

The regular scheduled meeting for the Town of East Bloomfield was held at the East Bloomfield Town Hall on Monday evening, February 22, 2016 at 5:30 PM with Supervisor Frederick Wille presiding.

Wille opened the regular Town Board meeting at 5:30 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), Ron Roach (AWA Liaison), Jim and Nick Bober, Donna Reese, Dan Freida, James Voorhees, Jim Granville, Robin Ryan, Andy Rogers, and Doug Turnbull.

Pledge of Allegiance led by Councilwoman MacMillan.

EXECUTIVE SESSION: Motion was made by Wille, seconded by Fessner, to move into an Executive Session at 5:32 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 5 (Fessner, Mitchell, Hawkins, MacMillan and Wille) Nays: 0

RETURN TO REGULAR SESSION: Motion was made by Mitchell, seconded by Fessner, to end Executive Session and return to regular session at 7:23 PM. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan and Wille) Nays 0

Wille once again welcomed everyone and continued to proceed with the Town Board Agenda at 7:30 PM. Nick Bober presented the Board with a "thank you" plaque from the Klondike Derby for their appreciation in allowing the boy scouts to use Veterans Park to host the Derby. Discussion was held.

Doug Turnbull provided the following information to the Board:

Town Board RE: Water Line District #2
February 22, 2016

To the Town of East Bloomfield, Board Members;
Water line has been replaced in Water District #2 and we have some questions regarding the work performed by the Town Board before this work was completed.

It is our goal to be part of the solution with this!

HOW CAN WE BE THAT SOLUTION?

Some history:

About March 2013 PE Glen Thornton duly filed maps, plans, reports to the T of EB
There was as estimated cost of 2,402,300 for the work.

We are very fortunate that the bill came in at about \$2,000,000!

March 2014 there was a letter sent to the residents that repairs were planned for the district, but NOTHING was mentioned as to the cost or increase in tax rates at that time. WHY?

July 14 2014 there was a town meeting with one resident, Richard Blakesley in attendance to ask a few questions. Nothing was said or told about the costs with the repair/replacement, or tax increases to the residents. Near the end of that talk, it was stated that Glenn Thornton reported there are many agencies involved in the project and that they need approval from each one to move forward. Thornton estimates that it would be at least October 2014 before any work would start. AT no time were any rate increases discussed or brought forward as to an increase.

It has been said by the town or the PE (not sure), that the county or state said this project expenditure for the residents is **way out of the limits that** they look at, but the town went ahead anyway. Who, and why, did they go ahead anyway without asking for grants, knowing the high cost to the residents without notifying the residents of the true expenditures "TRUE" cost?

Who was the State Comptroller that the town representatives worked with on these questions?

On line 3 of the July 2014 resolution, it states: "The expenditures for which permission is sought will not constitute an undue burden on the properties which will bear the expenses". HOW WAS THIS DETERMINED?

Emily Pulumbo stated in a town board meeting dated July 28 2014 who worked for Assemblyman Kolb that she was the contact person for information about grants, why was it not applied for then when it was mentioned? Who decided not to apply?

When did the Town Board look into a grant for the project? If they didn't, why not? Who determined that it was, or was not, possible or impossible to get a grant?

Why not try to add the Whalen Road project onto this one and apply for a grant?

1 It would create a loop and safety issue for the line.

2 it would fix the problem generated by a previous Supervisor, Mr. Neenan, who did not put water down the road so that it wouldn't look like it was to benefit him personally as he owned much of the property on the road.

How much experience does the PE, Glenn Thornton, have at getting water project approved and does he look at possible grant money available as part of his job requirements? Did he present other options for repairs to the water line?

It has been stated that the DOH in Canandaigua was pushing for repairs/replacement. Also it has been said that it was assumed that the DOH was getting pushy about the line repair/replacement. Also stating that there might be a possible forced a closure of the line. **WHAT IS THE REAL TRUTH HERE, AS WE HEAR MANY DIFFERENT STORIES? I believe it has been leaking since the late 70's and was not a new issue but one created from the installation of the water line during the winter, but never addressed. Was this information true? How long has it been leaking and to what level has the leaks been?**

There is a hardship on the residents the tax increase of **50%** on our county tax bill is causing people to lose their ability to pay for the increases. **SO far: There are at least two families, at this time,** (I am sure there will be a lot more), that have expressed that they cannot afford to purchase property now due to the \$100-\$150 increase per month in taxes. These increases also lower the amount that can be borrowed as \$20,000.00 is approximately the loss of borrowing power (market value) due to the increase of \$100 a month. These fees will only go up as the tax rates have shown a continual increase as values increase.

The county tax bill on the property that is assessed for 170K went from \$195 to \$1025 and for a house assessed for 256K from \$312 to \$1443

There is talk that there are some changes in the AG zoning/rulings from past laws, and that the tax burden may be only on the land in the water district, (this is the land 1000 feet back from the road) and not the extra land behind this. IF this is true you just increased the tax burden on the residents again. SO back to question #3 of the resolution, **HOW DOES THIS NOT CREATE AN UNDO BURDEN ON US?**

HOW CAN YOU EXPLAIN THE INCREASES TO THE RESIDENTS AND TELL US YOU DID EVERYTHING POSSIBLE TO GET MONEY AND EXPLORE OTHER WAYS TO MINIMIZE THESE INCREASES.

Residents are just figuring/learning this tax increase as many have their mortgages escrowed and not getting the increase in the new cost in their mortgage payments.

SO with these things being said.

-How does the Town Board plan to move forward? Or are the residents just out of luck from your actions?

-Is there a GRANT that can be applied for after the fact?

-Is there a **HARDSHIP GRANT** that can be applied for after the fact? As it seems there is now a possibility for additional hardship added depending on the AG determination.

-Is there a way to get bond down to 0% for part of the bond like the Village of Bloomfield did and 2% for the remaining?

-IS there a way to put the Whalen Road line into the grant and help to close the LOOP, and also help in getting a grant? Thus fixing a problem that was created by a previous Supervisor, Neenan.

-Was any exploration into the "Consolidation of Services" considered? The NYS Comptroller recommends that districts consolidate services as the small communities cannot afford to maintain them themselves, consolidate with larger districts to offset expenses. Can there be any consolidation, or at least looked at and discussed the merits to them?

- The Town of Richmond received a grant rate of 2.5% or 3.25% for a water line they installed, (this was found in the legal notices) how does this match to the rate that we are looking at? I believe the rate stated for our project was estimated at 4.75%? So we are a more affluent community so we can pay more? How do we get these LOW rates, if another town did why not us?

-How can we as the taxpayer HELP YOU to get this burden reduced? As well as get additional districts included and get them water?

I RESPECTFULLY ASK THAT THE Town Of East Bloomfield gets the email address of each household as the newspaper is not the common way in which we get information now in the 21st Century. This way notices and information can get out, as required by law, so residents have an understanding of how you are spending our hard earned tax dollars. This, hopefully, will eliminate these issues in the future.

I am asking that a resolution be presented for vote for the town to notify their residents by the old manner (newspaper) as well as the more current media venue of email.

Looking forward to your responses to these questions and concerns.

Respectfully:
Douglas Turnbull
doug@turnbullmfg.com
C 585-739-7298

Owner of 3 parcels in the water district #2 . 6680 ST RT 5-20, 6706 Half Mile Drive, 6700 ST RT 5-20

Wille acknowledged the receipt of this document. Discussion was held. Andy Rogers reported that the Total Tax Levy for the year was \$150,000.00. Is that for Water Districts #1 and #2? MacMillan reported that was just for #2. Rogers asked: So the estimated cost for Water District #2 was around 2 million? Mitchell reported 2.1 Million. Discussion was held. Rogers asked if there was any way the Town could look into grants for Whalen road, and/or incorporate Whalen road into this current issue? Wille reported that the Town is looking into that possibility with the help of a Grant Writer. Discussion was held. Jim Voorhees asked again, did we or did we not apply for any grants? Mitchell reported that past Supervisors Huber and possibly Crowley reported that the Town of East Bloomfield wasn't eligible to receive any grant funding. Extensive Discussion ensued.

APPROVAL OF MINUTES: Motion was made by Mitchell, seconded by Hawkins, to approve the February 8, 2016 minutes. No Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan and Wille) Nays 0 Motion was made by Fessner, seconded by Wille, to approve the February 11, 2016 minutes. No Discussion was held. Motion Approved: Ayes 3 (Fessner, Hawkins, and Wille) Nays 0 Abstain: 2 (Mitchell, and MacMillan)

HIGHWAY SUPERINTENDENT'S REPORT: Motion was made by Fessner, seconded by Mitchell, to approve the Highway Superintendent's report. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0 Motion was made by Mitchell, seconded by Fessner, to authorize the Highway Superintendent to erect 2 signs for Raymor Winery on Grimble Road, locations as specified by the State DOT; said signs to be reflective or non-reflective consistent with what the signs will be on Route 64. Discussion was held. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

SUPERVISOR'S REPORT:

Motion was made by Mitchell, seconded by Hawkins, to adopt the Resolution 2016-016 Bond Resolution Authorizing General Obligation Serial Bonds to Finance the Acquisition of 2016 Western Star Model 4900SB Cab & Chassis Truck with Plow Wing and Salter, 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 a reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays: 0

RESOLUTION 2016-016

BOND RESOLUTION AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF 2016 WESTERN STAR MODEL 4900SB CAB & CHASSIS TRUCK WITH PLOW WING AND SALTER, 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 \$232,000.00 for such acquisition, and the Town is authorized to issue its General Obligation Serial Bonds in an aggregate principal amount up to \$232,000.00 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 2016 Western Star Model #4900SB Cab & Chassis Truck with plow wing and salter (at an estimated maximum cost of \$232,000.00).

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 \$232,000.00 and said amount is hereby appropriated therefor, (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the plan for financing of said purpose is to provide \$232,000.00 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 \$232,000.00, 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.

Section 12. This resolution shall take effect immediately upon its adoption. The motion having been duly seconded, it was adopted and the following votes were cast:

AYES NAYS

STATE OF NEW YORK }
 }
COUNTY OF ONTARIO } ss:

I, the undersigned clerk of the Town of East Bloomfield, DO HEREBY CERTIFY as follows:

1. A meeting of the Town Board of the Town of East Bloomfield, Ontario County, State of New York, was held on February 22, 2016, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board of Trustees had due notice of said Meetings and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of East Bloomfield this _____ day of _____, 2016.

Town Clerk
Town of East Bloomfield

Motion was made by Fessner, seconded by Mitchell, to adopt the Resolution 2016-017 To Approve Contract with Grant Consultants, J. O’Connell & Associates, Inc. and waive a reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays: 0

RESOLUTION 2016-017

RESOLUTION TO APPROVE CONTRACT WITH GRANT CONSULTANTS, J. O’CONNELL & ASSOCIATES, INC.

WHEREAS, the Town of East Bloomfield would like to retain the professional services of J. O’Connell & Associates Inc., Grant Consultants; and

WHEREAS, J. O’Connell & Associates Inc. have provided the Town with a contract to provide services for a period of two (2) years commencing March 1, 2016 ending on February 28, 2018; and

WHEREAS, the cost associated with the contract will be the sum of Thirty-two Thousand Dollars (\$32,000.00) per year for a total of Sixty-four Thousand Dollars (\$64,000.00) for the full term of the contract; and

WHEREAS, such costs shall be paid as follows: Eight Thousand Dollars (\$8,000.00) due upon signing of the agreement for the first three-month quarter and Eight Thousand Dollars (\$8,000.00) due upon receipt of quarterly invoices from J. O’Connell & Associates Inc. for each quarter thereafter until such contract ends on February 28, 2018; and

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

RESOLVED, that this East Bloomfield Town Board approves the Contract for the term March 1, 2016 through February 28, 2018 and authorizes the execution of said Contract by the Town Supervisor; and also be it

RESOLVED, that a certified copy of this Resolution with a signed copy of the Contract be sent to the J. O'Connell & Associates, Inc., 10646 Main Street, Clarence, New York 14031.

Wille reported that information has been received from Robin Johnson in regards to Water District 2 Ext.#3 which the Board will find in their packet for tonight's meeting. Wille reported the Board will also find in their packet Bank Agreements to be signed by himself as the New Supervisor. Discussion was held.

COMMITTEE REPORTS:

Audit: Nothing to report.

Buildings and Grounds: Hall reported that he is still working on getting 3 quotes for the Town Hall front door.

HIGHWAY: Nothing to report.

IT/Technology: Nothing to report.

INSURANCE: Nothing to report.

PARKS and RECREATION: Nothing to report.

WATER/SEWER VILLAGE OF BLOOMFIELD: Nothing to report.

PERSONNEL: Motion was made by Fessner, seconded by Hawkins, to appoint Robert C. Montgomery III to fill the Town Justice Vacancy until December 31, 2016. Discussion was held. Motion Approved: Ayes 3 (Fessner, Hawkins, and Wille) Nays 1 (Mitchell) Abstain 1 (MacMillan)

COMMUNICATIONS: None.

ROUND TABLE- OTHER BUSINESS: Hawkins reported that the Gun Club voted to get water but is very concerned about the cost. Hawkins reported the Gun Club wants to know exactly what the water project is going to cost them before moving forward. Hawkins reported that they are a non for profit organization. Discussion was held. Hall reported that he was contacted by a representative from the Lion's Club and they are very interested in doing some volunteer work and making some donations to the Recreation Facilities in our Town primarily at Veterans Park. Jim Bober noted that the 100th Anniversary of the Lion's Club is in 2018. Discussion was held. Bernard reported that the walking path should be constructed/installed at Veterans Park before the paving of the driveway and parking lot is done. Discussion was held.

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

General Fund A	- Abs. #604 - Vouchers - 50,54,55,58-61,63-68,70,7030, 7031, 7035, 7038	\$	19,255.39
General Fund B	- Abs. #604 - Vouchers - 50,53,57,62,68-70	\$	1,534.28
Highway DA	- Abs. #604 - Vouchers - 50,7033,7035,7039	\$	4,566.05
Highway DB	- Abs. #604 - Vouchers - 7028,7029,7031-7038,7040,7041	\$	7,504.95
Sewer Dist. #1	- Abs. #604 - Vouchers - 66	\$	250.23
Water Dist. #1	- Abs. #604 - Vouchers - 51,52,56,66,71	\$	4,583.98
Water Dist. #2	- Abs. #604 - Vouchers - 51, 66	\$	278.78
Water Dist. #2 Ext.#2	- Abs. #604 - Vouchers - 66, 71	\$	206.62

ADJOURNMENT: Motion was made by Wille, seconded by Mitchell, to adjourn the meeting at 8:45 PM. Motion Approved: Ayes 5 (Fessner, Mitchell, Hawkins, MacMillan, and Wille) Nays 0

Respectfully Submitted,

Margaret M. Gochenaur
Town Clerk