

A Public Hearing Scheduled for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Tuesday November 12, 2024 at 7:00 PM with the regular scheduled Town Board Meeting to begin immediately following with Supervisor Frederick A. Wille presiding.

Present:	Supervisor	Frederick A. Wille
	Council Member	Michelle T. MacMillan
	Council Member	Frank W. Fessner
	Council Member	Kathleen M. Conradt
	Council Member	Stephen C. Lester

Attending the meeting were Margaret Gochenaur (Town Clerk), Robert Torno (Highway Superintendent), Kim Rayburn (Code Enforcement Officer), Vaughn & Becky Buchholz, and Sean Dixon.

Pledge of Allegiance led by Town Clerk Gochenaur.

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

Wille opened the Public Hearing at 7:00 PM and the Public Notice was read by Town Clerk Gochenaur for Local Law No.7 of 2024 Authorizing the Adoption of Local Law No.7 of 2024 to Rescind Local Law No.6 of 2024 that Overrides the 2025 Tax Levy Limit Established in General Municipal Law 3-c. No one from the public wished to comment. Wille noted the town board stayed below the tax cap during this difficult financial time. Wille went on to say that Budget Officer Angel Welty did a terrific job preparing the budget as did the town board.

Wille closed the Public Hearing for Local Law No.7 of 2024 Authorizing the Adoption of Local Law No. 7 of 2024 to Rescind Local Law No.6 of 2024 that Overrides the 2025 Tax Levy Limit Established in General Municipal Law 3-c at 7:02 PM.

Wille opened the regular Town Board meeting at 7:03 PM.

**APPROVAL OF MINUTES:** Motion was made by Conradt, seconded by MacMillan, to approve the October 28, 2024 minutes. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, MacMillan, and Wille) Nays 0 Abstain 1 (Lester)

**TOWN CLERK'S REPORT:** Motion was made by Fessner, seconded by MacMillan, to approve the Town Clerk's report. No Discussion was held. Motion Approved: Ayes 5 (Fessner, Conradt, Lester, MacMillan, and Wille) Nays 0

**CODE ENFORCEMENT OFFICER'S REPORT:** Motion was made by Fessner, seconded by MacMillan, to approve the Code Enforcement Officer's report. Discussion was held. Motion Approved: Ayes 5 (Fessner, Conradt, Lester, MacMillan, and Wille) Nays 0

**SUPERVISOR'S REPORT:**

Motion was made by MacMillan, seconded by Conradt, to adopt Resolution 2024-040 Authorizing the Adoption of Local Law No.7 to Rescind Local Law No.6 of 2024 that Overrides the 2025 Tax Levy Limit Established in General Municipal Law 3-c and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Lester, MacMillan, and Wille) Nays 0

**RESOLUTION 2024-040**

**AUTHORIZING THE ADOPTION OF LOCAL LAW NO.7 OF 2024 To  
RECIND LOCAL LAW NO.6 of 2024 THAT OVERRIDES THE 2025 TAX LEVY  
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c.**

**WHEREAS**, a public hearing was duly held by said Town Board on Tuesday, November 12, 2024 at 7:00 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 No.7 to rescind Local Law No.6 which overrides the 2025 tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of East Bloomfield, on November 1, 2024 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 Tuesday, November 12, 2024, at 7:00 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.7 of 2024, entitled, "A local law No.7 to rescind Local Law No.6 of 2024, a law to override the 2025 tax levy limit established in General Municipal Law §3-c", 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 she 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 MacMillan, seconded by Fessner, to adopt Resolution 2024-041 Resolution Establishing Water District #4 Pursuant to Article 12 of the Town Law in the Matter of the Establishment of Water District #4 in the Town of East Bloomfield, in the County of Ontario, in the State of New York and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conradt, Lester, MacMillan, and Wille) Nays 0

**RESOLUTION 2024-041**

**RESOLUTION ESTABLISHING WATER DISTRICT #4 PURSUANT TO ARTICLE 12 OF THE TOWN LAW**

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In the Matter of the Establishment of Water  
District # 4 in the Town of East Bloomfield,  
in the County of Ontario, in the State of New York

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WHEREAS, previous hereto, a map, plan, and report have been prepared by MRB Group, John Paul Schepp, P.E. ("MRB") in such manner and in such detail as heretofore determined by the Town Board relating to the establishment of a proposed water district, to be known and designated as Water District # 4 in the Town of East Bloomfield (the "Town"), and

WHEREAS, on or about December 9, 2023, the Town Board was presented with a petition(s) for the establishment of said water district, and

WHEREAS, the proposed action before the Town Board is limited to the creation of the water district (the "Project"), and

WHEREAS, the Town Board having previously declared itself Lead Agent pursuant to the State Environment Quality Review Act ("SEQRA") and having previously reviewed and accepted a short form environmental assessment of the Project prepared by MRB, and declared that based upon a review of the assessment, the Project will not have a significant adverse impact on the environment and issued a Negative Declaration under SEQRA for the Project, and

WHEREAS, after MRB duly filed said map, plan, and report in the office of the Town Clerk of the Town, reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the cost to a typical property, the Town Board did

conduct a public hearing on April 22, 2024 and continued on May 13, 2024 regarding the proposal to establish the water district to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of the Notice of Public Hearing were duly published and posted according to law, and the Town Board did, at the time and place specified in said Notice, duly meet and consider said proposal and hear all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereafter made;

WHEREAS, the Town Board was made aware of certain inadvertent scrivener's errors in the original resolution establishing the water district adopted on May 13, 2024 and wishes to correct the record to reflect the findings and determination previously made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of East Bloomfield, in the County of Ontario, that it be and hereby is determined as follows:

1. The Petition(s) were duly signed and acknowledged as required by law and are otherwise sufficient;
2. All of the property and property owners within the proposed water district are benefited thereby;
3. All of the property and property owners benefited are included within the proposed water district;
4. It is in the public interest to establish the proposed water district as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a water district as hereinafter described to be known as Water District # 4, in the Town of East Bloomfield (the "District"), the boundaries of which are set forth more particularly in the attached Schedule A; and be it

FURTHER RESOLVED, that the following improvements in the District will be installed with the required funds being made available or provided for: the installation of approximately 600 linear feet of 8" water main, one (1) fire hydrant, and two (2) water service connections and appurtenances along a portion of Victor-Holcomb Road (NYS 444) in the Town of East Bloomfield as set forth and described in the map, plan and report on file in the Office of the Town Clerk of the Town; and be it

FURTHER RESOLVED, that the proposed improvements, including costs of the physical improvements, construction costs, legal fees, and other expenses in the amount of \$150,689.00.00 will be borne by the properties within the District on an ad valorem basis; and be it

FURTHER RESOLVED, that the total annual cost for a typical property of the District is estimated at \$1,983 and as such formation of the District will be subject to the approval of the Office of the State Comptroller; and be it

FURTHER RESOLVED, that the proposed method to be employed for financing such improvement is projected as follows:

The cost of the water district construction would be paid through on an ad-valorem basis against the properties within the proposed water district. It is anticipated that the project cost will be financed by the issuance of one or more bonds of the Town, to be paid over 30 years at an estimated interest rate of 6.0 % per annum; and be it

FURTHER RESOLVED, that the total first year cost for the typical property of the proposed District is estimated at \$4,483.00 broken down as follows: Installation of Water Service \$2,000; Internal Plumbing Changes \$400.00; Repayment of Bonds \$1,633.00; Initial Account/Meter Fee \$100.00; and Purchase of Water \$350.00.

Motion was made by MacMillan, seconded by Conrardt, to adopt Resolution 2024-042 Resolution Authorizing Application to State Comptroller in the Matter of the Establishment of Water District #4, the Town of East Bloomfield, in the County of Ontario, in the State of New York and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Conrardt, Lester, MacMillan, and Wille) Nays 0

**RESOLUTION 2024-042**

**Application to State Comptroller**

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In the matter of the Establishment of Water District #4,  
the Town of East Bloomfield,  
In the County of Ontario, in the State of New York

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**RESOLUTION AUTHORIZING  
APPLICATION TO  
STATE COMPTROLLER**

WHEREAS, on or about December 9, 2023, the Town Board was presented with a petition relating to the establishment of a proposed water district, to be known and designated as Water District #4, in the Town of East Bloomfield (the “District ”), and

WHEREAS, the Town Board did conduct a public hearing on April 22, 2024 continued on May 13, 2024 regarding the proposal to establish the District and after hearing all persons interested in the subject thereof concerning the same resolved to establish the District, and,

WHEREAS, based upon the projected average cost to the typical property the formation of the District is subject to the approval of the State Comptroller's Office, and

WHEREAS, the Town Board did direct the Town Attorney to prepare an application to the State Comptroller, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, the Town Board has duly reviewed such application and believes the content of the application to be true and accurate;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of East Bloomfield, in the County of Ontario, that it be and herby is determined as follows:

1. It is in the public interest to establish the proposed District;
2. The expenditures for which permission is sought will not constitute an undue burden on the properties which will bear the expense;
3. All of the property and property owners within the proposed District are benefited thereby;
4. All of the property and property owners benefited are included within the proposed District and no benefited property has been excluded; and

FURTHER, RESOLVED, that the Supervisor is authorized to execute the application seeking the approval of the State Comptroller to form the District and any other documents necessary to effectuate the consideration of said application.

**COMMITTEE REPORTS:**

**Audit:** Nothing to report.

**Buildings and Grounds:** Fessner reported the septic is up and running at Veterans Park. Discussion was held.

**HIGHWAY:** Torno reported the NYS DOT Snow and Ice 5-year agreement is up for renewal. Torno will be discussing the contract terms with Bill Butts. Discussion was held.

**IT/TECHNOLOGY:** Lester asked Rayburn where we are with Spectrum and Integrated at Veterans Park regarding Wi-Fi for the Annex. Rayburn reported she has sent all the information over to the IT Committee and is waiting for their approval/authorization to move forward. Discussion was held.

**INSURANCE:** Nothing to report.

**PARKS and RECREATION:** Fessner reported the baseball fields will be rolled in the Spring at Veterans Park. Discussion was held.

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

**PERSONNEL:** Nothing to report.

**COMMUNICATIONS:** Gochenaur reported she was asked by Ron Parrish about why the town still has not added the Space Force flag to the other military flags at Veterans Park. Gochenaur noted that Parrish has asked many times about this and is asking for a reply from the town board. Fessner asked Gochenaur to please provide Parrish with his contact information and ask Parrish to contact him directly regarding the concern. Discussion was held.

**ROUND TABLE – OTHER BUSINESS:** Wille reported that he believes it is time to hold a workshop regarding the proposed new highway garage. Wille noted he would like to hold this workshop in January of 2025. Discussion was held.

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

General Fund A	- Abs. #421- Vouchers - 475,477-484,486-494,7485,7486	\$	9,370.54
General Fund B	- Abs. #421 - Vouchers - 474,491	\$	137.14
Highway DA	- Abs. #421 - Vouchers - 7489	\$	3,300.00
Highway DB	- Abs. #421 - Vouchers - 493,7483-7485,7487,7488,7490-7492	\$	29,602.34
Water Dist. #1	- Abs. #421 - Vouchers - 476,477,485	\$	332.94
Water Dist. #2	- Abs. #421 - Vouchers - 476,477	\$	371.62
Water Dist. #2 Ext.#2	- Abs. #421 - Vouchers - 476,477	\$	9.24
Water Dist. #2 Ext.#6	- Abs. #421 - Vouchers - 476,477	\$	82.45

**ADJOURNMENT:** Motion was made by MacMillan, seconded by Conradt, to adjourn the meeting at 7:27 PM. Motion Approved: Ayes 5 (Fessner, Conradt, Lester, MacMillan, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur  
Town Clerk