

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order December 13, 2021 at 7:00pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

Daniel Marshall, Supervisor
Stephen Cowley, Councilman
Jim Strickland, Councilman
Scott Wohlschlegel, Councilman

ABSENT

Donna Goodwin, Councilwoman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Assemblyman Jeff Gallagher and his Chief of Staff, Alexia Orga Kevin Stahl, Mimi Gotham, Lisa Moore, Chris Benham, Beth Bingham, Joe Kohler, Tracey Howe, Virginia Lalka, Alan Braun, Bessie Tyrrell, Jonathan Heidrich, Jim Wight, 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 minutes of the November 8, 2021 Public Hearing meeting were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the minutes of the November 8, 2021 Town Board Meeting were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

IV. PRIVILEGE OF THE FLOOR

Supr. Marshall introduced Assemblyman Jeff Gallahan and his Chief of Staff Alexis Orga.

Assembly Gallagan thanked the Supervisor, a privilege to be here this evening. I'll just give you a quick synopsis of my first year down in Albany; the first 6 months. As you can imagine, Albany from January until June 2021 was a crazy place. Lot of different things going on, there were restrictions, nobody could get into the Legislative office building, they weren't letting anybody into the Capitol building except the elected officials and staff. They allowed 30 of us in the Session Room which normally holds 150 assembly-people and 100 guests. Zoom was part the nomenclature down there and went down there every week like I was elected to do and was there every day except for 3 days. People were zooming from home and different parts of the country, a very odd year in Albany. On top of that was the controversy with the Governor and what happened in the State; we have a new Governor, Governor Hochul, it was a strange,

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

strange year in Albany. We haven't heard this year, yet, whether we are going to be allowed in to the Session Room or not; all 150 of us. For the first time in 10 years, Governor Hochul will be giving her State of the State address from the Assembly Session Room. I look forward to that. It is an exciting year, we are all back on the 5th of January and we will be there until the 2nd week in June. Lot of different things are happening; a lot of different bills that are being talked about so we have our work cut out for us. Rest assured I'll be fighting for the values of the 131st District. If anyone has any concerns please contact my office, Alexis, my Chief of Staff is here with me this evening and she will take care any questions that you have. With that I will open the floor to anyone that has any question anybody might have.

Supr. Marshall asked if any of the residents had questions for Assemblyman Gallahan.

Lisa Moore of Seneca Point Road asked about the Infrastructure Bill that has just been passed is supposed to especially help rural areas and that New York State is going to be the 3rd largest recipient of money that is coming in. How is that Infrastructure Bill going to be spent, what are the kinds of things that you are looking at to decide how that is spent and how that will much money will be spent in Ontario County?

Assemblyman Gallahan said we haven't seen any numbers yet, what's coming our way, we are hearing different scenarios and from what I've seen, infrastructure itself is a smaller part of the Bill. We are excited to be getting some money from the Federal Government for sure, but the devil is in the details. We don't know exactly where it is at and will be posting on our website and social media when we do. Assemblyman Gallahan asked Alexis for her input.

Ms. Orga said that ** is still going through the bill and that they weren't sure of a time line when municipalities would see any funding from the Infrastructure Bill. Details have to be worked out by individual Federal Agencies.

Ms. Moore asked about expanding Broadband and improving Broadband in our area; just putting that on your radar. That is a concern we all have had for some time.

Assemblyman Gallahan couldn't agree more, and we have been working on that for quite some time. We have a meeting with OTTC out of Phelps, NY to try and help them out; they have run into some snags from State right-of-ways , problems where they couldn't get broadband in rural areas and helping straighten that out and it is moving along.

Discussion.

Joe Kohler of Bristol Harbor thanked Assemblyman Gallahan and Ms. Orga for their service to the State and the people of the State of New York. I sent Governor Kathy Hochul, I personally posted a registered letter signed by the Bristol Harbor Village Association and would appreciate it and if I could hear back from the Governor's office.

Assemblyman Gallahan said he would look into this for Mr. Kohler.

Discussion.

Supr. Marshall said he had the pleasure of working with Assemblyman Gallahan when he was Supervisor for the Town of Manchester for many year, 12 years, and thanked him and thanked Alexis Orga for attending the meeting tonight.

Kevin Stahl of Bristol Harbor wanted to ask Assemblyman Gallahan, to add to Mr. Kohler's comment and the letter sent to the Governor. We need some political help to straighten that place out, literally.

Mr. Kohler said the letter invited Governor Hochel to Bristol Harbor.

Mr. Stahl said there are a lot of other people too that have not gotten a response from Albany. Bristol Harbor, to me, is an asset to the Finger Lakes community and I would hate to see

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

us go down; we need some help other than our Homeowner's Association or going to Court. We need all the help we can get.

Assemblyman Gallahan said he has conversations with couple of folks that live there so I am a little background on it.

Lisa Moore of Seneca Point Road thanked the Board for letting her speak. I've come forward to discuss the speeding problem we have on Seneca Point Road. As we all know, the hill in particular, has always been a challenge. While I am aware in 2015 the Town was denied their request 40mph extended to Coye Road, the Petition I want to present today to the Board is instead about lowering speed limits, 35 mph, on the one long stretch of the hill that begins at 5409 Seneca Point Road and extends to the point where the speed limit changes to 25 mph just past the bridge crossing the road. You can see the area in the handout I gave you.

Supt. Wight said this has been looked at before, the Town has to request from the State.

Lisa Moore continued, there are several issues at stake. The National Traffic Safety Administration has done a study that indicates that drivers with local county roads like ours typically speed between 7-10 mph over the speed limit. So, we can assume that driver's going 55 mph rather than 45 mph at the top of the hill. Based on observation, I see no evidence that drivers are reducing their speed as they come down the hill toward the Point. In addition, there is a blind curve at the gully, so a driver does not see the 25-mph speed limit until it is nearly impossible to slow down. We've had 3 accidents in the past few years that where residents have made me aware of where speeders have lost control of their cars and ended up knocking down a front fence and landing in the front yard; at the top of the hill, running into the Golfside Circle sign mid-way down the hill and ending up in Sycamore trees near where the old Morse family cottage once stood. So, cyclists, dog walkers, families and wildlife all frequent this road along side cars. Some even call it the Deer Highway. Study shows that if a pedestrian is struck by a car at 40 mph, the current speed limit, only 2 out of 10 people will survive. In August of this year, I am grateful that our Town has supported a Resolution to join NYS ** Initiative. Given that this a shared-use road, it is now even more incumbent upon us to make sure that all the users on it are safe in a Town where the median age is 55. I know 3 incidents where beloved dogs have been hit, injured or killed in the last few years, along this road. In addition, population density has increased since 2015, when the speed limit was previously studied. According to the Terrace's Real Estate Broker, there have been 12 new houses that have been built on the lake side of Seneca Point Road and 3 on the opposite side. Maybe the most significant factor of all is Covid; since Covid studies show more people are out walking and unfortunately the pedestrian fatalities have increased. Because of this, there has been a national trend to lower speed limits. Seneca Point Road is a scenic walkway with much pedestrian traffic in all seasons, but particularly during the high season when families want to walk the road with their children. And throughout the year, dogs, walkers, avid joggers, and cyclist enjoy this stretch of road. The current situation is an accident waiting to happen. I am hoping that presenting this petition in the low season will have beneficial effects for the safety of our friends and neighbors along what is often called South Bristol's Main Street as our Town doesn't otherwise have such an area for friends and neighbors to walk along Canandaigua Lake and share the same beauty of South Bristol. Therefore, I am pleased to present the Town Board with this Petition, signed by 128 residents and supported by email by 21 more and in it we propose the following:

1. Lower the speed limit to 35 mph on the hill
2. Put up a sign that states that the speed limit will change to 25 mph.

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

3. Put up a radar sign like the one in Woodville that shows how fast a car is travelling.

Items 2 and 3 are within the purview of the Board, the changing speed limit sign would be easy to accomplish and can be done quickly. The radar sign is something that we hope will serve a change of speed limit. But if that change is not approved, research shows that such signs are up to 60% successful in encouraging drivers to slow down. So I hope we can get that in place either way. For lowering the speed limit, I respectfully request a Resolution from the Board for the Department of Transportation to conduct a formal review that will allow us to lower it to 35 mph. Thank you.

Supr. Marshall noted that there was a previous attempt, during his 20 years here there were as many as 8 or 9 speeding requests and successful with one. As I explained to you Lisa, there is a process to this request. This will go to the Ontario County Public Works Officer and then gets forwarded to NYDOT. The DOT will usually put traffic counters in place and then we wait for an answer. Typically, as it has happened in the past, there hasn't been a lot of success in our requests.

V. COMMITTEE REPORTS:
HIGHWAY

Councilman Cowley read the Highway Report: Following is a brief summary of events in the last month:

- Roadside mowing done for the year.
- Picnic tables and benches picked up from Overlook and stored.
- New culvert installed at Founders Cemetery and being used by the general public.
- All trucks ready for winter, plows installed, winter tires, etc.
- Most summer equipment winterized and stored.
- Already been out plowing and sanding!
- Lots of tree cleanup from the high winds.

VI. OLD BUSINESS:

REAL PROPERTY TAX EXEMPTIONS – SCHEDULE PUBLIC HEARING

Supr. Marshall said there is a request to change the Exemption rates for Senior Citizens and Disabled Veteran's. This local law will raise the minimum amount of income an individual; lowest being \$19,300.00. We are proposing a local law to do those changes and need to schedule a public hearing. These are suggested by the Assessor.

On a motion made by Council man Strickland and seconded by Councilman Cowley, Resolution #42 - 2021 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

RESOLUTION 42-2021

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 entitled "A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes"; 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

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

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 January 10, 2022, 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 December 13, 2021, by the following vote:

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

Dated: _____, 2021

Judy Voss, Town Clerk

SEAL

VII. NEW BUSINESS:

SCHEDULE YEAR-END MEETING DATE

Supr. Marshall suggested Tuesday, December 28th, 2021 at 1:00pm. Town Board agreed.

PLANNING BOARD APPOINTMENT

Supr. Marshall said the candidate that is being considered for this position would like to have some more time to speak with the Planning Department.

MRB PROPOSAL FOR ENTRY-WAY

Supr. Marshall said he received a quote for a proposal to redesign the Town Hall's entryway from MRB Group and asked Councilman Strickland to speak about it.

Councilman Strickland said he spoke with Scott Bova from MRB Group and is the same gentleman we worked with during the construction of the new Highway Barns. Councilman Strickland asked Mr. Bova for information for the Town Hall's entry way and received a estimate of \$9,500.00 for the design work. Councilman Strickland said that figure seems overboard.

Supr. Marshall said we can speak with Mr. Bova after the holidays about the price.

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

VIII. REPORTS:
ASSESSOR

Councilman Cowley read the report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the Assessor’s Report for November 2021 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

CEO

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel the CEO Report for November 2021 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

Supr. Marshall noted that this is Scott Martin’s first report to the Board.

Councilman Cowley spoke with Deputy CEO Alan Pearce, and he will be working on the backlog of open permits. Bristol Mountain has been issued a fireworks display permit.

Supr. Marshall noted that the Short-Term Rental Permits continue to be a significant number; just seems to be expanding exponentially here in South Bristol. The law is intended to protect the neighbors from rowdy parties, etc. There was a request for a Short-Term Rental on Mountainside Drive that had been a problem from the beginning and the bottom line is, their bridge across Mudd Creek collapsed during a storm and will have to pull back because of the danger and liability.

TOWN CLERK/TAX COLLECTION

Supr. Marshall read the Town Clerk’s report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the November 2021 Town Clerk’s Report was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

IX. ACCOUNTING:
SUPERVISOR’S REPORT

Supr. Marshall read the Report.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel the November Supervisor’s Report was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

BUDGET AMENDMENT

Supr. Marshall said the amendment is for the Justice Grant received to build the security knee-wall for \$2,000.00.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland the Budget Amendment dated December 13, 2021 were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

Transfer From A3089	State Aid (Justice Grant) to	
A1110.4	Municipal Court, Cont	\$2,000.00

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

BUDGET TRANSFER

Supr. Marshall said money is being moved around so every account has sufficient funds.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the Budget Transfers dated December 13, 2021 were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

Transfer From	A1110.4 Municipal Court, Contr to A1110.102 Municipal Court Pers Serv	\$500.00
	A1380.4 Fiscal Agents Fee, Contr to A1410.4 Clerk, Contr	\$1,903.65
	A1380.4 Fiscal Agents Fee, Contr to A1420.4 Law, Contr	\$7,278.50
	A1380.4 Fiscal Agents Fee, Contr to A1620.4 Buildings, Contr	\$1,903.51
	A1380.4 Fiscal Agents Fee, Contr to A1650.4 Central Comm System, Contr	\$5,305.97
	A1380.4 Fiscal Agents Fee, Contr to A8160.4 Refuse & Garbage, Contr	\$123.35
	A8160.2 Refuse & Garbage, Equip to A8160.4 Refuse & Garbage, Contr	\$6,100.00
	A1380.4 Fiscal Agents Fee, Contr to A8810.4 Cemetery, Contr	\$3,328.48
	A1380.4 Fiscal Agents Fee, Contr to A9010.8 State Retirement System	\$3,244.00
	A1380.4 Fiscal Agents Fee, Contr to A9030.8 Social Security	\$1,637.09
	A1620.2 Buildings, Equip etc to A9030.8 Social Security	\$2,000.00
	A1380.4 Fiscal Agent Fees, Contr to A9060.8 Hospital & Medical	\$1,146.22
	A1990.4 Contingency to A9060.8 Hospital & Medical	\$1,057.76
	DA5130.2 Machinery, Equip etc to	

SOUTH BRISTOL TOWN BOARD MEETING

December 13, 2021

DA5110.4 Main of Streets, Contr	\$1,975.28
DA5110.1 Main of Streets, Per Ser to DA5148.1 Service Other Govts, Per Se	\$12,500.00
DA5130.2 Machinery, Equip etc to DA9010.8 State Retirement System	\$6,049.00

APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Abstract of Vouchers totaling \$157,407.45 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Cowley and Strickland.

PRIVILEGE OF THE FLOOR

Joe Kohler of Bristol Harbour thanked the Board, and Assemblyman Gallagher and others for your continued interest in the challenges at Bristol Harbour which go back to the ownerships at Bristol Harbour; specifically, your letter to the Public Service Commission. The letter was very helpful and much appreciated by the residents as the water company demanding \$109,000.00 a year more from the residents, more than doubling our rates. To quote one owner over there, “Supervisor Marshall’s letter was succinct, powerful, he said everything in a few sentences.” Thank you, Sir.

Supr. Marshall said the letter was written at the request of Gloria Harrington, the Vice President of BHVA.

XI. ADJOURN: 7:51pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk