

**WEST BLOOMFIELD TOWN BOARD
REGULAR MEETING & PUBLIC HEARING**

June 8, 2005

PRESENT: Supervisor Baier, Councilmen Ball, Hagen, Rehberg and Powers
ALSO PRESENT: Town Clerk Mary Grundman, Highway Superintendent Dave Good, Zoning Officer
Scott Storke, Leslie Senglaub, Jim Foote, Alice Domville, Jean Rohland, Eric Muench,
Thomas Ely, Laurel Wemmett, Carl Prouty, Sherrie Himes, Steve Pyle, John Champlin, Ashley Carver, Eileen Trace, Larry & Lianna Houck

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

RESOLUTION #87

Minutes

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

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the May minutes are accepted as presented.

Supervisor Baier explained the purpose for the Public Hearing and the procedure to be followed during the Public Hearing on the amendment to Section 140-83, Personal Wireless Telecommunication Facilities. The changes recommended by Attorney Hull:

Page 3, #5 – Height – was changed to read “Overall height of towers and antenna must not rise more than 20 feet over adjacent structures or 150 feet from grade.

Page 3, #10 – FAA Standards – was changed to read “Antennas and support structures are required to be illuminated in accordance with Federal Aviation Administration standards. Illumination may also be required if Mercy Flight Central or any other provider acting in that capacity deems it necessary to maintain the safety of air ambulance flights within the town.

Page 5, paragraph 3a – the “Planning Board” was changed to the “Reviewing Board” in two places.

Page 6, paragraph 3b - the “Planning Board” was changed to the “Reviewing Board”.

Supervisor Baier opened the Public Hearing at 7:05 and asked if anyone wished to comment.

Jean Rohland of West Bloomfield Road – Expressed the following concerns: she wrote the original law and has a problem with the draft presented at this hearing. The amendment is weak and does not achieve the stated purpose or correlate with the Zoning and is not strong enough. She stated that other towns require stealth technology, and that they specify areas of site preference. The application process should be more specific and include property owner information. She feels that special permits should require special responsibilities. She urged the Board to not rush to pass the amendment, that it needs to be strengthened. She stated that if law suits were to be filed over the issue, that suits might be filed by property owners if the value of their property is affected by a tower.

Eric Muench of West Bloomfield Road stated that he agrees with Mrs. Rohland and that the building code does not match the law. He stated that there is nothing in section 6 about special requirements and that letters should be mailed to all residents when a public hearing takes place. He stated that Wheatland’s law is very good and that their law could be used for ideas. He asked the Board not to rush the amendment through.

Steve Pyle of West Bloomfield Road stated that he agrees with the other residents, that the stealth technology should be investigated and that the proposed amendment is weak and should include site preferences. He asked the Board to make sure what’s best for the Town is chosen.

Jim Foote of County Road 37 recommended the Board change page 3, item d to change the word “consider” to “determine”.

Supervisor Baier asked three more times if anyone would like to speak, hearing none, the public hearing was closed at 7:22.

RESOLUTION #88

Local Law #4-2005 Personal Wireless Telecommunication Facilities

Supervisor Baier asked the Board if they wished to approve the amendment to section 140-83, with the change suggested by Jim Foote. Councilman Hagen made the motion to approve the adoption of the amendment, seconded by Councilman Ball.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that Local Law #4-2005 Personal Wireless Telecommunication Facilities is adopted.

RESOLUTION #89

Harter Secrest Request for Exception to Local Law #2-2005

Supervisor Baier explained that the new law would take effect in 20 days and that the moratorium ended when the new law was adopted so the need for the exception was a mute point. She asked for a motion to deny the request from Harter Secrest for an exception to Local Law #2-2005. Councilman Powers made the motion to deny the request for an exemption, seconded by Councilman Rehberg.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays – None
Resolves that the Harter Secret Request for Exemption to Local Law #2-2005 is denied.

RESOLUTION #90

Insurance

Jack May of the Sullivan Agency reviewed the insurance quote for the 2005-2006 year. Councilman Hagen made the motion to accept the quote with a premium of \$20,182.00, seconded by Councilman Powers.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Sullivan Agency Bid for insurance coverage for the 2005-2006 year is accepted.

RESOLUTION #91

Justice Report

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

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Justice reports are accepted as presented.

RESOLUTION #92

Highway Report

Superintendent Good gave the Highway Report and advised the Board that he had found a bucket truck he would like to purchase. Councilman Ball made the motion to accept the Highway report, seconded by Councilman Powers.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Highway Report is accepted as presented.

RESOLUTION #93

Bucket Truck

The use of the truck was discussed. Councilman Hagen made the motion to approve the purchase of the truck the Highway Superintendent felt was the better of the two for \$4500.00, seconded by Councilman Powers.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Highway Superintendent may purchase the bucket truck described for \$4500.00.

RESOLUTION #94

Zoning Report

The monthly Zoning report was read and discussed. Councilman Ball asked for an update on the Bushnell property. The Zoning Officer reported he extended Mr. Bushnell’s building permit for his barn and Mr. Bushnell appeared to be removing the unlicensed vehicles. Councilman Hagen asked about the Wilcox property on Rte 65 where there appears to be a camping trailer being lived in. The Zoning Officer reported that he has asked the owner and that the owner says it is not a permanent situation. Councilman Hagen made the motion to approve the Zoning report, seconded by Councilman Powers.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Zoning Report is accepted as presented.

RESOLUTION #95

Payment of Bills

Abstracts in the amounts of:	General	vouchers 161 - 199	\$ 15715.42
	Highway	vouchers 72 – 82	\$ 69127.19
	Water	vouchers 34 – 36	\$ 5761.78

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

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the payment is approved.

RESOLUTION #96

Supervisor’s Report

The Supervisor’s report was read and discussed. Councilman Ball made the motion to accept the report, seconded by Councilman Hagen.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Supervisor’s report for May is accepted as presented.

RESOLUTION #97

Funds for Park Beautification Committee

Lianna Houck reported to the Board that the estimate had been completed and gave the Board a plan for the garden area proposed for around the sign at the park entrance. She introduced the landscaper, Ms. Farmer to the Board. Ms. Farmer explained the estimate and agreed to work with the Town on the project and to revise the labor cost on the estimate based on the amount of help she had. Councilman Rehberg made the motion to approve the project at a cost not to exceed the \$3200.00 estimate provided, seconded by Councilman Hagen

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the Park Beautification Committee has permission to build the garden by the park entrance as specified and with the help of the Highway Superintendent for a cost not to exceed the \$3200.00 quote.

RESOLUTION #98

Create Deputy Payroll Clerk Position

Supervisor Baier advised the Board that the position of Deputy Payroll Clerk had to be created before appointing a deputy, Councilman Hagen made the motion to create the position and a job description for the clerk, seconded by Councilman Rehberg.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that the position of Deputy Payroll Clerk is created and a job description will be written.

RESOLUTION #100

Donation for Senior Citizens

Supervisor Baier advised the Board that the Senior Citizens Organization had asked for a donation of \$100.00 they had been given in the past and that it is in the budget. Councilman Powers made the motion to approve the donation, seconded by Councilman Rehberg.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that a donation of \$100.00 will be made to the Senior citizens Organization.

RESOLUTION#101

Bloomfield Music Program

Councilman Hagen made the motion to make a donation of \$200.00 to the Bloomfield Music Program in appreciation of the concert they gave at the park on May 26th, seconded by Councilman Ball.

Adopted: Ayes – Baier, Ball, Hagen, Powers, Rehberg Nays None

Resolves that a donation of \$200.00 will be made to the Bloomfield Music Program for the concert.

Tower Lake Estates

The Board discussed the request from Tower Lake Estates for a water district extension and pond maintenance on their property. Highway Superintendent Good advised the Board that that would require maintenance on private property and another water district extension and he advised against both. The Board agreed that the issues were entirely up to the property owner. Supervisor Baier will respond to the request.

Factor's Walk Update

Supervisor Baier advised the Board that confirmation that the letter of credit was renewed had been received by fax, and she expected a copy by mail.

Property Tax Reform Task Force Resolution

Supervisor Baier reported to the Board that she had asked the other Supervisors their thoughts on the resolution and found that they are not supporting it at this time because it lowers one tax and increases another. The Board agreed to not support it at this time.

Open Space and Farmland Conservation

Supervisor Baier advised the Board that a seminar is coming up if anyone wanted to attend, Councilman Powers will attend.

Forestry Law

Based on the right to farm law towns are now required to facilitate the practice of Forestry when updating their Comprehensive Plans. Councilman Powers will investigate the definition of a forest to determine if West Bloomfield needs to include wood lots.

Time Warner

- A. A request from Time Warner to support the preservation of municipal authority over franchise agreements was discussed. No action will be taken until more information is received. Councilman Rehberg will investigate.
- B. The renewal contract was discussed Councilman Ball will clarify the Board's concerns before the approval.
- C. Tickets given to Supervisor Baier were discussed.

Dates to Remember:

June 22nd – Joint meeting with the Planning Board at the Town Hall Annex at **6:30**

July 27th – Joint meeting with the Zoning Board at the Town Hall Annex at 7:00

July 13th and August 10th – Public Information meetings on Town Hall

Communication:

Ontario County Planning Archiving 5/31/05

Councilman Hagen made the motion to adjourn at 9:15, seconded by Councilman Powers.

Respectfully submitted,
Mary Grundman
Town Clerk