

## **SOUTH BRISTOL TOWN BOARD MEETING**

March 8, 2021

### **REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order March 8, 2021 at 7:00 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  
Jim Strickland, Councilman  
Scott Wohlschlegel, Councilman

### **RECORDING SECRETARY**

Judy Voss, Town Clerk

### **OTHERS**

Jim Wight, Alan & Kristie Braun, Baird Couch, Brian Perkins, Cathy Fields, and 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 Wohlschlegel and Councilman Cowley, the minutes of the February 8, 2021 Public Hearing minutes and the February 8, 2021 Regular Town Board minutes were ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, and Cowley. Abstain – Goodwin.

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

Alan Braun of Bristol Harbor said he is requesting to allow Bristol Harbor Village Association to use the conference room for a community need. It is scheduled at this point to be held on Friday April 30<sup>th</sup> at 10am for about 2 hours. You may recall the Town previously allowed our association to have our annual meeting there on October 26, 2019. This official meeting of our association is being called by the residents per our documents to help bring Bristol Harbor to where we were with harmony and peace for all by recalling the existing Board of Directors with a new Board being named and voted in. With the new NYS guidelines effective March 22<sup>nd</sup>, this meeting can be held up to 105 but I don't know what is going to be allowed yet. With your video and conference call, thanks to your team and Judy, the Town now has this \*\*\* facility. Most of Village residents have been on go-to meeting calls all ready where 127 signed in last time. The majority of the snow birds may not be available to attend in person. We will have pre-registration for those who want to be in person to sign in for \*\*\*. I sincerely hope you vote to allow this meeting. Please let me know if you have any question.

Supr. Marshall asked the Board if they had any questions.

Councilwoman Goodwin asked, the meeting was held here last year, is that what you said?

Alan Braun answered that it was 2019.

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Supr. Marshall said there have been several meetings; there must have been one prior to that too. Who is going to conduct the meeting?

Mr. Braun said that is still to be determined. There is a group of us that have signed the petition recalling the Board. Bob Spada was the one who led the petition and a bunch of other people, Pete Hessney, Henry Savage, who are all being named as in charge.

Supr. Marshall asked, all the previous meetings held here for the Bristol Harbor community, it was conducted by the management company. Supr. Marshall said that the entire Bristol Harbor community is invited to this meeting?

Mr. Braun agreed.

Supr. Marshall said he did speak with Laura Halloran about this as well and she has no objection; she did point out that there is a vetting process going on right now which we have nothing to do with that whatsoever. Presuming that the vetting process runs cleanly, and I would assume the meeting would be perfectly legitimate to have here. Anybody have any concerns or objections to that?

Councilman Cowley and Councilwoman Goodwin said they did not have any objections.

Supr. Marshall told Mr. Braun that the Board doesn't object to having the meeting here and will have to coordinate with Clerk Voss as far as operation of the equipment, etc.

Supr. Marshall said at some time we are going to have to address the requirements for the use of the meeting room and the audio/video system. We have talked about non-profits or town group; town residents only, etc.

Joe Kohler, of Bristol Harbor, thank you for the privilege and defers to the end of the meeting.

Supr. Marshall noted that one thing that is not on the Agenda this evening that I want to pursue, as you know that Bessie Tyrrell has retired from the Planning Board. I am presenting before the Board a Resolution of Appreciation and read the resolution.

On a motion made by Councilman Cowley and Councilwoman Goodwin, Resolution No. 29 – 2021 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, and Wohlschlegel.

Supr. Marshall noted that at some time we are going to have to address if a certain number of meetings are missed, or for whatever reason, they are not fulfilling their responsibilities, we have nothing in our Code that allows the Board to remove them. Something to consider.

(7:11pm – Jim Strickland arrives)

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

Councilman Cowley read the Highway Report:  
Following is a brief recap of events at the Highway Department in the last month.

- Snow and ice control as required.
- Job trailer cleaned out and cleaned up and taken off rent 2 weeks ago.
- Job trailer removed from site today.

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- Hauling stone and stockpiling for projects this summer.
- Notified LeChase and Fields Construction that they need to do a better job keeping the road cleaned off (again )
- Working on summer equipment. (Rebuilt side flail on our older roadside mowing tractor)
- Getting electrical wrapped up on new building (outside lights and outlets inside)
- New compactor container has arrived.

Ready for Spring and some warmer temps.

Councilman Cowley wanted to say that the Highway Department has done a great job taking the building down, getting it going and dealing with the contractors. Great job.

Supt. Wight thanked the Town Board for all the funding.

Supr. Marshall noted that the abstract shows 2 bills for Grove Engineering for \$400.00. This voucher is for roadwork on Stid Hill Road and is for road bank stabilization on a steep portion of the roadway. This is through a grant and the Town will likely be reimbursed for this.

Supt. Wight agreed and said it is a big ditch; and we are filling it in with road to prevent it from washing out in the future.

### **FINANCE**

Supr. Marshall reported that the 2020 AUD has been filed with the NYS Comptroller's office. The work has been done by EFPR. In addition, EFPR is performing the Justice Office audit for the Town that is required by law.

### **VI. OLD BUSINESS:**

#### **HIGHWAY GARAGE PROJECT – UPDATE**

Supr. Marshall said the final inspection of the new highway garage will happen within the next week; there is an electrical inspection that needs to be done and then the final Certificate of Occupancy can be issued.

#### **ARTICLE 78 – BRISTOL SEWERAGE DISPOSAL CORP**

Supr. Marshall said under the Article 78 lawsuit against the Town by Bristol Sewerage Disposal Corp.; I was advised today by our attorney that there's been a lot of back-and-forth discussion between our attorney's and the Sewer District attorney's, and the Clerk for the Court has rendered a decision on whether or not additional information was going to be required on the Town's part, which is not the case. We should have a court decision within the next few days.

#### **DISCUSSION ON REMOVING JAIL AS PENALTY FOR CODE VIOLATIONS**

Supr. Marshall said he handed out a tentative, proposed new law that will changing all the language in our Town Code that includes jail time and remove the jail time language and change it to a fine of some type. You may recall, because of this language, it opened up the possibility for the defendants to use a court-appointed attorney. By removing the language and using a financial penalty will eliminate that option. Supr. Marshall asked the Board to review the proposed law; to review the fines as set forth by the attorney and next month, we can add any changes and send it to the Town Attorney and move forward with a public hearing in May. This has all been brought about by virtue of the fact that we have had little success in keeping the Hays violations moving forward and it is quite frustrating. That will be subject of discussion for the next town board meeting.

**VII. NEW BUSINESS**

**SKYPORT-IT QUOTES – APPROVAL FOR COMPUTER UPGRADES**

Supr. Marshall said the Board has received copies of the quote from Skyport-IT for the upgrading of the entire computer system. Apparently, this week there was another major phishing event and malware being put out into the system; especially Malware that can now repeat itself or replicate itself through the Windows operating system. That prompted the urgency of the upgrade for security purposes alone. One of the quotes includes a per-month charge for cloud-based backup of the Town's system which would be all offsite. A new server will be installed in the building and power back up supply for our computer network and phones. It is an expense, around \$14,000, that we are being forced to spend. Supr. Marshall asked for a motion to accept the Skyport-IT quote for the computer upgrades.

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

**FIRE PROTECTION CONTRACT - RICHMOND**

Supr. Marshall said he has the fire and ambulance protection agreement from Richmond Fire Dept which requires Board signature.

Supr. Marshall said he received notification from NYSDEC that there is a parcel on top of Stid Hill that current owner wished to sell to the DEC. The property is 100 acres and is continuous to the existing Stid Hill DEC property; the reason they come and ask the Town about it is because it will be taken off the tax roll. The assessed value is \$88,000.00 for 100 acres; the property includes the area where the hang gliders jump off across from Bristol Mountain.

Supr. Marshall asked for a motion to send a letter to the NYSDEC that the Board has no objection to the sale and purchase of the 100 acres.

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

**VIII. REPORTS:  
ASSESSOR**

No Report.

**CEO**

Councilman Cowley read the CEO Report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the CEO Report for February 2021 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley Strickland and Wohlschlegel.

Supr. Marshall said he had a discussion with CEO Sommer and sometime in the next 8 months he will retire. Given that he has been extremely busy recently, we discussed having a 2<sup>nd</sup> person in to work with him and transition, etc. Supr. Marshall said he reached out to the County to see who was available on their list and there is nobody on their list; the next test is not for another month or more which is not good news for the Town. The Town of Bristol does not have a CEO right now and has borrowed someone from the Town of Canandaigua.

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### **TOWN CLERK/TAX COLLECTION**

Supr. Marshall read the Town Clerk's Report.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin the February 2021 Town Clerk's Report and Tax Collector's Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Strickland and Wohlschlegel.

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

Supr. Marshall read the Supervisor's Report, as of February 28<sup>th</sup> the town has \$3,294,000.00 in the bank; our total receipts for the month were \$102,979.00, etc.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the Supervisor's Report for February 2021 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Cowley, Strickland and Wohlschlegel.

### **BUDGET TRANSFER**

Supr. Marshall said there is a budget transfer for Board approval; we underestimated what we needed for Life Insurance.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin the Budget Transfer dated March 8, 2021 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Cowley, Strickland and Wohlschlegel.

Transfer From	A1990.4 Contingent to	
	A9045.8 Life Insurance	\$46.40
	DA9055.8 Disability Ins. To	
	DA9045.8 Life Insu	\$205.00
	DA5140.4 Bushes & Weeds Contr to	
	DA9045.8 Life Insur	\$14.05

### **APPROVAL OF VOUCHERS**

Supr. Marshall read from the Abstract; Salt costs of \$41,590.00; new compactor box for \$9,304.00 and new compressor for Garage.

Councilman Cowley asked about the Finger Lakes Environmental cost \$10,750.00 for the new septic system installation at the new Highway Barn?

Supr. Marshall agreed. The cost of \$3000.00 to Ontario County Soil & Water is the Town's share of the watershed inspector's salary.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Abstract No. 3, totaling \$140,677.07 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

### **PRIVILEGE OF THE FLOOR**

Joe Kohler of Bristol Harbor said he has been attending these meetings since 1975 when we used to meet in Jack Brahm's office in the old town shed; congratulations on the upgrades to the town hall and state of the art highway facility. Thank you to the administrative staff for making this miracle from the Commonwealth of the Bahamas.

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**XI. ADJOURN: 7:45pm**

Respectfully submitted:

Judy Voss  
South Bristol Town Clerk