



9097 Daylight Drive - West Bloomfield, NY 14585

MINUTES

Town of West Bloomfield – Board Meeting

February 14, 2024

Supervisor Todd Campbell meeting to order at 7:00pm - Present – Supervisor Todd Campbell, Council-members- Bill Travis, Ruth Smith, Kevin Carey, – Absent Scott Harman, Town Clerk – Brenda Giglia, Highway Superintendent- Jeff Ball, Sonya Kiss, Cody Kiss, Mike Borgeest

Public Hearing - NOTICE OF PUBLIC HEARING LOCAL LAW #1-2024 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED AT GENERAL MUNICIPAL LAW SECTION 3-C FOR THE FISCAL YEAR 2024 PLEASE TAKE NOTICE, that a Local Law has been introduced to the Town Board of the Town of West Bloomfield, New York, designated as Local Law #1-2024 to Override the Tax Levy Limit Establishment at General Municipal Law Section 3-C for the fiscal year 2024. **Public Hearing Local Law #1-2024** opened at 7:00pm by Supervisor Todd Campbell. He asked three times if there were any questions or input. Hearing none, the public hearing was closed at 7:02 pm.

Override tax cap as set forth in General Municipal Law 3-c

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WEST BLOOMFIELD, COUNTY OF ONTARIO AS FOLLOWS
Legislative Intent

The State Constitution, Article XVI, Section 1, reserves all taxing power to the State and therefore local governments possess only that taxing power which has been expressly delegated to them by the State Legislature (Opns St Comp, 1990 No. 90-39; Opns St Comp, 1981, No. 81-331; Opns St Comp, 1973, No. 72-1085, unreported; 23 Opns St Comp, 1967, p 788).

The Town Board of the Town of West Bloomfield, County of Ontario, has reviewed the financial needs and obligations of the Town. Due to contract obligations, limited revenue from non-real property tax sources, the rising cost of commodities and health care, compliance with unfunded mandates, reductions in the state and federal revenue sharing programs coupled with the limitations on raising revenue set forth in General Municipal Law, Section 3-c, the Town Board of the Town of West Bloomfield, County of Ontario, hereby determines that it is necessary to override the tax cap for the fiscal year 2024.

Authority

General Municipal Law, Section 3-c (5) authorizes the Town Board to adopt a local law overriding the tax cap by the adoption of a local law approved by a vote of sixty percent of the Town Board.

Tax Cap Override

The Town Board of the Town of West Bloomfield, County of Ontario, hereby overrides the tax cap as required by General Municipal Law, Section 3-c as for the town fiscal year 2024.

Severability

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Resolution #17 Councilman Travis made the resolution to approve Local Law 1-2024 seconded by Councilman Smith. Adopted: Ayes – Campbell, Carey, Travis, Smith, - Nays, None

Resolves that Local Law 1-2024 is approved.

Effective Date: This Local Law shall take effect immediately upon filing with the Secretary of State.

Public Hearing - LOCAL LAW NO. _2 -2024 A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2008 TO AMEND TOWN CODE ARTICLE I, SECTION 125-1, ENTITLED "SENIOR CITIZENS EXEMPTION". PLEASE TAKE NOTICE that a Local Law has been introduced to the Town Board of the Town of West Bloomfield, New York, on February 14, 2024, designated as Local Law No. 2 - 2024 to amend Town Code Article I, Section 125-1, "Senior Citizens Exemption". **Public Hearing Local Law #2-2024** opened at 7:03pm by Supervisor Todd Campbell. He asked three times if there were any questions or input. Hearing none, the public hearing was closed at 7:05 pm.

RESOLUTION # 18

ADOPT LOCAL LAW NO. 2-2024 A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2008 TO AMEND TOWN CODE ARTICLE I, SECTION 125-1, ENTITLED "SENIOR CITIZENS EXEMPTION".

WHEREAS, a resolution was duly adopted by the Town Board of the Town of West Bloomfield on the 14th day of February, 2024, calling for a Public Hearing to be held by the West Bloomfield Town Board on the 14th day of February, 2024, at the West Bloomfield Town Hall, 9097 Daylight Drive, West Bloomfield, New York, at 7:00 PM, to hear all interested parties on a proposed local law to amend Town Code Article I, Section 125-1, "Senior Citizens Exemption"; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the West Bloomfield Town Hall on the 14th day of February 2024, at 7:00 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts said Local Law No.2-2024, to amend Local Law No. 2 of 2008 to Amend Town Code Article I, Section 125-1, entitled "Senior Citizens Exemption", as set forth in the attached Local Law, which is incorporated herein and made a part hereof; and be it further RESOLVED, that the Town Clerk of the Town of West Bloomfield be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York; and be it further

Resolution #18 Councilman Carey made the resolution to approve Local Law 2-2024 seconded by Councilman Smith. Adopted: Ayes – Campbell, Carey, Travis, Smith, - Nays, None
Resolves that Local Law 2-2024 is approved.

Adopted: Ayes – Campbell, Smith, Travis, Carey Nays – None

RESOLVED, that this local law shall take immediately upon filing with the Secretary of State.

Public Hearing LOCAL LAW NO. 3 -2024 A LOCAL LAW AMENDING CHAPTER 125 OF THE TOWN CODE TO PROVIDE A PARTIAL EXEMPTION FROM LOCAL REAL PROPERTY TAXES TO ENROLLED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW 466-a. PLEASE TAKE NOTICE that a Local Law has been introduced to the Town Board of the Town of West Bloomfield, New York, on February 14, 2024, designated as Local Law No. 3 - 2024 to amend Town Code Chapter 125 by adding a new Article IV to provide a partial exemption from local real property taxes to enrolled volunteer firefighters and volunteer ambulance workers eligible for a real property tax exemption under real property tax law 466-a, and to renumber existing Article IV, Sections 125-7 and 125-8 accordingly. Modeled after the State. **Public Hearing Local Law #3-2024** opened at 7:06 pm by Supervisor Todd Campbell. He asked three times if there were any questions or input. A question was asked to clarify what other exemptions are available, Supervisor Campbell provided input on potential credits available on income tax, he did clarify that only one exception/credit can be taken either property tax exemption or income tax. Councilman Carey provided a modified document for Local Law 3-2024 adding the word "active". Councilmember Travis opposed the inclusion and would like to keep as originally written. The public hearing was closed at 7:07 pm.

RESOLUTION #19

AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. 3-2024 A LOCAL LAW AMENDING CHAPTER 125 OF THE TOWN CODE TO PROVIDE A PARTIAL EXEMPTION FROM LOCAL REAL PROPERTY TAXES TO ENROLLED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW 466-a.

WHEREAS, a resolution was duly adopted by the Town Board of the Town of West Bloomfield on the 14th day of February, 2024, calling for a Public Hearing to be held by the West Bloomfield Town Board on the 14th day of February 2024, at the West Bloomfield Town Hall, 9097 Daylight Drive, West Bloomfield, New York, at 7:00 PM, to hear all interested parties on a proposed local law to amend Town Code Chapter 125 to provide a partial exemption from local real property taxes to enrolled volunteer firefighters and volunteer ambulance workers eligible for a real property tax exemption under real property tax law 466-a; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and
WHEREAS, said Public Hearing was duly held at the West Bloomfield Town Hall on the 14th day of February 2024, at 7:00PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts said Local Law No. 3-2024, to amend Chapter 125 as set forth in the attached Local Law, which is incorporated herein and made a part hereof; and be it further

RESOLVED, that the Town Clerk of the Town of West Bloomfield be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York; and be it further

Adopted: Ayes – Campbell, Smith, Travis, Carey Nays – None

RESOLVED, that this local law shall take immediately upon filing with the Secretary of State.

The Town Clerk submitting the question on adding the word “active” to the Town Attorney for review and will provide the response/data to the Town Board when received.

Resolution # 20 - Minutes

Supervisor Campbell asked for a resolution to approve the January 10,2024, minutes. Councilmember Smith made the resolution to approve minutes seconded by Councilmember Carey.

Adopted: Ayes – Campbell, Smith, Travis, Carey - Nays, None

Resolves that the January 10, 2024, minutes are accepted as presented.

Privilege of the Floor – Town Clerk Brenda Giglia advised the Town Board that the Lima Legion Post 282 donated a flag to the Town for the flagpole at the Town Hall.

Resolution # 21 - Supervisor Report

The Supervisor's Report for January 2024 was distributed and discussed. Supervisor Campbell asked for a resolution to approve the January 2024 Supervisor report. Councilmember Carey made the resolution to approve the Supervisor's report, seconded by Councilmember Travis.

Adopted: Ayes – Campbell, Smith, Travis, Carey. Nays – None

Resolves that the Supervisor's January 2024 report is accepted as presented.

Supervisor Campbell provided an update on the Bookkeeper position, Brian McIlroy working for the Town through the month of February to complete reporting and transition position to Holly Bedient.

Resolution #22 – Board of Assessment Review

Supervisor Campbell asked for a resolution to approve Katy Schlenker to the Board of Assessment Review. Councilperson Smith made the resolution to approve the appointment as presented, seconded by Councilperson Travis

Adopted: Ayes – Campbell, Smith, Travis, Carey- Nays, None

Resolves the appointment of Katy Schlenker to the Board of Assessment Review for a 5-year term.

Resolution #23 – Justice Report

Supervisor Campbell asked for a resolution to approve the January 2024 Justice report. Councilmember Smith made the resolution to approve, seconded by Councilmember Travis.

Adopted: Ayes – Campbell, Smith, Travis, Carey - Nays – None

Resolves that the January 2024 Justice report is accepted as presented.

Resolution # 24 Vouchers – Payment of Bills

Supervisor Campbell asked for a resolution to approve the payment of bills on Abstract 2 for 2024 for General and Highway.

Councilmember Travis made the resolution to approve the bills/vouchers as presented, seconded by Councilmember Smith.

Adopted: Ayes – Campbell, Travis, Smith, Carey - Nays, None

Resolves that the payment of bills on Abstract 2 are approved.

Resolution #25– Highway Report

Highway Superintendent Ball submitted the January - February 2024 Highway report.

Supervisor Campbell asked for a resolution to approve the Highway Report.
Councilmember Carey made the resolution to approve the January-February 2024 Highway report, seconded by Councilmember Travis.
Adopted: Ayes – Campbell, Smith, Travis, Carey Nays – None
Resolves that the January-February 2024 Highway report is accepted as presented.
Highway Superintendent Ball is working on bids for service contracts for the generators at the Town Hall and Highway Garage.

Code Enforcement - Fire Marshall Update – no reports submitted.

Supervisor Campbell provided an update that the Town of Richmond Code Enforcement Officers are back working for the Town of West Bloomfield, they will be working 10-15 hours per week for the Town. Reports and setting of office hours are being worked on.

RESOLUTION # 26

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

WHEREAS, The Monroe County Water Authority ("Authority") intends to provide public water service to 2291 Olmstead Road located in the Town of West Bloomfield; and

WHEREAS, the acquisition of the easement is necessary for operation, maintenance and the future replacement of the water main which will allow the Authority to continue to reliably provide potable water supply to the area; and

WHEREAS, the easement is located along the frontage of 2291 Olmstead Road (Tax Acct. No. 65.0-1-84.2), which is owned by Richard M. Repp and Jacqueline K. Repp; and

WHEREAS, § 1096(6-a) of New York's Public Authorities Law requires the Authority to obtain the prior approval of the Town Board for the above-referenced acquisition; now therefore be it Councilperson Travis made the resolution to approve the appointment as presented, seconded by Councilperson Smith

Adopted: Ayes – Campbell, Smith, Carey, Travis- Nays, None

RESOLVED, that the Town hereby approves of the Authority's acquisition of the frontage easement located at in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the Authority.

Mike Borgeest requested a status update on the Planning/Zoning Clerk position. He suggested the possibility of offering a set number of hours per week for the position.

Resolution #27 – Executive Session

At 7:41 Councilmember Travis made the resolution to go into Executive Session to discuss pending litigation, seconded by Councilmember Carey.

Adopted: Ayes – Campbell, Smith, Travis, Carey - Nays, None

Resolves the Town Board went into Executive Session.

Resolution #28 – Close Executive Session

At 7:52 Councilmember Travis made the resolution to close the Executive Session and return to regular meeting seconded by Councilmember Carey.

Adopted: Ayes – Campbell, Smith, Travis, Carey - Nays, None

Resolves the Town Board Executive Session is closed.

Resolution # 29- Close Meeting

At 7:53 pm, Councilmember Travis made the resolution to adjourn the meeting, seconded by Councilmember Carey.

Adopted: Ayes – Campbell, Smith, Travis, Carey - Nays, None

Resolves that the meeting is closed.

Respectfully Submitted,
Brenda Giglia – Town Clerk