

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2016

REGULAR MEETING

The regular meeting of the South Bristol Town Board as called to order October 11, 2016 at 7:00pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

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

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Brian Perkins, Bruce and Barbara Hunt, Joe Kohler

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 Cowley and seconded by Councilman Strickland the September 12, 2016 Regular Town Board meeting minutes were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

IV. PRIVILEGE OF THE FLOOR

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley gave the highway report as submitted by Supt. Wight:

Following are the highlights of activity for the last month at the Highway Dept.:

1. Milled and paved sections of Gannett Hill and Mosher Rd.
2. Paved Lower Egypt Rd. (1300 ft. from the intersection of CR 33 to the other side of the bridge)
3. Roadside mowing continues.
4. New employee (Tim Kinton) is working and doing a good job.
5. Met with the Deferred Comp Rep – Dave Gollus – he had a lot of good info regarding retirement.
6. Ordered a new wing for 2001 Freightliner.
7. Weather and funds permitting – We would like to maybe start staining the salt barn sides.

**VI. OLD BUSINESS:
RESOLUTION – AMENDING THE ZONING LAW
OF THE TOWN OF SOUTH BRISTOL**

Supr. Marshall noted that the Planning Board sent a request to the Town Board to consider changing the requirements for all R-3 zoned properties contiguous to the lake be the same as the Lake Residential which requires site-plan review. The Planning Board also requested that lake properties that are located on both sides of a road be considered as one parcel and be subject to LR lot coverage. In front of the Board is a resolution to schedule a public hearing for the proposed local law.

Councilman Wohlschlegel asked if this will require a SEQR review; Supr. Marshall answered yes.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin Resolution No. – 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

**RESOLUTION NO. – 2016
RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A
PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW AMENDING CHAPTER 170
(ZONING) OF THE CODE OF THE TOWN OF SOUTH BRISTOL”**

WHEREAS, the Town Board of the Town of South Bristol, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled “A Local Law Amending Chapter 170 (Zoning) of the Code of the Town of South Bristol”; and

WHEREAS, the Town Board of the Town of South Bristol has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit “1” and deems it in the best interests of the Town of South Bristol to proceed in accordance with the Code of the Town of South Bristol and the Laws of the State of New York in adopting said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on November 14, 2016 at 7:00pm at the South Bristol Town Hall, 6500 Gannett Hill Road – West, Town of South Bristol, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit “2”; and be it further

RESOLVED, that the Town Clerk be, and she is hereby is, directed to post a copy of the proposed Local Law on the Town of South Bristol sign board and ake any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of South Bristol for its consideration.

I, Judy Voss, Town Clerk of the Town of South Bristol do hereby certify that the aforementioned Resolution was adopted by the Town Board of the Town of South Bristol on October 11, 2016 by the following vote:

	<u>AYE</u>	<u>NAY</u>
Daniel Q. Marshall	x _____	_____
Scott Wohlschlegel	x _____	_____
Donna Goodwin	x _____	_____
Stephen Cowley	x _____	_____
James Strickland	x _____	_____

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Dated: October 11, 2016

SEAL

Judy Voss, Town Clerk

COUNTY SNOW CONTRACT/ NAPLES ROADS

Supr. Marshall said the first contract is to plow the Town of Naples roads; the Town of Naples has elected not to plow County roads this year and the County has asked the Town of South Bristol to help plow some of these roads. The contract is a total value of \$81,493.00; we are being paid the standard rate of \$5,500 per centerline mile for 8.75 miles of Naples roads, totaling \$48,125.00. In addition, the County is paying an additional \$800 per centerline mile to acknowledge that we are servicing roads outside the Town’s boundary for \$70,000.00. We are also being paid the 8.9 miles between the South Bristol Highway barns and the intersection of County Road 21 also known as Italy Valley Road, plowing 2.5 miles; paying an additional \$26,368.00. Supr. Marshall said the contract is for one-year; next year may be a different story.

Councilman Strickland asked if the contract included the County placing a truck here?

Supr. Marshall agreed, and said the County will have a person that will man the truck if needed.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the County Snow Contract for Naples Roads was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

COUNTY SNOW PLOW CONTRACTS/SOUTH BRISTOL ROADS

Supr. Marshall noted that the South Bristol snow plowing contract with the County is for \$64,900.00 to plow 11.8 miles.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, the County Snow Contract for South Bristol roads was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

13.00

BHSC RE-MAPPING PROJECT UPDATE

Supr. Marshall noted that he is meeting tomorrow with LaBella Associates, Mengel, Metzger & Barr who was retained by LaBella to review the financial books of the sewer corp., and also Todd Cook and the sewer operator, Paul Lamphier. Supr. Marshall noted that our consultant is concerned about the finances to the point where we have to discuss a rate increase. We know that there will have to be a rate increase for the commercial aspects of the property; the hotel, lodge, restaurant. The golf course draws its water from the lagoon for irrigation. We have pretty much determined through the Engineering firm that the facility has the capacity to handle the remapped area. That is not the biggest issue at the moment; the state of the finances is the biggest issue and make sure that they have the finances to continue on.

Joe Kohler of Bristol Harbor asked about the \$500,000 that was either taken or loaned to 3rd party related shareholders of the SBR Corp. When you look at the forensic audits by Mengel, Metzger & Barr it is important that there be something like “claw back” or something for that \$500,000?

Supr. Marshall said he would ask at the meeting tomorrow; it is the same corporation and just has new stockholders.

Barbara Hunt asked about the rate increase being commercial or residential?

Supr. Marshall noted that the commercial rate increase for sure and does not know about the residential side. 19.32

NEW BUSINESS
2017 BUDGET PROCESS

Supr. Marshall noted that the Board held a budget workshop and found that there were a few discrepancies in the budget numbers and has an update for the Board. This does not include the highway budget, just the A-Fund. The review the other night, the EFPR Group had put in under Refuse & Garbage charges as revenue, \$81,077.00 which we all know to be incorrect. The reason for that number is because we brought the Transfer Station back in to the A Fund. Part of the revenues in the EG Fund was a transfer of \$50,000 last year from the A Fund, and that number was treated as a revenue which it is not. The proposed 2017 budget now reflects the correct amount of \$16,427.00. That changes the overall budget with a tax rate increase going from \$1.16 per \$100 to \$1.25 and we would be \$28,094 over the tax cap; neither which are acceptable. After discussion with EFPR the Town Board needs to either reduce from the budget a total of \$50,000 or we can take the amount out of the Fund Balance. The Fund Balance is \$490,000 which is low; the reason that it is low is because last year there were two capital improvement reserves set up, \$220,000 and another for \$60,000. Supr. Marshall noted that EFPR cautioned that the Fund Balance is low; we can use the fund balance this year, but next year we have the problem all over again. The compromise position is removing \$50,000 out of the 2017 proposed budget requires some sacrifice; we might have to cut back on roadwork, equipment, etc. Somewhere along the line we have to cut \$50,000.

Councilwoman Goodwin asked if the difference could be split?

Supr. Marshall agreed and said that is the Board's 3rd option. The Board could take \$25,000 from the Fund Balance and then find \$25,000 to remove from the budget. This will keep the budget under the 2% tax cap and the tax rate will be the same as last year at \$1.16.

Supt. Wight noted that the Highway budget is \$57,000 less than last year and is willing to look further into the budget lines and their figures.

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the board moved to only use \$25,000 from the Unexpended Fund Balance was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Councilman Wohlschlegel asked if the Board will be in the same predicament next year with the Fund Balance?

Councilwoman Goodwin answered that it is hard to say.

Supr. Marshall said that we could be. The reality is the tax cap imposed upon us by the State and less and less State aid coming to us, etc. a lot of towns are facing the same problem. The Town of Bristol is looking at a 25% tax increase this year; if we hadn't done anything our tax rate would have gone up 8%. The Town of Victor is having serious issues as well.

Councilman Wohlschlegel asked about adding funds to the Capital Reserve for the Highway barn reconstruction; will we be able to add any funds to the reserve this year?

Supr. Marshall said no funds are allocated for the reserves this year. Hopefully there will be an improvement in the sales tax revenue. The Sales tax revenue had been consistent for years and was actually going up 5% every year and last year it took a hit. That is a big part of our overall budget. The \$2 million budget depends on the \$1.2 million in sales tax. The mortgage tax revenue has also gone down in recent years.

Supr. Marshall said the Board could schedule a Public Hearing for the Tentative Budget for the next Town Board meeting November 14th.

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On a motion made by Supr. Marshall and seconded by Councilman Cowley, the Public Hearing for the 2017 Tentative Budget is scheduled for Monday November 14, 2016 at 7:00pm was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

BOND FINANCIAL – BROKER LETTER OF RECORD

Supr. Marshall said that he met Bond Financial at a seminar with the EFPR Group and all they are is brokers for Health Insurance. The Broker Letter of Record will go to Excellus and Bond Financial will represent the Town.

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel, Bond Financial as Broker of Record was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall noted that the Bristol Fire Dept. as doubled their rate for fire protection for the 2017 budget; from \$4,400 to \$8,800. The explanation is because there are 4 brand new homes on South Hill Road, as well as the aerial park and cross-country skiing makes it a year-round destination. 35.13 The Bristol Fire does have an EMS that responds to any accident, etc.

NAPLES FIRE DEPT 2017 CONTRACT

Supr. Marshall said Naples Fire Dept. contract is for \$101,162.00 which is basically flat from last year. The contract is in front of the Board for approval. The contract does not include the Naples Ambulance.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the 2017 Naples Fire Contract was ACCPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall noted that Cheshire Fire contract will be for \$50,311 which covers Bristol Harbor. Councilwoman Goodwin said the figure is the same as last year.

Supr. Marshall said that Richmond Fire contract, which covers Gulick Road area, is \$24,136.00.

VIII. REPORTS: ASSESSOR

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland the Assessor's Report for September 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall noted that the Board has been asked by the Assessor to go into Executive Session tonight to discuss a settlement on an assessment.

CEO

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the CEO Report for September 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

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TOWN CLERK

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel the Town Clerk’s Report for September 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

BUDGET TRANSFERS

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

Transfer From	A1990.4	Contingent Acct to	
	A1335.4	Assessor – Contr	\$129.63
	A1990.4	Contingent Acct to	
	A1650.4	Central Comm Systems – Contr	\$1,285.93
	A1990.4	Contingent Acct. to	
	A8020.4	Planning – Contr	\$94.98
	A1990.4	Contingent Acct. to	
	A7110.4	Parks – Contr.	\$22.33
	EG8160.450	Pers Services – CD Fees to	
	EG8160.455	Pers Services – Solid Waste	\$34.53
	EG8160.4	Pers Services – Contr	\$95.00

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

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland the Supervisor’s Report for September 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall said that the Town will receive the 3rd quarter sales tax revenue and hopes it will be around \$300,000.00. The total money on hand for the Town is \$1.2 million if you include the reserves.

APPROVAL OF VOUCHERS

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, Abstract No. 10, Vouchers No. 452-515 totaling \$190,650.20 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall said the Salt Barn roof is paid for, also a lot of roadwork for Suit-Kote and Dolomite.

X. 2nd PRIVILEGE OF THE FLOOR

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Joe Kohler of Cliffside Drive thanked Supr. Marshall for attending the Bristol Harbor Village Association Homeowner’s Assoc. meeting. Mr. Kohler asked the Board for additional Deer Crossing signs on Seneca Point Road.

Supt. Wight agreed.

EXECUTIVE SESSION

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the Board moved into Executive Session to discuss and approve the assessment valuation/settlement at the suggested by the Town Attorney was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

The Board moved into Executive Session 7:50pm

The Board came out of Executive Session 8:00pm by a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland.

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, to accept the settlement values as indicated in an email from Town Attorney Mary Jo Korona dated was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

XI. ADJOURN: 8:00PM

Respectfully submitted:

Judy Voss
South Bristol Town Clerk