

SOUTH BRISTOL TOWN BOARD MEETING

October 13, 2020

**REGULAR MEETING**

The Regular meeting of the South Bristol Town Board was called to order October 13, 2020 at 7:15pm.

**PRESENT**

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

**ABSENT**

Jim Strickland, Councilman

**RECORDING SECRETARY**

Judy Voss, Town Clerk

**OTHERS**

Joe Kohler, Tracey Otto, Bessie Tyrrell, 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 Councilwoman Goodwin the minutes of the minutes August 10, 2020 Town Board Meeting were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

**IV. PRIVILEGE OF THE FLOOR**

**V. COMMITTEE REPORTS:**

**HIGHWAY**

Councilman Cowley read the Highway report: Following is a brief summary of events at the Town of South Bristol Highway Dept. in the last month.

- Roadside mowing and property mowing continue. (I had the guys go to the overlook and give that a good cleaning)
- Oil and stone is done for the year.
- All roads that required striping are done.
- We are installing chains and locks on all 3 entrances to the Highway Barns at this time to deter theft of materials. These will stay in place at least till the new building is secure.
- The new garage is coming along. The floor in the six main truck bays was poured last Tuesday. (200 + yards of concrete)
- We have done some ditching and maintenance around at the Transfer Station.
- Currently working on welding patches on the compactor container.

**FINANCE**

Supr. Marshall reported that he didn't have much to report for finance this month other than the fact that we have an exceptionally high abstract this month, and 80 5 of that is the cost of building the new highway barn.

**VI. OLD BUSINESS:**  
**HIGHWAY GARAGE PROJECT**

Supr. Marshall reported that the building project for the new Highway Garage is moving along as scheduled and have secured the area with chains across the parking lot. The project is also protected by security cameras which is recording the progress. The project is going very well.

**BRISTOL HARBOUR SEWER – REQUEST FOR A RATE INCREASE**

Supr. Marshall noted that the agenda did list a "presentation" which was in error. With that, speaking to the Board, any comments anybody wants to make, any suggestions that we would take on this project at this point. I have had the opportunity to look at the documents that they provided; had some conversation with the Town's accounting firm and at this stage I have serious concerns, myself, about this. I think a 44.5% increase on a rate that is only 3 years ago went up nearly 70%; I think this is just excessive. And it does not appear by the paperwork, that I've look at, that any particular effort has been made to do any type of cost savings or keep the pricing down. So that is my opinion, also things are different from when we talked about this 3 years ago. Three years ago, it had been many years since there had been a rate increase, 20 years ago, so it seemed more logical that a rate increase was due. But, to expect another one and alarming it is in spite of the fact that we had the rate increase, within a year they were losing money again. So, I find that very troubling and not quite sure how to explain that. In my opinion, and others have heard me say this before, when you purchased Bristol Harbor, you purchased a whole package. You purchased a marina, a golf course, a restaurant, and you also happen to purchase a sewer plant and a waterworks. I don't think any one of them necessarily can stand alone, they all need each other. Certainly, I don't believe the sewer plant, or the waterworks were ever intended to be wildly profitable; perhaps manageably profitable, but I believe they would have been dependent on the other sister organizations that were part of the Bristol Harbor works. Having said that, we no longer have a marina under their stead, the restaurant has been closed, the golf course proposing, I guess, to be closed and a hotel has been torn down. Those were the money-making sides from my point of view and that is why I can't support any type of rate increase whatsoever. I would be interested in hearing what others have to say.

Councilman Wohlschlegel said he mirrors what Dan just said also. It just seems outlandish, the amount they were asking for, for an increase. When you look at the buildings they tore down, you don't have the operation of the lodge anymore to offset some of those costs, I would totally agree with you.

Councilwoman Goodwin said if they went back they could really pare down this budget some. That is my feeling.

Councilman Cowley said he agreed with Dan, a lot of the stuff he said. I know working at a sewage treatment plant; it is not a money-making operation typically. I believe hearing everything since then and what has happened the last 6 months, I agree with the rest of the Board.

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Supr. Marshall asked for any other discussion on the rate request.

Councilman Wohlschlegel asked, what do we do from here?

Supr. Marshall answered, if indeed we are going to say No to this rate increase, we want to do it officially so that it is recognized as a decision that has been made by the Board. Again, to remind you, if we were to do nothing, it would become a law, it would become. If everybody feels the way they feel I guess we are looking for a motion to deny the rate increase.

On a motion made by Councilman Wohlschlegel to deny the rate increase and seconded by Councilwoman Goodwin, the motion was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

### **2021 BUDGET PREPARATIONS – SCHEDULE A PUBLIC HEARING**

Supr. Marshall noted that the Board is building a budget for the coming year. The Board members now have the Preliminary 2021 Budget which is the budget prepared for the public to review which requires a public hearing. Supr. Marshall said he would like to schedule the public hearing prior to the next Board meeting, in case of any more work that needs to be done on it as a result of the public hearing. The final decision for the 2021 budget at the November Town Board meeting, November 9<sup>th</sup>.

Supr. Marshall noted that there might be a change to the budget for a \$30,000.00 to cover closing costs for the Bond. We might be able to take the funds from the Capital Reserve Fund and will not have to take the money out of the Unexpended Fund Balance.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the 2021 Preliminary Budget Public Hearing is scheduled for Saturday, October 24, 2020 at 10:00am was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

### **ZOMBIE PROPERTIES**

Supr. Marshall noted that 2 months ago we had a conversation and we looked at a law that had been put forth by the Town of Hopewell. We also asked the Planning Board to take a look at the law and the Planning Board, with the acceptance of one, were in agreement and asked for extra time to review it and they did. The Planning Board has since come back and stated that they agreed with the proposed law. This Board can now send the Hopewell version to the Town Attorney to turn it into a local law.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel send the information to the Town Attorney for the creation of a new Town Law for Brush, Grass and Weeds, etc. was ACCPEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

### **ASSESSOR'S SCHEDULE OF ACTIVITY**

Supr. Marshall said this is to formally accept the information from the Assessor for the NYS Retirement requirement reporting 3 months of activity.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Resolution No. 41-2020, the record was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

### **RESOLUTION NO. 41-2020**

Insert info

**VII. NEW BUSINESS**

**APPOINTMENT – COUNTY PLANNING BOARD**

Supr. Marshall noted that Bert Crofton retired from the County Planning Board and the Town's ZBA which leaves a vacancy. Planning Board member, Bessie Tyrrell, has asked to be appointed for the County Planning position.

On a motion made by Councilman Wohlschlegel and seconded Councilwoman Goodwin, Resolution No. 42-2020 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**RESOLUTION NO. 42-2020**

WHEREAS, a vacancy exists on the Ontario County Planning Board, and  
WHEREAS, the position is to be held by a representative of the Town of South Bristol Zoning Board or Planning Board, and

WHEREAS, Planning Board member Bessie Tyrrell has expressed a desire to fill the vacancy, now therefore be it

RESOLVED, that the South Bristol Town Board appoint Bessie Tyrrell as our representative to the Ontario County Planning Board, and

RESOLVED that a copy of this Resolution be sent to Bessie Tyrrell.

**APPOINTMENT – ZONING BOARD OF APPEALS**

Supr. Marshall noted that with Mr. Crofton's retirement, a vacancy on the ZBA will be filled by Martin Gordon.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Resolution No. 43-2020 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**RESOLUTION NO. 43-2020**

WHEREAS, a vacancy exists on the Town Zoning Board of Appeals due to the retirement of Bert Crofton, and

WHEREAS, Martin Gordon, PE has expressed a desire to become a member of the Zoning Board of Appeals, and

WHEREAS, Mr. Gordon has been interviewed by the Chairman of the Zoning Board of Appeals, and recommends his approval, now

RESOLVED, that Martin Gordon be appointed to the Zoning Board of Appeals as Alternate Member #2, and

RESOLVED, that a copy of this Resolution be forwarded to Martin Gordon, PE, 6765 State Route 21, Naples, NY 14512.

**RESOLUTION SUPPORTING COURT'S 2020-21 JCAP APPLICATION**

Supr. Marshall said the next resolution is to approve the application of the JCAP grant which would provide improvements to the court room. We are requesting chairs for the meeting room and a better WebEx system and to also provide security for Justice's. The request that we applied for is close to \$6,000.00.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley Resolution No. 44-2020 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**RESOLUTION NO. 44-2020  
APPROVING A REQUEST FOR JCAP GRANT**

WHEREAS, the South Bristol Town Court has the opportunity to apply for a JCAP grant,  
and

WHEREAS, the JCAP grant can be used to improve the safety and the furnishings of the  
Town Courtroom, and

WHEREAS, the Town Justices have asked for additional security devices and better  
seating for Courtroom attendees, now therefore be it

RESOLVED, that the Town Board approves the request of the Town Court to apply for  
said JCAP Grant, and

RESOLVED, that a copy of this Resolution be sent to the Town Justices and the Office  
of Justice Court Support.

**VIII. REPORTS:  
ASSESSOR**

Councilman Cowley read the Assessor's Report.

On a motion made by Councilman Cowley and seconded Councilwoman Goodwin the  
September 2020 Assessor's Report. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall,  
Goodwin, Wohlschlegel and Cowley.

**CEO**

Councilman Cowley read the CEO report.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel,  
the September 2020 CEO Reports were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting  
AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**TOWN CLERK/TAX COLLECTION**

Supr. Marshall read the Town Clerk's report.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley the  
September 2020 Town Clerk's Report was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting  
AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**APPROVAL OF MINUTES**

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman  
Goodwin the minutes of the minutes September 14, 2020 Town Board Meeting were ACCEPTED.  
Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

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

Supr. Marshall read from the Executive Summary; bank accounts were reconciled as of  
September 30<sup>th</sup>, reported an error on the report. The Summary page shows the General Fund, we  
have spent far more than 16.3% of the budget for the year. The original \$2 million that is the  
Bond is included in the numbers and should have moved over to the H fund. The real figure is  
about 55% of the budget has been expended. The DA Fund for the Highway Dept. is at 68%  
expended.

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On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Supervisor’s Reports for September 2020 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**BUDGET TRANSFERS**

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the Budget Transfers dated October 13, 2020 were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

Transfer From	A1990.4	Contingent Acct to	
	A1110.102	Municipal Court- Per Ser Clerk	\$1,500
	A1990.4	Contingent Acct to	
	A8160.4	Refuse & Garbage – Contr	\$3,000
	A1990.4	Contingent Acct to	
	A1355.4	Assessor – Contr	\$29.50

**APPROVAL OF VOUCHERS**

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Abstract No. 10, totaling \$601,181.64 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel and Cowley.

**PRIVILEGE OF THE FLOOR**

Joe Kohler of Bristol Harbor, humbly thanked and salutes the Town of South Bristol for all your hard work and going over all the numbers of various data that you’ve reviewed for your decision tonight for the residents of Bristol Harbor Village. To the Town Clerk for her help, the Town Supervisor for his brave and courageous leadership, thank you.

**XI. ADJOURN: 7:50PM**

Respectfully submitted:  
Judy Voss  
South Bristol Town Clerk