

SOUTH BRISTOL TOWN BOARD MEETING

January 9, 2017

REGULAR MEETING

The regular meeting of the South Bristol Town Board as called to order January 9, 2017 at 7:15pm 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

Ann Jacobs, Dahl Schultz, Alan & Kristie Braun,, Bruce & Barbara Hunt,
Maddie Bicknell, Steve & Patty Janto, Jim Wight

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 Councilman Cowley, the December 12, 2017 Regular Town Board meeting minutes and the December 24, 2016 Year-End meeting minutes were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Supr. Marshall informed the Town Board that through the advice of the EFPR Group, the Town's bank accounts have been reduced from 9 bank accounts down to 3 bank accounts. The is the logical thing to do; a master savings account, a master disbursement account and a payroll/trust & agency account. This will make the bookkeeping process quite a bit simpler.

IV. PRIVILEGE OF THE FLOOR

V. COMMITTEE REPORTS:

VI. OLD BUSINESS:

Supr. Marshall noted that last month there was a resident who came to the Town Board and suggested that the Town of South Bristol should be responsible for looking into what could possibly be considered a criminal act done by the Bristol Harbor Sewer Corp. in previous years. Anything that has to do with regards to a sewer corporation is dictated by NYS Transportation Corporation Law, Article 10 and Article 10 has about 12 sections. Within those sections, it described the responsibility of the Town. As the law reads, the Town is supposed to review the bookkeeping of the sewer district corporation on two separate occasions; minimally every 5

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years the Town is obligated to review the bookkeeping and secondly, when the sewer corp. comes to the Town Board for a rate increase. There is talk about a potential rate increase at Bristol Sewer Corp., but at this point and time we have no application or request.

Supr. Marshall continued, noting that it was suggested that he contact a State Police Investigator and the Town Attorney, which he did. It is the Town Attorney's opinion that the Town is to operate under the requirements of the NYS Transportation Corporation Law which basically limits our financial obligations to a fair and equitable rate is in place and that the corporation has the financial wherewithal to be in business. What we will be reviewing in April or May is the expansion of the sewer district. In addition, there is a possibility that there may be a rate increase at that point.

Supr. Marshall noted that both the Town Attorney's, Jeff Graff and also Mary Jo Korona, were asked for their opinion regarding the criminal activity. Both attorneys's stated that this is not something that is to be managed or handled by the Town itself; if there are people that feel there has been a wrong doing and some sort of loss taken as a result of this they should make the request. Today, our Town Attorney also spoke with the District Attorney, Michael Tantilillo, and again it was his suggestion that unless the Town of South Bristol, in its review of books, comes up with some degree of certainty that some crime was committed, then that is about the only time they might want to step forward. Supr. Marshall said he didn't feel it was the position of this Town Board, that something absolutely and positively happened; we don't know that for a fact. It could very well be a legitimate accounting move; we don't know. If a group of people believe that they have been wronged, then it is incumbent upon them to move forward and request an investigation.

VII. NEW BUSINESS:

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, Resolution No. 24-2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

**RESOLUTION OF SYMPATHY – RUSSELL HAWKINS
RESOLUTION #24-2017**

WHEREAS, This Town Board was saddened to hear of the passing of Russell A. Hawkins, and

WHEREAS, Russell was a life-long resident of South Bristol, active in many Town and community functions, including the Naples Board of Education, and

WHEREAS, Russell was a fifth generation vineyardist, operating Vinecrest Farm in South Bristol, and

WHEREAS, Russell was a twenty eight year member of the South Bristol Town Board, and in this capacity, he played a major role in the affairs of tis town including the construction of our current Town Hall, and

WHEREAS, Russell was an active member of the Bristol Springs Free Church, where his friendship was felt by so many, and **NOW THEREFORE BE IT**

RESOLVED, this Town Board mourns the loss of Russell A. Hawkins and extends its deepest sympathy to his wife and family, and

RESOLVED, a copy of this Resolution be sent to his family.

Supr. Marshall noted that the Board has the Tentative audit of the Town Clerk's office for 2015 for approval.

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

RESOLUTION NO. 25-2017

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, Resoluion No. 25-2017 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

LOCAL LAW TO OVERRIDE 2% TAX CAP

RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

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 to override the tax levy limit established in General Municipal Law §3-c; 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 February 13, 2017, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers 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 hereby is, directed to post a copy of the proposed Local Law on the Town of South Bristol sign board and take 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; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

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 January 9, 2017, by the following vote:

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

Dated: January 9, 2017

SEAL

Supr. Marshall noted that he also has the County Dog Contract for 2017, \$5,695.00, that the Board needs to approve.

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On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland the 2017 Ontario Co. Dog Control Services Contract was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

VIII. REPORTS:

CEO

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

TOWN CLERK

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

HIGHWAY

Councilman Cowley read the Highway Report: Not much to report on as it is winter. It is cold and snowing. We are just about wrapped up on our little shed addition. This will give us space to store our roadside mowing tractors (2) and our Kubota excavator and our small Volvo roller. We are staying busy in the shop doing equipment maintenance and repairs. On nice days, we will be doing tree trimming.

IX. ACCOUNTING:

SUPERVISOR'S REPORT

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

APPROVAL OF VOUCHERS

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, Abstract No. 1, Vouchers No. 1-46 totaling \$88,879.67 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

X. 2nd PRIVILEGE OF THE FLOOR

XI. ADJOURN: 7:37PM

Respectfully submitted:

Judy Voss
South Bristol Town Clerk