

## SOUTH BRISTOL TOWN BOARD MEETING

October 12, 2021

### **REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order October 12, 2021 at 7:04pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

### **PRESENT**

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

### **RECORDING SECRETARY**

Judy Voss, Town Clerk

### **OTHERS**

Gloria Harrington, Sally Berry, Joe Kohler, Tracey & John Howe, Virginia Lalka, Linda McElveen

Online: Jordan Lack, Amy Gordon, Mark, Vija Pettinger and Kim Kohler-Lovejoy et al

### **I. ROLL CALL**

Supr. Marshall opened the meeting with roll call.

### **II. PLEDGE OF ALLEGIANCE**

### **III. APPROVAL OF MINUTES**

Clerk Voss said the September minutes are not completed yet.

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

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

Councilman Cowley read the Highway Report:

Following is a brief summary of events for the last month.

- Roads that were oiled and stoned or paved or just needed it were striped recently.
- Seneca Pt. was grader patched and shimmed were needed.
- Roadside mowing continues.
- Town property mowing continues.
- New, large (7' tall x 10' wide ) culvert pipe for the road at the Wilder Cemetery has been delivered.
- Waiting to hear back from DEC to see if permit is required for install.
- Have a large quantity of sand/salt mixed up for early winter application.
- Many trees to trim yet, some will be removed.

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

**VI. OLD BUSINESS:**

**UPDATE ON BRISTOL HARBOUR HYDRANT QUESTIONS**

Supr. Marshall said that the Town Attorney has told him that there is no legal teeth in order to make the developer provide fire hydrant services. We have a lot of documentation that shows that in the past they were used as fire hydrants. Now, and because there is actually nothing ever written in a contractual way with Bristol Waterworks, they don't necessarily have to supply a fire hydrant service. The residents of Bristol Harbor were given a survey to fill out; Supr. Marshall said he reached out to the Developer's attorney today hoping for results from the survey and what type of action might have resulted from that. Beyond that we go to the next step which will be more involvement with previous fire departments who have indicated that in the past they tested those systems to be suitable for fire hydrants. From a legal perspective, our Town Attorney feels that in spite of the fact that we have found evidence that they were used as fire hydrants, there isn't anything that would require them to maintain that service. We recognize that it needs to be fixed, and we are still trying to figure out the best way forward.

**RESOLUTION APPROVING LOCAL CANNABIS LAW**

Supr. Marshall asked the Board if they needed time to think about the new law. Councilman Strickland and Councilman Wohlschlegel agreed.

**RESOLUTION – ESTABLISHING RESERVE ACCOUNT  
FOR ARPA MONEY**

Supr. Marshall said the Reserve Account for the ARPA money has been established. The Town Attorney approved the process and wrote the Resolution. Nothing actionable.

**2022 BUDGET PREPARATION UPDATE**

Supr. Marshall said the 2022 Preliminary Budget is in place; the Board had a Budget Workshop on Saturday, and the necessary changes that were discussed were made into the Preliminary Budget. The Budget still maintains the \$1.08 tax rate; hasn't changed from last year. The Town received considerably more Sales Tax revenue than budgeted for this year, so the fund balance is healthy. The sales tax is well over half of the Town's revenue. We are under the tax cap as we are required to do. We are under the tax cap by \$25,000.00. Because we have a better than anticipated Fund Balance, we are going to be able to do a few projects that we have been putting off for years. The entry way of the Town Hall has needed attention for some time and should be replaced; the highway garage parking lot needs to be repaved to name a few. The tax rate will not change at all. We have also set money aside for Bond Debt repayment for the new highway garage and it appears as though we won't even need to touch that for the coming year.

Supr. Marshall wanted to update the Board on the Enhanced Traffic Enforcement that has been in place for most of the summer. The report for September listed 16 citations.

Supr. Marshall said the Assessor wanted everyone to be aware that the STAR program has the option of receiving a check from the State instead of the assessment exemption. Contact the Assessor's office for more information.

Supr. Marshall said the old sound system in the meeting room needs to be taken off the Town's inventory list. There is no value to the system.

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On a motion made by Councilman Cowley and seconded by Councilman Strickland the sound system was removed from the Town's Asset list was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Strickland, Wohlschlegel and Cowley.

### **VII. NEW BUSINESS:**

#### **APPOINTMENT – JILL GORDON TO PLANNING BOARD**

Supr. Marshall reported that there are 2 vacancies on the Planning Board and Jill Gordon has been interviewed by the Planning Board Chair, Matt Sousa. It is recommended that we appoint Jill Gordon to the Planning Board as Alternate #1.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, to appoint Jill Gordon as Alternate #1 of the South Bristol Planning Board was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Strickland, Wohlschlegel and Cowley.

#### **REQUESTED LANGUAGE CHANGE TO 170-64 TOWN CODE STORAGE AND USE OF RV's**

Supr. Marshall said there are 2 requests for changes to the Town Code, one of them has already been before the Planning Board and suggested sending the information to the Town Attorney to convert them into local law. The Planning Board approved the Code that deals with 2 homes on the same lot; by requirements of 911, they need to have the same address but to designate the difference with a -A or -B.

The second change is with regards to RV's and we will discuss this next month.

#### **BROADBAND CONNECTIVITY ACT – DISCUSSION**

Supr. Marshall said he received a letter from the Dept. of Public Service asking the Town to reach out to our residents who do not have adequate internet service or no service. The Comprehensive Broadband Connectivity Act which was enacted in May 2021, is intended to help small rural communities to expand broadband. They are requesting that the residents to fill out the survey which will be placed on the front page of the Town's website. The NYS Broadband office did send the Town an estimate to complete the Town of \$1,109,000.00. South Gannett Hill Road along is \$234,000.00; a very expensive process. One possible use of our ARPA money can be used to expand broadband, only \$160,000.00; still a long way from the total. Discussion.

#### **REAL PROPERTY TAX EXEMPTIONS REVIEW**

Supr. Marshall said that there are certain exemptions available to residents on their property tax. The exemptions for Veteran's, Senior Citizens and people with disabilities and all of these groups have to be under a certain income level. In 2015, there was a change to an exemption for low-income senior citizens that was unfortunately done incorrectly. It was done by resolution when in fact it needed to be a local law. In 2017, we proceeded to correct this with a local law, and the local law incorrectly listed exemptions for disabled persons. Now today, it is time to discuss a new local law, in which we would address the issues from the past and it is a good time to review the exemptions and at what level they should be. For example, under the current level, the income of \$15,000 per year there is a 50% reduction on your assessment. If as high as \$23,400 there is only a 5% exemption: all lowering the taxes by \$802.00. If we were to increase the exemption to \$19,000 and to \$27,000.00 it would be an additional \$203.00. We

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really need to think about what we want to use for the income levels for both the senior citizen and disabled exemptions.

The Board felt they needed to review the exemptions. There is a lot of information.

### **HIGHWAY – TRACTOR PURCHASE**

Supr. Marshall brought up the purchase of a tractor for the Highway Department. Last month the Board discussed which tractor to purchase, and that the decision is to purchase a Kubota tractor.

Supt. Wight agreed and said the Board has the information; the Kubota is more readily available. The New Holland tractors are months out and Empire Tractor is local and easy to deal with.

Supr. Marshall said that there is money in the budget for this purchase, the balance in the budget line DA5132.2 which is Equipment, \$195,500.00. From that amount, \$50,702.00 to the new F600 Truck that is on order, and \$51,018.00 for the pickup that is coming, and a body and plow for \$49,982.20. That is \$151,000.00 committed, the remaining balance is \$43,796.00 and the tractor cost is \$42,000.00.

Supt. Wight said he did not know when the new trucks will get here; everything is so far out. There are Town Boards that are ordering trucks for next year; the delivery isn't expected for 1 ½ years.

Supr. Marshall said that is the situation we are facing. Supt. Wight agreed.

Discussion.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the purchase of the Kubota Tractor for \$42,017.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Strickland, Wohlschlegel and Cowley.

### **VIII. REPORTS:** **ASSESSOR**

Supr. Marshall read the report.

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

### **CEO**

Councilman Cowley read the CEO Report.

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

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

Supr. Marshall read the Town Clerk's Report.

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

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

Supr. Marshall read the Report.

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

**BUDGET TRANSFERS**

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin the budget Transfers dated October 13, 2021 were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Strickland, Wohlschlegel and Cowley.

Transfer From	A1990.4	Contingent Acct to	
	A1420.4	Law, Contr	\$1,926.05
	A1410.4	Clerk, Contr	\$400.00
	A1110.4	Muni Court, Contr to	
	A1110.102	Muni Court, Per Ser Deputy	\$800.00
	A1680.2	Central Data Proc, Equip to	
	A9060.8	Hosp & Med Empl Benefit	\$5,800.00
	A8160.2	Refuse & Garbage Equip to	
	A8160.4	Refuse & Garbage Cont	\$3,900.00

**APPROVAL OF VOUCHERS**

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Abstract No. 9, totaling \$27,402.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Wohlschlegel and Strickland.

**PRIVILEGE OF THE FLOOR**

Joe Kohler of Bristol Harbor mentioned that he heard some good news for the Town of South Bristol. Eastview Mall has returned to pre-Covid sale levels.

**XI. ADJOURN: 8:11pm**

Respectfully submitted:

Judy Voss  
South Bristol Town Clerk