the "Town") having previously authorized certain improvement/embellishments to an existing town park including installation of utilities and resurfacing/paving parking area (the "Project") for the Town and the financing thereof to partially defray the costs of the Project by issuance of serial bonds in the aggregate principal amount of \$120,000 pursuant to a bond resolution dated August 13, 2018 (the "\$120,000 BAN"); and

**WHEREAS**, the \$120,000 BAN will mature on August 14, 2019;

**NOW, THEREFORE,**

**BE IT RESOLVED**, by the Town Board of the Town of East Bloomfield located in the County of Ontario, New York, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Supervisor is hereby authorized to pay the sum of \$10,000 on the principal balance of the \$120,000 BAN, plus interest of \$2,880, to Canandaigua National Bank and Trust Company on August 14, 2019, and shall renew the Bond Anticipation Note with Canandaigua National Bank and Trust Company for a one year term, subject to optional redemption after January 14, 2020. The Renewal BAN amount shall be \$110,000 with an interest rate of 2.35% and shall mature on or before August 14, 2020.

Section 2. This Resolution shall take effect immediately upon its adoption.

Motion was made by Fessner, seconded by Mitchell, to adopt Resolution 2019-045 To Acknowledge the Completion of the Internal Audits and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**RESOLUTION 2019-045  
TO ACKNOWLEDGE THE COMPLETION  
OF THE INTERNAL AUDITS**

**WHEREAS**, the Board of the Town of East Bloomfield hereby acknowledges that Internal Audits have been conducted in each Town Department for the fiscal year ending December 31, 2018; and

**WHEREAS**, a copy of each written Audit has been provided to the Town Board and each Department Head; and now therefore be it,

**RESOLVED**, that the Board of the Town of East Bloomfield hereby acknowledges that the Internal Audits for the fiscal year ending December 31, 2018 have been conducted and are now complete; be it

**RESOLVED**, that a copy of this Resolution be provided to Internal Control Department, NYS Office of Court Administration, 2500 Pond View Suite LL01, Castleton-on-Hudson, NY 12033.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2019-046 Town of East Bloomfield Wishes to Adopt a No Smoking Policy for Town Parks

and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**RESOLUTION 2019-046**

**TOWN OF EAST BLOOMFIELD WISHES TO ADOPT A NO SMOKING POLICY FOR TOWN PARKS**

**WHEREAS**, the Town of East Bloomfield is committed to protecting the health, welfare and safety of its' visitors and volunteers; and

**WHEREAS**, the Town of East Bloomfield wishes to adopt a No Smoking Policy for its' Town Parks; and

**NOW THEREFORE, BE IT RESOLVED**, that the following policy is hereby adopted and imposed by the Town of East Bloomfield:

**POLICY STATEMENT**

The Town of East Bloomfield is committed to protecting the health, welfare and safety of the visitors and volunteers.

The Town of East Bloomfield recognizes that:

- ❑ Tobacco use in the proximity of children, youth and adults is unhealthy and detrimental to the health of others.
- ❑ Tobacco products consumed in public spaces are often discarded on the ground, posing a risk of ingestion to children and animals, and incurring costly litter cleanup.
- ❑ As members of the Community we are thought of as role models, and the use of tobacco products around youth has a negative effect on their lifestyle choices.

Therefore, the Town of East Bloomfield prohibits tobacco use in the buildings and on the grounds of Boughton Park, Elton Park and Veterans Park. This restriction includes the use of all forms of tobacco products, including: cigarettes, cigars, pipes, e-cigarettes, and smokeless tobacco products, such as snuff, snus, and chewing tobacco. This restriction does not apply to products authorized for tobacco cessation by the FDA. This policy applies to all visitors and volunteers.

**COMPLIANCE PROCEDURES**

- ❑ Appropriate signs shall be posted.
- ❑ The community and Town employees will be notified about this policy and about available resources for tobacco cessation.
- ❑ Town employees will make periodic observations of the areas specified above.
- ❑ Any visitors found violating this policy may be subject to warning of infraction.

Motion was made by Fessner, seconded by Conradt, to approve the July Financial Reports as submitted. Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0 MacMillan reported on Local Law No. 2 of 2019 "Tax Cap Override". Discussion was held. MacMillan set the Public Hearing for Local Law No. 2 of 2019 "Tax Cap Override" for August 26, 2019 at 6:30PM.

**COMMITTEE REPORTS:**

**Audit:** MacMillan reported that the audit finding reports will be mailed to the appropriate departments this week. Discussion was held.

**Buildings and Grounds:** Kimball reported that Veterans Park is ready to go for tomorrow. Discussion was held. Kimball reported on the possibility of the Highway Department receiving a donated school bus from Bloomfield Central School. Kimball reported that it would be an upgrade from the one the Highway Department currently has. Discussion was held.

**HIGHWAY:** Kimball reported that Brace Road will be chip sealed this Thursday August 15<sup>th</sup>. Kimball reported that round two of Road Striping should begin soon. Discussion was held.

**IT/TECHNOLOGY:** MacMillan reported that a meeting was held with Empire Access and that we are moving forward with the transition. Discussion was held.

**INSURANCE:** Nothing to report.

**PARKS and RECREATION:** Fessner reported that he spoke with a resident about not picking up after his dog in Veterans Park. Discussion was held.

**WATER/SEWER VILLAGE OF BLOOMFIELD:** Nothing to report.

**PERSONNEL:** Nothing to report.

**COMMUNICATIONS:** MacMillan reported on the Village Mayor’s letter that was included in the Boards packet. Discussion was held. Gochenaur read an email she received regarding the possibility of water service coming to Route 444. Discussion was held.

**ROUND TABLE – OTHER BUSINESS:** Conradt was asked by a resident about the flags at Veterans Park and the Wyand property on Route 444. Discussion was held. Conradt will inform said resident that the replacement of the flags is a Town responsibility. However, if said resident wants to donate flags they may. Discussion was held. Conradt will also tell said resident that the Town does not discuss possible acquisitions regarding town issues. Discussion was held. Mitchell encouraged any Town Board member who hasn’t read David Damaske’ s email regarding Boughton Park to please do so. Mitchell has asked Damaske and the Boughton Park Commission for a list of pros and cons regarding allowing another town to become an owner. Discussion was held.

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

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

|                       |                          |  |    |            |
|-----------------------|--------------------------|--|----|------------|
| General Fund A        | - Abs. #914- Vouchers -  | 240,242-258,261,263,264,7145,7167                        | \$ | 6,966.96   |
| General Fund B        | - Abs. #914 - Vouchers - | 244,247,260  | \$ | 1,342.24   |
| Highway DA            | - Abs. #914 - Vouchers - | 244,7166   | \$ | 3,036.62   |
| Highway DB            | - Abs. #914 - Vouchers - | 244,259,7145,7156-7165                                   | \$ | 139,514.27 |
| Sewer Dist. #1        | - Abs. #914 - Vouchers - | 255  | \$ | 228.91     |
| Water Dist. #1        | - Abs. #914 - Vouchers - | 262  | \$ | 11,580.80  |
| Water Dist. #2        | - Abs. #914 - Vouchers - | 241,255,262  | \$ | 1,006.52   |
| Water Dist. #2 Ext.#2 | - Abs. #914 - Vouchers - | 241,255  | \$ | 56.38      |
| Water Dist. #2 Ext.#6 | - Abs. #914 - Vouchers - | 241,255  | \$ | 21.89      |
| General Fund A        | - Abs. #915- Vouchers -  | 265-269,271,272,274-280,282-290,7168,7172,7179,7181,7182 | \$ | 41,451.36  |
| General Fund B        | - Abs. #915 - Vouchers - | 268,270,276,280  | \$ | 120.29     |
| Highway DA            | - Abs. #915 - Vouchers - | 7174   | \$ | 67.00      |
| Highway DB            | - Abs. #915 - Vouchers - | 267,281,7169-7171,7173,7175-7178,7180,7181               | \$ | 67,980.52  |
| VP Leg. Bld. Proj.    | - Abs. #915 - Vouchers - | 273  | \$ | 35,000.00  |

**EXECUTIVE SESSION:** Motion was made by Mitchell, seconded by Conradt, to move into an Executive Session at 7:07 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, Conradt, Mitchell, and MacMillan) Nays: 0

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

Motion was made by Mitchell, seconded by Fessner to authorize Don Collins to speak with John Refermatt to discuss strategy and potential cost to litigate a law suite with Solar Advocate Development, LLC. Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

**ADJOURNMENT:** Motion was made by Mitchell, seconded by Conradt, to adjourn the meeting at 7:54 PM. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and MacMillan) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur  
Town Clerk