

SOUTH BRISTOL TOWN BOARD MEETING

August 14, 2017

**REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order August 14, 2017 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  
Scott Wohlschlegel, Councilman  
Jim Strickland, Councilman

**RECORDING SECRETARY**

Judy Voss, Town Clerk

**OTHERS**

Jim Wight, Maddie Bicknell, Alan & Kristie Braun, Fred Sarkis, Ted & Gina Russell, Steve & Patty Janto, Joe Kohler, Mark & Donna Buckley, Deb & Brian Voorheis, Jacob Welch, et al

**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 Strickland, the July 10, 2017 Regular Town Board minutes were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Strickland and Wohlschlegel.

**VI. OLD BUSINESS:**

**BRISTOL HARBOUR SEWER CORP – DELAY IN ACTION**

Supr. Marshall wanted to inform everyone that a letter was received today from the stockholders of the Bristol Sewerage Disposal Corporation indicating that they would like to withdraw their original application for a rate increase and at the same time, reapplied for a rate increase. The reason that this all occurred is because our consultants were insistent that we do the remapping of the sewer corporation district and the rate increase simultaneously. Each of these actions needed the other to be possible. To do the remapping portion of the application requires an approval by the DEC and approvals are forth coming. The DEC is totally involved in the flooding of Lake Ontario and virtually everything else has been delayed. The choice was to either deny the application or to allow rescinding the original request. With the application resubmitted, the 90-day time limit starts.

Supr. Marshall noted that enough information has been received to now understand the essence and the importance in determining what happened to a sum of money, \$366,000.00. We are now asking the current stockholders of the Bristol Sewerage Disposal Corp. to find out what happened to that money. Supr. Marshall noted that Mr. Fred Sarkis has been telling me that we have needed to do this for years.

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Councilwoman Goodwin said that the Town Board did receive all the financial information for Bristol Sewerage Disposal Corp. and in looking through that we came to the same conclusion.

### **IV. PRIVILEGE OF THE FLOOR**

Steve Janto, of Bristol Harbor, thanked the Town Board from the Bristol Harbor community. This is what we have been asking for and hopefully everything will turn out the way we are hoping and sure the community respects that.

Fred Sarkis, of Bristol Harbour, also wanted to thank the Board for their consideration because this is a pursuit of fair play and lucky to have this Board spending so much time on this issue.

Supr. Marshall noted that it will be interesting to see what we are provided from the sewer corp., which will be the next issue.

Alan Braun, of Bristol Harbor, has been asked recently the status of Everwilde and their timeframe.

Supr. Marshall said Everwilde is currently in the state of creating a Final Environmental Impact Statement. You may recall, there was a Supplemental EIS which set the process back by months. That has been done, and the FEIS is a town document, however, there are technical aspects of it that we often have to go back to the developer to clarify. That is the process we are in right now. Keep in mind that once we do a FEIS, the Board makes a determination of changing the current zoning from R-3 residential to Commercial/Planned Development; do we want to do that?

Joe Kohler, thanked the Board for their time and for their progress. It is not pie in the sky for a small town like the town of South Bristol to take over a private resort owned sewer corp. It has been accomplished recently in Cortland County in the Town of Virgil, the Greek Peak and Hope Lake Lodge and townhomes and condos and flipped over to the Town. The resort received \$1 million and the Town now owns it, runs it. It was funded by a combination of grant and municipal bonds and the system and model is working very well. It is not unique to a small town in the state of New York.

### **V. COMMITTEE REPORTS:**

Councilman Cowley read the Highway Supt. report:

Things are busy at the Highway Dept. as the summer month's wane. Suit Kote was in Town 2 weeks prior. We finished our paving on Stemple Hill, Hicks Rd. and the Gulick end of Mosher. Suit Kote is scheduled to be back towards the end of August to chip seal the previously mentioned roads. We are also going to chip seal the length (6.7 miles) of Gulick Rd. Roadside mowing continues. Spoke with the salesman from Basil Ford of Niagara Falls. His reply was the truck is at the Ford factory having the bed liner sprayed in, and then it was being shipped to Basil Ford, who would deliver it to Unicell to have the plow installed. That was 3 weeks ago and should be delivered any day now.

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**FINANCE**

Supr. Marshall noted that we are now up to date with the monthly Supervisor's Report and will be able to get working on the 2018 budget.

**VI. OLD BUSINESS:**

**TIME WARNER FRANCHISE AGREEMENT - SCHEDULE PUBLIC HEARING**

Supr. Marshall noted that a new contract with Time Warner, NE for collecting Franchise Tax. The contract is exactly identical to previous contracts; a public hearing for the contract needs to be scheduled.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Time Warner Franchise Agreement public hearing is scheduled for Monday, September 11, 2017 at 7:00pm was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

**APPROVE RFP FOR HIGHWAY GARAGE PROPOSAL**

Supr. Marshall noted that a request for action with regards to the Highway Barns. We are asking for a quote to have assistance in developing a plan to build a new highway garage. There are 4-5 companies that have been identified and will receive the RFP. This will help with the 2018 budget process as we move forward.

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

**VII. NEW BUSINESS**

**RESOLUTION TO CREATE LOCAL LAW – LOW-INCOME EXEMPTION**

Supr. Marshall noted that the Town needs to change its low-income disability exemption as we currently do not meet the requirements of the Real Property Tax Law. To move forward, the Town Attorney will prepare the local law and a public hearing will be scheduled for October.

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

**BARN QUILT DONATION**

Supr. Marshall noted that South Bristol resident, Leah Friend, has requested that we consider a donation from her of a Barn Quilt. A Barn Quilt is a large painting in the format of a quilt and she would like to donate a barn quilt for the Town Barn located on Route 64, Wilder Cemetery. There are areas where the Barn Quilts are a tourist attraction, visiting site to site to see the various painting.

**BUDGET PREPARATIONS**

Supr. Marshall noted that for the 2018 Town Budget a schedule will be sent out to Town departments for their budget needs. We will be utilizing the services of the EFPR Group and will assist the Board with respect to the 2% tax cap. We have approved the local law that would allow the budget to exceed the 2% tax cap which is to protect the town and once we are assured that we are within that 2% we can rescind that local law.

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**VIII. REPORTS:**

**ASSESSOR**

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

**CEO**

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

**TOWN CLERK**

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

Supr. Marshall noted that Bookkeeper Dunn is working on the budget transfers and amendments for various budget lines.

**APPROVAL OF VOUCHERS**

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, Abstract No. 8, Vouchers No. 358-402 totaling \$49,893.20 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Supr. Marshall noted that the Town did receive the 2<sup>nd</sup> quarter sales tax check in the amount \$310,494.00 which is about \$2,000 less than what was received this time last year. In 2015, the amount was \$317,000; the gas prices are down, and internet sales are cutting into the sales tax revenue. Something to keep our eye on.

A check was received from Ontario County Soil & Water Conservation for \$1,000 for a project back in 1995 which the Town contributed.

**X. 2<sup>nd</sup> PRIVILEGE OF THE FLOOR**

Steve Janto, of Bristol Harbour, asked if the sewer rate increase request was rescinded today and then resubmitted at the same time for the same rate?

Supr. Marshall agreed.

Mr. Janto asked about the missing funds and if that issue had a time limit?

Supr. Marshall noted that the rate increase request is a 90-day process; if we don't hear anything in 90 days the request is denied.

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Alan Braun, of Bristol Harbour, said that the Bristol Harbour residents were notified about the water rate increase but not the sewer rate increase. Will the Bristol Harbour residents get a letter? Is that the process? Or we will never get notification.

Supr. Marshall said he would have to read the Transportation Corporation Law to see what the requirement is.

Supr. Marshall noted that he is having the town attorney, Jeff Graff, to write a letter to the last known attorney of the former Bristol Harbour owners for the income statements and asked what happened to the missing funds.

**XI. ADJOURN: 7:47PM**

Respectfully submitted:

Judy Voss  
South Bristol Town Clerk