

The regular scheduled meeting for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday evening, January 11, 2016 at 7:30 PM with Supervisor Frederick Wille presiding.

Wille opened the regular Town Board meeting at 7:10 PM.

Present:	Supervisor	Frederick A. Wille
	Council Person	Michelle T. MacMillan
	Council Person	Frank W. Fessner
	Council Person	Ronald P. Hawkins
	Council Person	William J. Mitchell Jr.

Attending the meeting were Margaret Gochenaur (Town Clerk), Brian Bernard (Highway Superintendent), Andy Hall (Code Enforcement Officer), and Don Collins (Assessor), Nancy and Paul Landuyt, Jim Granville, Robin Ryan, Andrew and Monica Bell, David and Claudia Dick, Corey White, Andy Rogers, Jared Rogers, and Matt Rogers.

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

APPROVAL OF MINUTES: Motion was made by Mitchell, seconded by Hawkins, to approve the December 28, 2015 minutes. No Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) 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 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0.

CODE ENFORCEMENT OFFICER'S REPORT: Motion was made by Fessner, seconded by Hawkins, to approve the Code Enforcement Officer's report. Hall reported that the permits in his office were down a lot from the previous years. Hall reported that he doesn't anticipate a very busy year for 2016. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0.

Motion was made by Mitchell, seconded by Fessner, to adopt the Resolution 2016-005 To Accept the Draft Action Sheets for Inclusion in the Updated Ontario County Multi-Jurisdictional All Hazard Mitigation Plan and waive a reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays: 0

RESOLUTION 2016-005

**TO ACCEPT THE DRAFT ACTION SHEETS FOR INCLUSION
IN THE UPDATED ONTARIO COUNTY MULTI-JURISDICTIONAL ALL
HAZARD MITIGATION PLAN**

WHEREAS, the Town of East Bloomfield is participating in the update of the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan, and

WHEREAS, said update shall include steps for implementation to occur in the Town of East Bloomfield, as described in the draft action worksheets presented to the East Bloomfield Town Board, and

WHEREAS, the Town of East Bloomfield has reviewed the draft action worksheets and has determined that the described actions are necessary to reduce the potential for negative impacts from future flooding and other likely disasters, and now therefore be it,

RESOLVED, that the Town of East Bloomfield hereby accepts the draft action sheets and determines that they are suitable for inclusion in the updated Ontario County Multi- Jurisdictional All Hazard Mitigation Plan, and be it also

RESOLVED, that a copy of this Resolution be delivered to the Ontario County Planning Department and to the East Bloomfield Code Enforcement Office.

SUPERVISOR'S REPORT: MacMillan reported that the Engagement Letter has been received from Raymond F. Wager CPA, PC to conduct an Audit of the 2015 Books, and to prepare the 2015 Annual Update Document (AUD). MacMillan reported that the price for the 2015 Audit is \$6,000.00, and the price to prepare the 2015 AUD is \$1,250.00. Discussion was held. Motion was made by Mitchell, seconded by Hawkins, for the expenditure of \$7,250.00 to Raymond F. Wager CPA, PC to conduct the 2015 Audit of the books, and to prepare the 2015 AUD. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

COMMITTEE REPORTS:

Audit- MacMillan reported that the Internal Audit Reports will be going out to the Board Members within the next 2-3 days.

Buildings and Grounds: Nothing to report.

HIGHWAY: Fessner asked Bernard if he has received any applications for new people. Bernard replied “no, he hasn’t”. Hall reported that 2 lights in front of the salt barn have gone out. Hall reported that he will be replacing the 2 lights with LED Adjustable Lights. Hall reported that the cost to replace the 2 lights is \$480.00. Hall reported that he will be taking this expense out of a Budget Item that has already been approved. Discussion was held.

IT/Technology: Nothing to report.

INSURANCE: Nothing to report.

PARKS and RECREATION: Fessner reported that there will be a meeting on Friday January 15, 2016 at 10:00 AM at the Town Hall, with a Grant Writer from Senator Funke’s Office. Discussion will be held on Grant Enhancement Opportunities for Veterans Park for such things as a sidewalk, and ballfields. Discussion was held.

WATER/SEWER VILLAGE OF BLOOMFIELD: Nothing to report.

PERSONNEL: Nothing to report.

COMMUNICATIONS: Gochenaur reported that resident Ed Volker asked about the possibility of getting a bus stop installed for residents that use The Ontario County Bus Transit System. Discussion was held. Wille will look into that possibility with the County and report back with his findings.

OTHER BUSINESS - ROUND TABLE: Nothing to report.

BUDGET TRANSFERS/AMENDMENTS: Motion was made by Mitchell, seconded by Hawkins, to approve the Budget Transfers and Amendments as submitted. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

PAYMENT OF BILLS: Motion was made by Fessner, seconded by Hawkins, to approve paying of the bills dated December 31, 2015. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

General Fund A	- Abs. #525- Vouchers -	475,476,478,480,481,7323-7325	\$	1,573.07
General Fund B	- Abs. #525 - Vouchers -	476, 478	\$	81.74
Highway DA	- Abs. #525- Vouchers -	7330	\$	90.00
Highway DB	- Abs. #525- Vouchers -	7322, 7323, 7326-7329, 7331, 7332, 7333	\$	10,084.98
Water Infrastr Improv	- Abs. #525- Voucher -	474	\$	208.50
Sewer Dist. #1	- Abs. #525- Vouchers -	481	\$	9,827.41
Water Dist. #1	- Abs. #525- Voucher -	477, 482	\$	3,644.40
Water Dist. #2	- Abs. #525- Voucher -	479	\$	7,063.21
Water Dist. #2 Ext.#2	- Abs. #525- Voucher -	482	\$	224.84

PAYMENT OF BILLS: Motion was made by Fessner, seconded by Hawkins, to approve paying of the bills dated January 11, 2016. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

General Fund A	- Abs. #601- Vouchers -	1,2,4,6,7,9,10	\$	13,676.48
General Fund B	- Abs. #601 - Vouchers -	1,3,5,8,9	\$	1,445.73
Highway DA	- Abs. #601- Vouchers -	1	\$	1,637.48

Wille opened the floor up to the residents in attendance with regards to their just received Town/County Tax Bill specifically to their Water Tax Increase. Jim Granville from Wheeler Station Road addressed the Board with concerns over the New Water Line in Water District #2. Jim was concerned about the 400% tax increase in his water district. Jim asked how long the tax increase is going to last? What is the plan for paying this new water system off? How long can people expect their taxes to stay at a 400% increase? Jim said the rate went from \$1.30 per 1,000 to \$6.00 per 1,000. Jim would like to know how long that increase will last. Jim is also concerned about the performance of the new water system. Jim reported that the PSI drop is significant. Jim would like to know why the new system is not performing as well as the old system seeing that the new system

cost 2.1 Million Dollars. Discussion was held. Mitchell asked Jim if he would provide him with an e-mail containing the great data that he reported to the Board so that he can share the information with Glenn Thornton, the Engineer. Jim would be glad to provide that information. Discussion was held. Mitchell reported that an Informational Meeting, Letters to the Residents, and a Public Hearing were all done/ held with a very small turnout by residents in regards to this project. Discussion was held. Mitchell reported that the Bond will be for about 38 years. Mitchell reported that the tax rate will change, but as of yet they don't know how drastically. Discussion was held. Mitchell reported that the cost that is being passed on to the residents is a simple amortization of what the Billing and Bonding is now to prepare the Town for what it needs to do throughout 2016 because the Bonds haven't been issued yet. Mitchell reported that the Bonds will be issued sometime between May and August. Mitchell reported that in all likelihood the rates will come down. Discussion was held. Paul Landuyt owns a Farm on South Wheeler Station Road and he addressed the Board with concerns about how he can get the lone Fire Hydrant off his property. Paul claims that he doesn't need or want it. Paul said his neighbors are all on wells and are being charged for the water line that they don't need or want. Paul said he doesn't know anybody that wants it when it's cheaper to drill a well. Paul doesn't want it either and he is getting charged for 1 corner of 93 acres that he is not going to use. Paul said he was told by the Engineer that he could sell his property in 5 acre increments, for building lots at a price of \$25,000.00 each, with Town Water instantly. Discussion was held. Paul notes that the Hydrants are too close to the road. Paul reported that the Highway Department hits the Hydrants when they are plowing and then know one knows how to fix them. Discussion was held. Andy Rogers asked if he could take the water out of the district? Could he take it 1,000 or 5,000 feet out of the district? Andy claims he is being taxed on the whole parcel even though he is AG Exempt. Don Collins reported that Water Districts #1 and #2, that were created in 1975 got taxed for the whole parcel. After 1979, AG District Law 305, came in and the AG & Markets set down different rules. Collins reported Water Districts that were put down after 1979 have a different set of rules than previous Water Districts. Collins reported that after 1979, with the AG & Markets Law 305, you only get charged a ½ acre, or the house, and any usage to a barn. Collins reported that Water Districts that were formed prior to the AG District Law have different criteria. Collins reported that he is working with the State Comptroller's Office to get a copy of the 1975 Law. Collins reported that he gets reviewed by Ontario County and in a letter dated from 2013 Collins reported they confirmed that he has the correct assessments for Special Districts in the Water Districts for the Town of East Bloomfield. Discussion was held. Collins reported that it comes down to when the Water Districts were formed because the rules are different for AG. Mitchell asked Collins that because the Water District was formed before 1979 that there's not an AG Exemption? Mitchell when on to say, that its taxed differently because of that, and that the AG Exemption doesn't apply to that. Collins replied "bingo". Andy Rogers asked, so I can have water on the whole property then? Collins replied that is what he is trying to find out. He doesn't know. Discussion was held. Corey White said that the impact to him was a \$1,600.00 increase in his taxes resulting in \$58,000.00 cost to him over a 39 year period. Corey feels that this was a terrible decision by the Town and wanted to know why the impacted residents weren't contacted. Mitchell reported again that letters were mailed, and an Informational Meeting was held, along with a Public Hearing. Claudia Dick reported that she did attend the Informational Meeting and that she by no means was expecting this Tax Rate Increase. Claudia asked the Board why they didn't send out another letter alerting the residents of the impact this was going to have on them? Claudia said the communication stopped after the Informational Meeting. Discussion was held. Rogers reported that on July 28th a representative from Kolb's Office attended a Town Board Meeting offering to help with possible Grant Opportunities for Town Projects. Rogers asked if anyone contacted her? Mitchell replied the Town looked into Grant Opportunities but didn't qualify for any. Matt Rogers asked if the State said the lines had to be replaced? Mitchell replied, "no, the State didn't tell us that the lines needed to be replaced". Matt asked if it was a safety issue? Mitchell replied "yes". Matt asked if the Department of Health was involved? Hall reported that "yes they were". Hall reported that the State has been on the Town for at least 2 years in regards to this issue. Hall reported that the Town was losing 40% of its water due to leaks. Andy Rogers said the Sate couldn't help with this, but they can with a swing set? Mitchell replied "welcome to government". Discussion was held. Jim Granville asked if our Water Source was still Canandaigua Lake? Mitchell replied "yes". Corey White asked if there was any possibility or consideration of consolidation of services with Canandaigua? Mitchell replied "Canandaigua would not want to incur the debt the Town has". Hall reported that the leakage was very extensive due to bad couplings, and that the lines needed to be replaced. Corey doesn't disagree that the lines needed to be replaced. Corey stated he thinks the cost is unreasonable, and doesn't agree with how it's being passed onto the residents. Corey stated this Financial Burden was placed on the residents by the Town Government. Mitchell asked Corey who besides people in Water Districts #1 and #2 should paid for this? Corey replied "that it's the role of Government to spread out the cost, and to also look at this project carefully, as it doesn't make good business sense". Corey suggested that "maybe this project should have been abandon". Corey also feels that the Town should have been engaged in a conversation letting the residents know the cost implications over 39 years. Corey said he "would have chosen to dig a well". Mitchell replied he doesn't believe the State would allow them to abandon water in places where residents have been currently using water in Water Districts. Mitchell reported the State wants people to have Municipal Water. Extensive Discussion Ensued. Jared Rogers asked about a Flag Lot on Wheeler Station Road which is 43.9 acres. Jared said only 1 ½ acres is in the Water District but he is being taxed on the whole 43.9 acres. Is that correct? Don Collins replied "that was prior to the AG &

Markets Law, so the way he interprets it, yes, it's correct". Collins reported that it has been done this way for 40 years in Water District #2. Collins said he is looking into the 1975 Law with the NYS Comptroller's Office. Collins reported that because of the rate in which the water is being taxed and the rise in assessments in Ag Value, that's why your seeing the big change in your Water District Bill. Collins told Jared that he is aware of his specific property and he's looking into it. Collins reported that the Town needs to get Legal Counsel, find the 1975 Water District Document, and review it with an Attorney. Collins told Jared that he would be getting back to him. Extensive Discussion Ensued. Hall reported that if Jared built a barn on that property he could take water back there all day long for AG purposes. Hall reported that if someone wanted to build a house back there that they would not be able to take water back there because they are out of the Water District. Andy Rogers argues that's "it's being taxed as though it's in the District". Hall reported that's because of the AG District that you can take the water out of the District to a barn or cattle. Hall reported the construction would have to meet certain criteria. It's not as simple as just tapping a line and running water. Discussion was held. Jared asked if he was to sell this lot to an individual, and their not a farm, and they bought this, and their paying tax on it, are you saying they can't use the water? Mitchell replied "that it would be inappropriate for him to try and answer that question at this time". Mitchell "doesn't know". Hall reported that he has had a conversation with Collins about 4-5 parcels such as Jared Rogers. Hall reported that he needs to know the answers to these questions because he is the one that approves the construction. Hall reported that he has been told all along that "you can't build outside the Water District and get water". Hall reported, "so, on Jared's lot in question no, you couldn't have water". Discussion was held. Mitchell asked Collins if Rogers wanted to put a house back there out of the Water District, could he ask for an Amendment of the Water District Boundary to include the new house? Rogers claims that he is being taxed on the whole parcel already. Mitchell said "it sounds like you are because of when the water District was formed". Wille asked if Rogers could apply for any sort of lookback? Collins reported "no, not according to this AG & Markets Law". Don reported that he went back 10 years and all these parcels have been assessed the same for 10 years. Discussion was held. Hall reported that he believes that money should have been getting put aside in a Reserve Fund over many, many, years to help alleviate some of the Financial Burden for a situation such as this. Discussion was held. Claudia Dick said "so, in other words for people who are not farmers, we are actually paying at the full rate for something that we can't have". Mitchell replied "that is something that goes beyond the Town Board". "It goes right to State Government". Claudia then asked if the Water Line Tax is directly proportionate with your Assessment Value. Collins replied "correct". Claudia stated "so there is nothing we can do about the bill because we have already incurred it". Claudia stated that it would be in their best interest to find new users, or people to build within that area. Andy Rogers said "good luck, the Town of Canandaigua pays .50 cents for water, and we are paying \$6.00". "No one will come to build or buy". Claudia said, "so there is nothing we can do"? Mitchell replied "no, not at this point". Discussion was held. Jim Granville requested/encouraged the Town Board that if another project of this magnitude were to ever occur again, that the Town Board have more communication by mail to each individual resident. Jim, noted "then if people don't participate in Informational Meetings, or Public Hearings, that's their problem". Discussion was held. Mitchell reported to all the residents in attendance that the Town Board will look into their questions and/or concerns. Discussion was held.

ADJOURNMENT: Motion was made by Mitchell, seconded by Hawkins, to adjourn the meeting at 8:53 PM. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur
Town Clerk