

SOUTH BRISTOL TOWN BOARD MEETING

October 10, 2017

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order October 10, 2017 at 7:05 pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

Daniel Marshall, Supervisor
Donna Goodwin, Councilwoman
Stephen Cowley, Councilman
Scott Wohlschlegel, Councilman
Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Highway Supt., Joe Kohler, Brian Perkins, Fred Sarkis

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, the September 11, 2017 Public Hearing Minutes and the Regular Town Board minutes were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Strickland and Wohlschlegel.

IV. PRIVILEGE OF THE FLOOR

V. COMMITTEE REPORTS:

Councilman Cowley read the Highway Report for September.

We have ordered in and received 1000 tons of salt. Eventually the weather will change and we are ready.

I have received two (2) proposals this last week; one from the MRB Group (no site visit?) and one from Labella Associates with a guided site visit (duration approx. 45 mins.).

I have 4 copies of each proposal and copies of initial cost proposals from each Company in my office.

Another busy month at the Town Barns, as we continue roadside mowing (almost finished with the last round for the County). Several town Roads have been done; Stemple, Middlebrook, Lower Egypt, Torrence, Cold Spring and Granger to name a few. Tree trimming is also an ongoing project as fall continues and the trees start to drop their leaves. We also installed (Martin Electric) 6 new High Bay LED fixtures in the Salt Barn. The old fixtures (15 plus years old were failing) What a difference in lighting.

And last, but certainly not least, the pickup truck that I ordered 5 months ago has still not been delivered. I am going to tell them that the truck I ordered 5 months ago will not be

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accepted by the Town, because it is no longer a current model. It is effectively a year old because 2018 models are now available. I will rebid the truck with local dealers and put a 6-8 week delivery deadline on it.

**VI. OLD BUSINESS:
LOCAL INCOME EXEMPTION LAW**

Supr. Marshall said this local law is still a work in progress.

SOLAR PANEL LAW DISCUSSION

Supr. Marshall noted that this applies only to the industrial solar farms. One of the things in the law that needs to be reviewed is whether there should be limits to what is allowable. Supr. Marshall noted that he used the Canandaigua Lake Watershed area of the town as a view-shed and his concern is whether or not these large industrial size solar farms would end up being a detriment to the view. Not necessarily the view we look at but the view for people that live on the lake, or the other side of the lake, may see.

STANDARD WORK-DAY & REPORTING RESOLUTION

Supr. Marshall noted that this resolution is required by the State of New York retirement system.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, Resolution No. 37-2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Strickland and Wohlschlegel.

(Insert Resolution)

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LETTER OF ENGAGEMENT

Supr. Marshall noted that another item not on the agenda tonight that needs Board approval is a Letter of Engagement with LeClair, Korona with regards to the potential Article 78 and the hourly rates of \$300.00, discounted to \$275 per hour, the range of hourly rates for paralegals and associates will be from \$90 to \$200 and issue statements monthly.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin the motion was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Strickland and Wohlschlegel.

VII. NEW BUSINESS

BUDGET – REVIEW OF 2018 TENTATIVE BUDGET

Supr. Marshall asked if the Board had a chance to look at the Tentative Budget? You will see that things are being done a little differently and currently the budget is under the 2% tax cap by \$27,170.00.

Under General Fund figures, under A2130 Refuse and Garbage charges, a revenue, we are projecting \$8,374.00 and EFPR Group is suggesting \$16,427 which is what we originally budgeted for last year. Supr. Marshall asked Clerk Voss if we should be lowering the revenue line for this?

Clerk Voss noted that the \$16,427 is too high; the Clerk's office has never collected that much in transfer station passes.

Councilwoman Goodwin agreed, the figure is too high.

Supr. Marshall agreed and set the revenue as \$8,500.00 and noted that in 2016, \$11,500 was collected.

Supr. Marshall continued, revenue in the sale of scrap of \$3,500; mortgage tax revenue collected in 2015 was almost \$90,000 and in 2016 it dropped to \$80,000, we budgeted \$60,000 for 2017 and have collected for the year \$23,490 and the projection end of the year is \$40,000.00. For the 2018 budget, the mortgage tax revenue as \$40,000.00. Supr. Marshall noted that mortgage tax revenue is declining. Discussion. Mortgage rates are tending to come up a little and a few years ago the rates dropped and everyone was refinancing for a lower rate. That isn't happening anymore; and we aren't building a lot of homes in South Bristol.

Councilman Strickland agreed.

Supr. Marshall continued with the 2018 budget; under Personnel Services, a 2% increase for all the 0.1 budget lines. That is the same as what the County is doing this year.

Contingent Account, A1990.4, suggesting we keep the amount at \$20,000.00.

Councilman Wohlschlegel asked about the amount for the Comprehensive Plan update, A8020.431, Professional Service.

Supr. Marshall agreed, projected at \$4,000.00 and asked if that would be sufficient.

Councilman Wohlschlegel noted that \$10,000 would be more realistic but said to wait because County Planning can help us out; we could spend up to \$20,000.

Supr. Marshall said he will put in \$8,000 for the Comprehensive Plan update and will wait to hear otherwise. The County does offer 40 hours of their time to the municipalities.

The County sent the Workmen's Comp insurance figure of \$13,000; also provided to us are the figures for the NYS retirement system and health insurance with amounts similar to last year.

Supr. Marshall continued with the Highway; CHIPS funding of \$98,000 is what we are expecting for 2017 and \$110,000 for 2018.

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Supt. Wight said CHIPS funding has been flat and suggested \$98,000.00.

Supr. Marshall continued with General Repairs – Personnel Services, we are projecting \$107,000 to finish out this year and projecting \$120,000 for next year.

Under Machinery, the 2017 budget was \$45,000 was for the pick up truck that still hasn't been delivered. For 2018, \$235,000.00 replacing a 10-wheel truck replacing a 2000 truck; 17 year old vehicle.

Supt. Wight noted that the Loader is costing \$1,400 per month; you can't rent or lease a Loader for that amount. This year the transmission shaft broke and it took 2 ½ months to repair and they supplied a loaner at no cost to the Town; a warranty repair. We average 700-800 hours on the Loader in the 2 year period.

Supr. Marshall noted that the Loader is \$28,860.00 which is the replacement cost?

Supt. Wight agreed; that brings a brand new Loader to the Highway Dept.

Supr. Marshall asked about the Bob Cat and asked for the amount.

Supt. Wight said \$5,400.00 for the Bob Cat; a 2 year lease agreement.

Supr. Marshall asked the Board for questions, comments, concerns? Supr. Marshall noted that the payroll is now being handled by ADP Payroll Services. This will be a savings of \$1,000 per year.

Supr. Marshall said he will meet with EFPR to go over the questions from the Board.

Councilman Wohlschlegel asked about Workmen's Comp and the two figures. Supr. Marshall explained that the total is \$13,000 covering the cost between the Highway employees and the Town Hall employees.

Councilwoman Goodwin asked how much of the Fund Balance will be used for next year's budget?

Supr. Marshall explained that \$901,000 from the A Fund; some of that will be transferred to the Highway Fund and will have that information for you at the next meeting.

Supr. Marshall noted that the SF Fund, the fire departments, have very little change.

Supr. Marshall said that a Public Hearing needs to be scheduled for the 2018 Budget for the residents.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, the Public Hearing for the 2018 South Bristol Town Budget is scheduled for Monday, November 13, 2017 at 7:00pm was ACCEPTED. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

SCHEDULE PUBLIC HEARING FOR SOLAR PANEL LOCAL LAW

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, the Public Hearing for the Solar Panel Local Law is scheduled for Monday November 13, 2017 at 7:00pm was ACCEPTED. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

COUNTY SNOW CONTRACT FOR 2017-2018

Supr. Marshall said the Board has 2 contracts from the County for Snow Plowing. One contract for the County Roads located within South Bristol and the other contract for plowing the County Roads in the Town of Naples. The County will be paying \$5,600 per mile on 11.8 miles of County Roads.

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On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, the Ontario County Snow Plowing Contract was ACCEPTED. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Supr. Marshall said that the County is paying the same amount per mile, \$5,600 and we get paid to drive from the barns to County Road 21 (Italy Valley Road) for \$800 per mile. The total is \$85,000.00 for the year.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the Snow Plowing Contract with Ontario County for Town of Naples roads was ACCEPTED. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

FIRE CONTRACT WITH MAXFIELD HOSE COMPANY

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the Contract with Maxfield Hose Company for \$102,135.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

**VIII. REPORTS:
TOWN CLERK**

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland the Town Clerk Report for September 2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

ASSESSOR

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel the Assessor's Report for September 2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

CEO

On a motion made by Councilman Strickland and seconded by Councilman Cowley, the CEO Report for September 2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

**IX. ACCOUNTING:
SUPERVISOR'S REPORT**

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, the Supervisor's Reports for September 2017 were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Supr. Marshall noted that the financials are all up to date and as of September 30, 2017, the bank balance is \$1,449,210.00.

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BUDGET AMENDMENT

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the Budget Amendment dated October 10, 2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Transfer From	A909	Fund Balance –Unreserved	
	A1440.4	Engineer – Contr (Everwilde)	\$1,522.45
	A1440.42	Engineer – Contr (BSD)	\$4,541.25

BUDGET TRANSFERS

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland the Budget Transfer dated October 10, 2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Transfer From	A1355.4	Assessor-Contr to	
	A1355.2	Assessor-Equip	\$199.99
	A1620.4	Bldgs Contr to	
	A1650.4	Central Comm Sys	\$149.90
	A8010.1	CEO – Per Ser to	
	A8010.11	Zoning – Per Ser	\$2,500.00
	DA5130.21	Machinery – Snow Plow	\$39,766.13
	DA5130.2	Machinery – Equip	\$2,000.00
	DA5130.120	Machinery-Mini Excav	\$2,461.00
	DA5142.4	Snow Removal-Contr to	\$4,960.13
	DA5110.4	General Repairs-Contr	\$49,187.26
	DA5130.21	Machinery – Snow Plow to	
	DA5130.4	Machinery – Contra	\$5,233.87

APPROVAL OF VOUCHERS

On a motion made by Councilman Strickland and seconded by Councilman Cowley, Abstract No. 10, Vouchers No. 446-501 totaling \$235,617.24 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

X. 2nd PRIVILEGE OF THE FLOOR

Joe Kohler of Bristol Harbour said that the Ontario County Sheriff Phil Povero had a major press conference this week personally appealing to the residents of Ontario County about caution as we go into deer season. This County had over 1,000 serious accidents according to Sheriff Povero in the past year. About a year ago, November, I asked for some signs at the request of myself and our residents from Bristol Harbour Village area on Seneca Point Road. I continued that request at the June meeting, July meeting and here we are almost a year later. The issue is human safety because as we know when there is an accident with a vehicle people will get hurt, property damage and the animals. The deer signs also have a second human safety value in that by people slowing down because of animals they might not hit a two-legged animal. And this two-legged animal probably walks up and down your road as much as anyone. So here

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we are tonight and I am wondering if it is possible, we have one deer sign from all of Seneca Point Road from Route 21 where it enters to Bopple Hill. There is one. And Bristol Harbour Village as we've mentioned numerous times in this room before, those of you that hunt deer understand that when the guns go off the deer get terrified. Bristol Harbour Village, because it is a no-kill zone, becomes sort of a deer sanctuary and these animals are very smart and they aggregate there. I counted 13 deer in Bristol Harbour Village on Seneca Point Road. So that all being said, we have a high concentration of people, we have an unusual high concentration of deer, I don't know what these signs cost the Town of South Bristol, but certainly whatever they cost has great value according to Sheriff Povero.

Supt. Wight said there are deer signs at the top and bottom of Seneca Point Road, and have since put up blind driveway signs.

Supr. Marshall said that State Route 64 is probably one of the more dangerous roads when it comes to deer, the State has put deer signs on Route 64 exactly one-mile apart. That is apparently the State's requirement, policy, and their standard. We are doing the same thing as the State. There is never enough money to spend to save somebody's life; we are doing what the State does.

Mr. Kohler appreciated the comments, but there is a major difference between Route 64 where the deer signs are and Bristol Harbour Village. Bristol Harbour Village is a deer, turkey, animal sanctuary. There are more deer in Bristol Harbour Village on a square footage basis probably, than anywhere in Ontario County. Therefore you have more people living in Bristol Harbour Village and more cars and more deer.

Supr. Marshall asked Mr. Kohler if he wanted more deer warning signs than what are there now?

Mr. Kohler said more signs, either before Bristol Harbour Village or within there would be helpful. This is what I thought we talked about last November and subsequent meetings here. As I think the record shows, and the fact is, is the Sheriff is making appeals and I am making an appeal for the community at Bristol Harbour Village where there is a higher concentration of population of deer and people than anywhere in the Town of South Bristol. While these signs are for deer, you probably have more walkers on Seneca Point Road than anywhere in the Town of South Bristol.

Supt. Wight said he would be more inclined to get a sign with "Congested Area" and "Pedestrians."

Mr. Kohler said he would be happy with anything more than what we have.

EXECUTIVE SESSION

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the Board moved into Executive Session to discuss a matter of personnel was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

The Board moved into Executive Session at 8:20pm.

The Board came out of Executive Session at 8:30pm by a motion made by Councilman Cowley and seconded by Councilman Strickland. No action taken.

XI. ADJOURN: 8:30PM

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Respectfully submitted:

Judy Voss

South Bristol Town Clerk