

**WEST BLOOMFIELD TOWN BOARD
REGULAR MEETING
March 9, 2005**

PRESENT: Supervisor Baier, Councilmen Hagen, Ball, Powers and Rehberg
ALSO PRESENT: Town Clerk Mary Grundman, Highway Superintendent Dave Good, Zoning Officer Scott Storke, Laurel Wemmett-Daily Messenger, Carl Prouty, Jean Rohland, Steve Pyle, Debbie Hall, Debbie Wolesslagle

Supervisor Baier opened the meeting at 7:00 pm and asked for everyone to stand for the Pledge of Allegiance.

RESOLUTION #38

Minutes

Supervisor Baier asked for the approval of the February minutes. Councilman Rehberg made the motion to approve the contracts, seconded by Councilman Ball.

Adopted: Ayes 5, Nays 0

Resolves that the February minutes are accepted as presented.

RESOLUTION #39

Justice Report

The Justice's Reports were reviewed. Councilman Ball made the motion to accept the reports, seconded by Councilman Powers.

Adopted: Ayes 5, Nays 0

Resolves that the Justice reports are accepted as presented.

RESOLUTION #40

Highway Report

The Highway report was read and discussed. Councilman Rehberg made the motion to accept the Highway report, seconded by Councilman Powers.

Adopted: Ayes 5, Nays 0

Resolves that the February Highway Report is accepted as presented.

RESOLUTION #41

Zoning Report

The monthly Zoning report was read and discussed. Councilman Ball made the motion to approve the report, seconded by Councilman Powers.

Adopted: Ayes 5, Nays 0

Resolves that the monthly Zoning Report is accepted as presented.

RESOLUTION #42

Payment of Bills

Abstracts in the amounts of:	General	vouchers 58 - 89	\$ 13597.15
	Highway	vouchers 25 - 38	\$ 15524.88
	Water	vouchers 10 - 16	\$ 77561.99

were audited. Councilman Powers made the motion to approve the payment of bills, seconded by Councilman Hagen.

Adopted: Ayes 5, Nays 0

Resolves that the payment is approved.

RESOLUTION #43

Publication of Zoning Code

The Clerk advised the Board that the estimate from General Code Publishers had been revised and asked if the Board wished to have the code published so that copies could be made available for the public.

Councilman Powers made the motion to authorize General Code Publishers to publish the Zoning Update, seconded by Councilman Rehberg.

Adopted: Ayes 5, Nays 0

Resolves that General Code Publishers is authorized to publish the Zoning Update.

RESOLUTION #44

Supervisor's Report

The Supervisor's report was read and discussed. Councilman Powers made the motion to accept the report, seconded by Councilman Rehberg.

Adopted: Ayes 5, Nays 0

Resolves that the Supervisor's report for February is accepted as presented.

Holdsworth Park Use Request

Supervisor Baier advised the Board that she had asked the Sullivan Agency their opinion of the permitted use of alcohol and they recommended that the Town change the law. The Board agreed to change the law and remove the section allowing alcohol use in the park.

Revaluation of Property

Supervisor Baier advised the Board that she had asked the Assessor when the revaluation was due and found out it is due in 2006 for the 2007 tax year.

CNB Request for Collateral Release

Supervisor Baier advised the Board that she had received a request from Canandaigua National Bank for the release of funds used for collateral. The Board asked her to get more information before agreeing to the release.

Energy Services Provider

Supervisor Baier advised the Board that she had been approached by an electricity provider who promised the Town a significant reduction in electricity costs if they changed from Niagara Mohawk. The Board agreed not to change at this time.

Water Rate Review

Supervisor Baier reminded the Board that they had wanted to review the water rates in March. The Board asked her to contact the accountant to see if any change is necessary.

RESOLUTION #45

Water Parcel Exemption Request

The Board discussed the request from the Keyes family to exempt their small parcel from the water district charge. Supervisor Baier advised the Board that the attorney recommended the Board not agree to the request as it would set an unfavorable precedent. Councilman Rehberg made the motion to deny the request, seconded by Councilman Hagen.

Adopted: Ayes 5, Nays 0

Resolves that the Keyes' request for exemption is denied.

Factory Hollow Road Encroachment Update

Supervisor Baier advised the Board that the attorney had presented the Town's requests to the owners attorney and that they would agree to the requirements the Town wanted.

RESOLUTION #46

Grant Request for 5 & 20 Segment Safety & Access Management Demonstration Plan

Supervisor Baier advised the Board that she would like to support the County in an application for a grant to study safety and access to Routes 5 & 20. Councilman Ball made the motion to support the County in their efforts to get the grant, seconded by Councilman Powers.

Adopted: Ayes 5, Nays 0

Resolves that the Town Board of the Town of West Bloomfield fully supports the Ontario County Planning Grant Application for Safety and Access Management of Routes 5 & 20.

RESOLUTION #47

Rescinding Resolution #34

Supervisor Baier advised the Board that due to a Jurisdictional Defect the resolution to approve the request for Harter Secret exception had to be rescinded. Councilman Hagen made the motion to rescind resolution #34, seconded by Councilman Powers.

Adopted: Ayes 5, Nays 0

Resolves that resolution #34 is rescinded.

The Board agreed to set a public hearing date for the request of Harter Secret for April 13, 2005 at 7:00p.m. and to set the same date for the public hearing on the extension of the moratorium on cell towers.

Planning Board Memo

The Board discussed the memo from the Planning Board asking them to take the appropriate steps to force Mr. Arland Brokaw to return his Bean Hill Road property to its prior condition. The Board agreed to ask the Chairman to contact Attorney Anderson and asking him how to proceed.

Property Maintenance Law

The Board discussed the draft Property Maintenance Law and agreed to get more information from other Town's before proceeding.

Correspondence:

A letter from the Factor's Walk residents concerning the road dedication was read and discussed. The Board agreed that several conditions still need to be addressed before dedication. Highway Superintendent Good and Supervisor Baier will send a letter defining these requirements to Kurt Barnes, Brad Swett and the Factor's Walk residents.

Liquor License Renewal

The Clerk advised the Board that Palmer's Tavern is applying for the renewal of their liquor license.

Councilman Rehberg made the motion to go into executive session at 8:55 to discuss an employee issue and a litigation issue, seconded by Councilman Hagen.

Councilman Hagen made the motion to reopen the regular meeting at 9:20, seconded by Councilman Powers.

Councilman Rehberg made the motion to adjourn at 9:45, seconded by Councilman Hagen. Meeting adjourned.

Respectfully submitted,

Mary Grundman
Town Clerk