

A Public Hearing Scheduled for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday November 25, 2019 at 6:00 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	Frank W. Fessner
	Council Member	Kathleen M. Conradt
	Council Member	William J. Mitchell Jr.

Absent:	Council Member	Michelle T. MacMillan
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Attending the meeting were Margaret Gochenaur (Town Clerk), Scott Kimball (Highway Superintendent), Ron Roach (AWA), and James Voorhees.

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 6:00 PM and the Public Notice was read by Town Clerk Gochenaur for Local Law #3 of 2019 to establish a Moratorium on Large Scale Solar Energy Systems. Discussion was held.

Wille closed the Public Hearing for Local Law #3 of 2019 to establish a Moratorium on Large Scale Solar Energy Systems at 6:02 PM.

Wille opened the Public Hearing at 6:02 PM and the Public Notice was read by Town Clerk Gochenaur for Local Law #4 of 2019 Authorizing the Adoption of Local Law No. 4 of 2019 to Rescind Local Law No. 2 of 2019 that Overrides the 2020 Tax Levy Limit Established in General Municipal Law 3-c. No one from the public wished to comment.

Wille closed the Public Hearing for Local Law #4 of 2019 Authorizing the Adoption of Local Law No. 4 of 2019 to Rescind Local Law No. 2 of 2019 that Overrides the 2020 Tax Levy Limit Established in General Municipal Law 3-c at 6:05 PM.

Wille opened the regular Town Board meeting at 6:05 PM.

**APPROVAL OF MINUTES:** Motion was made by Fessner, seconded by Mitchell, to approve the November 12, 2019 minutes. No Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**ASSESSOR'S REPORT:** Motion was made by Fessner, seconded by Conradt, to approve the Assessor's report. Collins reported on the acceptable use of voluntary electronic signatures. Discussion was held. Collins will contact the AOT to get the proper wording needed to enact a Local Law. Mitchell asked Collins to request a 1-time letter from the people who would be interested in using this method. Discussion was held. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**HIGHWAY SUPERINTENDENT'S REPORT:** Motion was made by Fessner, seconded by Conradt, to approve the Highway Superintendent's report. Kimball thanked Andy Rogers for leaving 8 rows of corn up on Route 64 South creating a barrier to help with blowing snow. Discussion was held. Kimball reported that along Route 444 the highway department has placed a double row of fence to help with blowing snow. Discussion was held. Kimball reported on damage that was done by Empire Access to the Court Chambers floor while installing the new lines. Kimball reported that he has received a quote to replace the damaged floor. Discussion was held. The Town Board unanimously agrees they want the floor replaced as its only 7 months old. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**SUPERVISOR'S REPORT:**

Motion was made by Wille, seconded by Mitchell, to adopt Resolution 2019-063 To Adopt Local Law No. 3 A Law to Establish a Moratorium on Large Scale Solar Energy Systems and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**RESOLUTION 2019-063**

**TO ADOPT LOCAL LAW No. 3 A LAW TO ESTABLISH A MORATORIUM ON LARGE SCALE SOAL ENERGY SYSTEMS**

**WHEREAS**, it is the intent of Local Law No. 3 for large scale solar moratorium to end at the sooner of 12 months or when an amendment to the zoning regulations take effect on the further growth and development of large-scale solar energy systems in the Town of East Bloomfield, while the Town considers and potentially adopts changes to Chapter 135 Article X section 135-83.3 of the Town Code to address new circumstances not currently addressed in the Code; and

**WHEREAS**, the moratorium will provide municipal officials time to study the code and address issues presented by the continued growth and development of large- scale solar energy systems within the Town and the impact of such growth on agriculture; and

**WHEREAS**, pursuant to this moratorium, section Chapter 135, Article X, section 135-83.3 of the Town of East Bloomfield Code is hereby amended to suspend all further applications for development of large scale solar energy systems, as defined in section 135-83.3, for a period to end the sooner of 12 months or when an amendment to the zoning regulations take effect while Town officials consider the relevant issues associated with additional solar energy systems within the Town of East Bloomfield and to address potential changes to the existing code and to consider issues not currently addressed in the code; and, now therefore, be it

**RESOLVED**, that, subject to a public hearing scheduled on November 25, 2019 and subject to review of the Local Law No. 3 by the Ontario County Planning Board, this Town Board hereby adopts this local law; and also, be it

**RESOLVED**, that a certified copy of this resolution be sent to the Town of East Bloomfield Planning Board, Town of East Bloomfield Zoning Board and Daniel Bryson, Attorney, Lacy Katzen, LLP, 130 East Main Street, Rochester, NY 14604.

Motion was made by Fessner, seconded by Conradt, to adopt Resolution 2019-064 To Adopt the New York State Agreement for Indexed Lump Sum Municipal Snow and Ice Control and waive the reading of the Resolution. Discussion was held.  
Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

#### **RESOLUTION 2019-064**

#### **TO ADOPT THE NEW YORK STATE AGREEMENT FOR INDEXED LUMP SUM MUNICIPAL SNOW AND ICE CONTROL**

**WHEREAS**, resolution 2019-059 incorrectly stated the total of the NYS Snow & Ice Agreement; and

**WHEREAS**, the adjustment has been made; and

**WHEREAS**, this resolution 2010-064 replaces resolution 2019-059; and

**WHEREAS**, there are 13.88 lane road miles of New York State highways in the Town of East Bloomfield for which the State contracts with the Town Highway Department for snow and ice control; and

**WHEREAS**, New York State desires to continue to contract with the Town for snow and ice control; and

**WHEREAS**, the State has prepared a Municipal Snow and Ice Agreement for a five (5) year term commencing on July 1, 2019 and ending June 30, 2024; and

**WHEREAS**, the State agrees to pay the Municipality each year during the term of the Agreement \$159,528.46 for 13.88 lane miles for each average season for a total contract value for the term of the agreement being \$797,642.30; and now, therefore, be it

**RESOLVED**, that the Town of East Bloomfield enter into an agreement with the State of New York for snow and ice control for a term commencing on July 1, 2019 and ending June 30, 2024; and, be it also

**RESOLVED**, the indexed lump sum estimated expenditure per year according to the Agreement shall be \$159,528.46 for 13.88 lane miles, for a total contract value for the term of the agreement being \$797,642.30; and, be it also

**RESOLVED**, that this Town Board hereby authorizes the Town Supervisor to execute the Agreement to provide snow and ice control services to the State of New York, and, be it also

**RESOLVED**, that a certified copy of this resolution, along with the executed Agreement, be sent to Greg Trost, Assistant Resident Engineer, NYSDOT 125 Parrish Street, Canandaigua, New York 14424.

**RESOLVED**, the indexed lump sum estimated expenditure per year according to the Agreement shall be \$154,005.41 for 13.88 lane miles, for a total contract value for the term of the agreement being \$779,027.05; and, be it also

**RESOLVED**, that this Town Board hereby authorizes the Town Supervisor to execute the Agreement to provide snow and ice control services to the State of New York, and, be it also

**RESOLVED**, that a certified copy of this resolution, along with the executed Agreement, be sent to Greg Trost, Assistant Resident Engineer, NYSDOT 125 Parrish Street, Canandaigua, New York 14424.

Motion was made by Mitchell, seconded by Conratt, to adopt Resolution 2019-065 Authorizing the Adoption of Local Law No. 4 of 2019 to Rescind Local Law No. 2 of 2019 that Overrides the 2020 Tax Levy Limit Established in General Municipal Law 3-c and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conratt, Mitchell, and Wille) Nays 0

**RESOLUTION 2019-065**

**AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 4 OF 2019 to  
RECIND LOCAL LAW NO 2 of 2019 THAT OVERRIDES THE 2020 TAX LEVY  
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**

**WHEREAS**, a public hearing was duly held by said Town Board on November 25, 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 No. 4 to rescind Local Law No. 2 which overrides the 2020 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 15, 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 November 25, 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. 4 of 2019, entitled, "A local law to rescind Local Law No. 2 of 2019, a law to override the 2020 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 Mitchell, seconded by Fessner, to adopt Resolution 2019-066 Authorizing Expenditure from Town Hall Maintenance Reserve Fund of the Town of East Bloomfield and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conratt, Mitchell, and Wille) Nays 0

**RESOLUTION 2019-066**

**AUTHORIZING EXPENDITURE  
FROM TOWN HALL MAINTENANCE RESERVE FUND  
OF THE TOWN OF EAST BLOOMFIELD**

**WHEREAS**, the Town Board of the Town of East Bloomfield (the "Town Board") previously established a Town Hall Maintenance Reserve Fund (hereinafter, the "Reserve Fund") to accumulate

monies in a financially prudent manner to fund the cost of repairs and improvements to the Town Hall facility;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:**

The Town Board of the Town of East Bloomfield, duly convened in regular session, does hereby resolve pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York that the Town of East Bloomfield's Supervisor be and hereby is authorized and directed to transfer from the Reserve Fund the sum of Three Thousand Four Hundred Seventy and 00/100 Dollars (\$3,470.00), said sum to be utilized for payment for engineering and work on the drainage issue at the Town Hall, which is located at 99 Main Street, Bloomfield, New York.

This resolution shall be subject to permissive referendum.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2019-067 Authorizing Expenditure from Highway Fuel Island Reserve Fund of the Town of East Bloomfield and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**RESOLUTION 2019-067**

**AUTHORIZING EXPENDITURE  
FROM HIGHWAY FUEL ISLAND RESERVE FUND  
OF THE TOWN OF EAST BLOOMFIELD**

**WHEREAS**, the Town Board of the Town of East Bloomfield (the "Town Board") previously established a Highway Fuel Island Reserve Fund (hereinafter, the "Reserve Fund") to accumulate monies in a financially prudent manner to fund the cost of repairs and improvements to the Highway Fuel Island;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:**

The Town Board of the Town of East Bloomfield, duly convened in regular session, does hereby resolve pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York that the Town of East Bloomfield's Supervisor be and hereby is authorized and directed to transfer from the Reserve Fund the sum of One Thousand Nine Hundred Ten Dollars (\$1,910.00), said sum to be utilized for payment of additional expenses resulting from the replacement of the fuel island tanks at the Highway Department, which is located at 7229 Routes 5&20, Bloomfield, New York.

This resolution shall be subject to permissive referendum.

Motion was made by Mitchell, seconded by Fessner, to adopt Resolution 2019-068 Authorizing Expenditure from Highway Equipment Reserve Fund of the Town of East Bloomfield and waive the reading of the Resolution. Discussion was held. Motion Adopted: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

**RESOLUTION 2019-068**

**AUTHORIZING EXPENDITURE  
FROM HIGHWAY EQUIPMENT RESERVE FUND  
OF THE TOWN OF EAST BLOOMFIELD**

**WHEREAS**, the Town Board of the Town of East Bloomfield (the "Town Board") previously established a Highway Equipment Reserve Fund (hereinafter, the "Reserve Fund") to accumulate monies in a financially prudent manner to help maintain a flat budget from year to year for Highway equipment;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:**

The Town Board of the Town of East Bloomfield, duly convened in regular session, does hereby resolve pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York that the Town of East Bloomfield’s Supervisor be and hereby is authorized and directed to transfer from the Reserve Fund the sum of Six Thousand Dollars (\$6,000.00), said sum to be utilized for payment of additional expenses for new Highway equipment.

This resolution shall be subject to permissive referendum.

**COMMITTEE REPORTS:**

**Audit:** Nothing to report.

**Buildings and Grounds:** Nothing to report.

**HIGHWAY:** Nothing to report.

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

**INSURANCE:** Nothing to report.

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

**WATER/SEWER VILLAGE OF BLOOMFIELD:** Mitchell reported that Mark Mansfield inquired about the chance of getting sewer at the Irish Mafia. Discussion was held.

**PERSONNEL:** Nothing to report.

**COMMUNICATIONS:** None.

**ROUND TABLE – OTHER BUSINESS:** Mitchell gave an update from the last Boughton Park Board meeting in which he attended. Discussion was held. Mitchell reported that there are 3 Fire District Commissioner seats up for election. Mitchell reported that the election will be held on December 10<sup>th</sup>. Discussion was held.

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

General Fund A	- Abs. #922-	Vouchers - 402,403,405-419	\$	42,657.67
General Fund B	- Abs. #922-	Vouchers - 408,413	\$	12,816.64
Highway DA	- Abs. #922-	Vouchers - 408,413,7263,7265,7268	\$	31,350.31
Highway DB	- Abs. #922-	Vouchers - 413,7256-7262,7264,7266-7269	\$	30,574.35
Sewer Dist. #1	- Abs. #922-	Vouchers - 417	\$	215.26
Water Dist. #1	- Abs. #922-	Vouchers - 404	\$	35.00
Water Dist. #2	- Abs. #922-	Vouchers - 404,417	\$	69.13
Water Dist. #2 Ext.#2	- Abs. #922-	Vouchers - 417	\$	21.38
Water Dist. #2 Ext.#6	- Abs.#922-	Vouchers - 404,417	\$	10.33

**ADJOURNMENT:** Motion was made by Wille, seconded by Conradt, to adjourn the meeting at 6:49PM. Motion Approved: Ayes 4 (Fessner, Conradt, Mitchell, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur  
Town Clerk