

## **SOUTH BRISTOL TOWN BOARD MEETING**

April 11, 2022

### **REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order April 11, 2022 at 7:00 pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

### **PRESENT**

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

### **ABSENT**

Jim Strickland, Councilman

### **RECORDING SECRETARY**

Judy Voss, Town Clerk

### **OTHERS**

Jim Wight, Tom Hawks  
Online: David Whitaker, Alan Braun, Wendy Helbig, Serge Weiss 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 seconded by Councilman Cowley, the minutes of the Regular Town Board Meeting, April 11, 2022, were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

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

Tom Hawks of Stemple Hill Road,

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

#### **HIGHWAY**

Councilman Cowley read the Highway Report: Top of the list is the approval of the Grader and is in favor of purchasing the grader for \$250,000 that is in the budget for this machine. The price of the grader is \$270,000.00. The old grader will go to auction and expects to get \$15,000 for it. Elsewhere, the highway dept. is prepping and milling for paving of Seneca Point Road, also paving on South Hill Road and ditch stabilization on Stid Hill. This is being done via a 50/50 grant through Canandaigua Lake Watershed. Also been busy trimming, removing trees on Gulick Road, Mosher Road, Stid Hill Road, Bopple Hill Road and Seneca Point Road. Getting equipment ready for summer construction.

Supr. Marshall asked the Board their thoughts about purchasing the Grader, which was budgeted for this year.

Councilman Wohlschlegel said he did speak to Supt. Wight with renting with the option to buy and spreading that out for 4 years, but you have interest included and doesn't know the advantage of this, wouldn't be spending all the funds at once.

## SOUTH BRISTOL TOWN BOARD MEETING

April 11, 2022

Councilman Cowley said that he spoke with Supt. Wight and said he spoke with Councilman Wohlschlegel and that he is in favor of purchasing the grader. The current grader is going to have to go through the summer months of work, the new grader won't be here for 8 or 9 months. We are going to be putting money into the old grader again, it was bought in 2010 for \$22,000.00 and it was supposed to be temporary; a 5-year plan and it has been 7 years.

Councilman Wohlschlegel said if the machine was leased, he could have it immediately, right?

Councilman Cowley did know that information.

Councilman Strickland asked about purchasing another used machine.

Councilman Cowley said no, that was not brought up at all.

Discussion.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, purchase of a new CAT grader for the Highway Dept was ACCEPTED. Voting AYE: 3. Voting NAY: 1. Voting AYE: Marshall, Strickland and Cowley. Voting NAY: Wohlschlegel.

### **VI. OLD BUSINESS:** **HAYS PROPERTY**

Supr. Marshall said by the end of the month all paperwork will be in order to move forward with the clean-up at the Hays property on State Route 64. The clean-up work was put out to Bid and we received 3 bids: Jim Beach at \$18,900, \$21,500 from Jim Wight and \$75,000 from Cory Rogers.

On a motion made by Councilman Cowley and seconded by Councilman Strickland to accept the Bid from Jim Beach for the Hays clean-up for \$18,900.00 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Wohlschlegel and Cowley.

### **BROADBAND**

Supr. Marshall said that he has been meeting with Spectrum, and they are the company that would provide us with a commission every quarter; Empire Access does not. We are asking Spectrum to give the Town a quote to cover the whole Town. Spectrum has provided a map of the Town showing what is and isn't covered by Broadband, high speed internet. One area that came up since is Stid Hill, as an example. Spectrum told us that Stid Hill had no internet, but they don't know that Empire Access has run fiber-optics on Stid Hill. The reason may be because they have a tower on Stid Hill. All the residents on Stid Hill have high speed internet. The last conversation with Spectrum was they were going to come back in a couple of weeks with the cost.

### **VII. NEW BUSINESS**

#### **RESOLUTION – ESTABLISH OUR PLAN FOR ARPA MONEY RECEIVED**

Supr. Marshall informed the Board that they need to establish a plan on how we are going to use or ARPA/COVID money. There is a report due by the end of the month informing the U.S. Treasury what our plans are. The funds can be used for the expansion of broadband; there are restrictions on what you can use the funding for. The Town is receiving a total of \$160,000.00 in funding.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel using the ARPA funds towards Broadband Expansion was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Wohlschlegel and Cowley.

## SOUTH BRISTOL TOWN BOARD MEETING

April 11, 2022

### **RESOLUTION – APPOINTING FIRM TO REVIEW OUR CURRENT TOWN CODE**

Supr. Marshall said that he has been talking with several engineering firms with regards to a review of our current Town Code. We have a quote from MRB Group and a quote from LaBella Associates for a formal review of our Town Code.

The MRB Group quote is for \$15,000.00 and they alluded to the fact that there could be additional fees as time goes by. That would be up to us whether we wanted to continue additional work.

The LaBella Associates proposal is for \$18,450.00 and quite similar to what work would be done.

Supr. Marshall asked the Board for their thoughts.

Councilman Wohlschlegel said we have worked with both firms.

Supr. Marshall said MRB Group was responsible for the new highway garage.

Councilman Strickland said that it could cost more correct?

Supr. Marshall read from the proposal “we have established this initial allocation to address the highest priorities for the Town and do not expect these funds to address the entirety of the required updates. As these funds are expended, we will discuss additional needs and priorities and recommend additional fund allocation when required.”

Councilman Strickland asked if LaBella is covering everything we need at their price, or they might need additional money?

Supr. Marshall said that it is specially what we had spoken of and what we wanted to have done.

Discussion.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the proposal from MRB Group for \$15,000.00 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Wohlschlegel and Cowley.

### **GENERAL DISCUSSION**

Supr. Marshall noted that there is some business to take care of not on the agenda. There are items from the Town Hall that need to be listed as Surplus and disposed of; 3 metal tables.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the 3 items are listed as surplus was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Wohlschlegel and Cowley.

### **GENERAL DISCUSSION**

Supr. Marshall said that the Planning Board would like the Town Board’s opinion on a proposed law to cover Special Events. In particular they are discussing the fact that there are only looking at Special Events held only in the NC district, Neighborhood Commercial. The maximum number of attendees is proposed at 300 people. There is nothing in this law that concerns Bristol Mountain, which is a Planned Development, and should include language that does exclude them. Supr. Marshall said that is the only message to the Planning Board, that this doesn’t apply to Bristol Mountain.

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

Supr. Marshall read the Assessor’s Report.

## SOUTH BRISTOL TOWN BOARD MEETING

April 11, 2022

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

### **CEO**

Councilman Cowley read the CEO Report.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley the CEO Report for March 2022 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

### **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 March 2022 Town Clerk's Report and ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

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

Supr. Marshall read the Supervisor's Report, with a balance of \$3,741,000.00 in the bank. Received a \$76,000.00 check from Ontario County for snow removal. Expenditures should be 24.99% of the General Fund budget and we are at 17%; the Highway Fund expenditures are 19% of the total budget.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel, the Supervisor's Report for March 2022 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

### **BUDGET TRANSFER**

Supr. Marshall explained that last month there was a voucher for the Highway Department for the cost of lockers for the new barn which had been charged to the "H" Fund which was for the construction of the new Highway Barn. All of the "H" accounts have been closed. The budget transfer will take the funds out of the Highway Garage .4 account and move the funds to the Highway Garage .2 for equipment. That is all it is.

On a motion made by Councilman Strickland and seconded by Councilman Cowley, the Budget Transfer was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

Transfer From	A51332.4 Garage, Contra Expend	
Transfer To	A5132.2 Garage, Equip	\$3,318.61

### **APPROVAL OF VOUCHERS**

Supr. Marshall explained the Richmond Fire Department returned our check from last month because it was \$1,000.00 over the contract amount. This will correct the contracted price.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, the Abstract, totaling \$119,673.44 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Strickland.

## SOUTH BRISTOL TOWN BOARD MEETING

April 11, 2022

### **PRIVILEGE OF THE FLOOR**

Joe Kohler of Bristol Harbor just wanted to thank the Town Clerk for her continued persistence in resolving any technical issues.

Supr. Marshall said that he did receive the annual Financial Statement from the Bristol Sewerage Disposal Corporation as required.

Gloria Harrington of Bristol Harbor and President of the BHVA asked for a copy.

Supr. Marshall agreed, said that she may also be interested in the Cheshire Fire Department financials as they do speak about Bristol Harbor. Supr. Marshall noted that they may be planning an argument for an increase of their rate using the fire hydrants as a reason.

Supr. Marshall asked Mrs. Harrington if the Homeowner's talked about taking the Cook's to court or anything like that?

Mrs. Harrington said no, that she would like to speak to Supr. Marshall about the fire hydrants. There are documents from the Planning Board that go back to the 1970's stating that the project's approval was contingent upon having fire hydrants. The residents are quite concerned about the lack of fire hydrants that came up at the last community meeting a couple of weeks ago asking the status. I said the Town had contacted various State agencies and you had shared with me that they weren't required. Another question was whether their response was in writing? That was one of the reasons I wanted to come and see you. Because it is a hot issue and one of significant concern to all the homeowners.

Supr. Marshall said we will set up a time to meet. There certainly is a lot of documentation from the past that show that they were intended to by fire hydrants. Documentation showing that one of the additional roads, there was discussion that the fire hydrants needed to be moved. What we keep being told by our attorney who did some research for us on it, and spent some time and did speak with the State on a couple of occasions, was unless there was something in writing stating that there was a contractual obligation by the Waterworks to provide fire protection, if it wasn't there, maybe the couldn't be. I am sitting here thinking, wait a minute, for years they have been treated as fire hydrants.

Mrs. Harrington agreed, I've lived there since 2008 and it has never been an issue until we got the little disks put on that they were only for flushing. People are concerned about their fire insurance on their homes. Last year we all got a letter from the Fire Chief in Cheshire that said if there is a fire we plan on using those as hydrants. We really need to push this issue with the Town and also with State. The State has got to put something in writing; either a yes or no. This has been going on for at least a year.

Councilman Cowley said he had something to report on. He saw John Almekinder last week and he has been a volunteer ambulance driver for decades and the Canandaigua Emergency Squad is purchase and going to be taking over the Naples Volunteer Ambulance.

### **X. ADJOURN: 8:01pm**

Respectfully submitted:

Judy Voss

SOUTH BRISTOL TOWN BOARD MEETING

April 11, 2022

South Bristol Town Clerk