

SOUTH BRISTOL TOWN BOARD MEETING

June 13, 2022

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order June 13, 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
Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Ellen Polimeni, Doug Merrill, Maggie & Neil Atkins, Kevin Stahl, Lisa Moore,
Chris Benham, Ginny Latka, Gloria Harrington
Online: Brian Perkins, David Whitaker, Jonathan Heidrich

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 Public Hearing and the Regular Town Board Meeting, May 10, 2022, were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

Supr. Marshall said that the mileage rate has been changed from 0.585 per mile to 0.62 as of July 1st.

Supr. Marshall said he received a traffic report from the Ontario County Sheriff and patrolled for 5 hours, had 9 traffic stops with 3 traffic citations.

IV. PRIVILEGE OF THE FLOOR

Ellen Polimeni, of Canandaigua Lake Watershed Association, thanked the Board for their time. What we want to do tonight is spend a little time talking about the Canandaigua Lake Watershed Association. Doug Merrill is going to be speaking about some of the details what the Association is working on. I am just going to start out by saying that several years ago we got together a group of people who were concerned about Canandaigua Lake. This is around 1989, that this started. 10 Townships make up the Watershed and the 10 townships decided that they would all contribute money each year to form the Watershed Council. It wasn't easy to get all 10 Townships to agree to that. There is a lot happening; we've had watershed management plans since the early 1990's known as the Watershed Task Force. These have evolved as we have gained more expertise and hired someone through the Council to be our leader and that is Kevin

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Olwany. Kevin has done a magnificent job for us in regard to getting funding as well as coming up with projects that are just unbelievable sometimes. We are fortunate to have so many people willing to put forth their time and effort. We are a member supported, non-profit organization with deep roots in the community. There is a Board of Directors and over 1,000 members that belong to the Association. Mrs. Polimeni went through the Power Point presentation.

Doug Merrill, of the Canandaigua Lake Watershed Association, thanked Mrs. Polimeni and introduced himself to the Board, is a retired College Professor from RIT and wanted to get involved with the community as quickly as I could. Mr. Merrill said Canandaigua Lake is not the same Lake it was when he was younger, the Lake is under threat, and we have to address those threats. These threats have to be address collaboratively and cooperatively to the best of our abilities. Essentially a lot of those threats are coming to us through climate change. Excessive run-off from the watershed brings with it nutrients and sediments and all sorts of chemical contaminants. Climate change also brings with it invasive species and the harmful algae blooms that produce toxins that is part of their normal metabolism. The Watershed Association in collaboration with the Council and others are trying to address these threats. Studies have shown that the average Lake temperature has increased over the last 20 years and continues to do so. We also know that there are storms we used to call 100-year storms and were happening every 10 years or so; we are getting these downpours into a warmer environment. With flooding comes run-off; run-off from the agricultural lands where fertilizer and manure run into the lake, from residential and commercial properties that bring pesticides, leaky septic systems, industrial waste; all are finding their way into the Lake. With new developments comes all of these hard surfaces replacing porous earth that used to absorb the water and now runs off those parking lots, driveways, and structures that make its way to the Lake. We need to find a way to address some of this run-off. Mr. Merrill continued with his Power Point presentation. Mr. Merrill noted that we are facing an invasion of aquatic and invasive species and they are coming to the Lake from boats and trailers that have been in other bodies of water. Today, the Watershed held a ribbon cutting ceremony for a boat wash station at the north end of Canandaigua Lake.

Chris Benham of Seneca Point Road, thanked the Canandaigua Lake Watershed Association for their informative presentation. Now that summer is coming upon us now, we've just wanted to follow up on the speed-limit change and sign request addition that we made over the winter. We had a great turn out, a lot of public interest, the petition had a round turn of signatures in winter so that showed us that there is a lot of interest. We also want to thank you for putting through the process and paperwork for the speed limit request on the stretch of Seneca Point Road, down the hill towards the gully. Didn't go through, you did predict that, but we are happy to go through the process and we had some really productive conversations, both with yourselves and also with the Department of Transportation as well. There were two other signs that were part of the petition that we put in as a request. One sign would simply be a change of speed limit sign, and in the minutes, it showed that there was no objection to moving forward with that. At the bottom of the hill people are travelling down in excess of 40 mph but then around that blind curve it changes quickly to 25 mph. That is right where people congregate, people park right there on the flats, there are also a lot of walkers there. We thought a change of speed limit sign would be, at least one way, to hopefully get people to tap the brakes. The other thing we are hoping to get, this has a little higher budget, and that is the possibility of a radar sign. We understand that some folks that mentioned the fact that may be the radar signs

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along State Route 21 have not had a great affect, but actually, in our conversations with Chris Reed at the DOT, he said that it is very common that on State highways, they don't have a big affect because folks are just blowing through. But he actually said that on back roads, that they can actually have a noticeable change on behavior of motorists and drivers. Again, as we are coming up to the summer season and will have a lot more motorist traffic as well as pedestrian traffic in that area so we were hoping for some movement forward on those issues.

Supr. Marshall asked Supt. Wight about the signs on Seneca Point Road.

Supt. Wight said there are 2 dozen signs up and down that hill, there is no one there enforcing them. As residents, you all have power to call the Sheriff's office and ask them to put the radar sign down there. I do object to putting up more signs because we have to mow around every one of those signs.

Lisa Moore said she could show Supt. Wight their research if that would actually help.

Supt. Wight said he is looking at it from a maintenance perspective. The radar signs in Woodville were bought in conjunction with another municipality which lowered the price per unit.

Supr. Marshall said the radar signs are \$5,000 and do not have that in this year's budget to do something like that. I disagree with what the DOT is telling you, I've spoken with the Sheriff and I've been told that eventually people ignore the radar signs. When you consider the fact that the radar sign in Woodville has been up for at least 2 years, it is still the number one place that we get speeding tickets. I don't mean to be disrespectful, I'm just a little skeptical about the value of radar signs. With a \$5000 investment, you really want them to work. We do have a contract with the Sheriff to provide enhanced traffic enforcement in South Bristol. I have asked them to patrol Seneca Point Road.

V. COMMITTEE REPORTS: **HIGHWAY**

Councilman Cowley read the Highway Report: Our chip sealing got moved up a week, so I've been busy scrambling getting ready for such.

Following is very brief summary of events in the last month.

- Paving is complete on Seneca Pt. from Bopple to Hicks Rd.
- Chip sealing is taking place today on Gannett Hill Rd. from the County Park to Porter Rd. Powell Hill Rd. Bills Rd. and Hicks Rd.
- Roadside mowing continues
- Town properties are being mowed
- The picnic tables at the Overlook received some fresh stain, new tables should be considered for next season.

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

Supr. Marshall said the Board has the quotes for replacement dumpsters at the Transfer Station.

Supt. Wight said he was looking to replace two containers, but looking the cost, the last time we bought containers, 9 years ago, they were \$6,500 apiece; the cost is \$11,000 cost for a 20-yard dumpster. We can order one replacement and start repairing what we have.

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Supr. Marshall said there is money in the budget

On a motion made by Councilman Cowley and second by Councilwoman Goodwin, to approve the purchase of one container for \$11,180.00 from Cyncon was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

VI. OLD BUSINESS:

Supr. Marshall said the resolution regarding the ARPA Funds he is setting this aside for now. The resolution should be written by the Town Attorney as this is for spending Federal monies and we need to get this right. This will not change anything as for as the project with Empire Access. We did communicate with Empire that one of the last roads that doesn't have high-speed internet is South Gannett Hill Road, a 5.4 mile stretch of road that only has DSL. Empire Access gave the Town a price that is about \$100,000 less than what Spectrum was going to charge. We will be looking at other parts of the Town as well, we could use other funds available, it is an on-going process.

HAYS PROPERTY – UPDATE

Supr. Marshall said that the Town has been working for two years to get the Hays property cleaned up. We finally had the authority from the Court to clean the property, and was cleaned to the best of our abilities; now we are working with the Court to determine how we are going to bill the Hays for that work. We can send them a bill; we could put it on their tax bill; we are waiting to see what the Court will allow us to do. The original \$18,900 ended up being \$24,000 because they found an incredible number of tires which had to be disposed of as well. It was a mess.

MEETING WITH MRB GROUP FOR CODE REVIEW

Supr. Marshall said that we had the first meeting with MRB Group for the business of doing the Code Review. The next session is on the 21st of June, meeting with the Chairs of Planning and Zoning, Code Enforcement Officers, and other Town Hall employees. The first meeting went quite well, MRB got an understanding of some of situations and what is going on.

VII. NEW BUSINESS

LOCAL LAW TO ALLOW FOR VIDEO PARTICIPATION OF BOARD MEETINGS

Supr. Marshall asked the Board if they looked over the proposed law; this is a local law that basically allows the Town to continue to have online meetings. If we did nothing, and attended a meeting remotely, it would have to be from a location that the public could also participate. That is not the way we would be normally using the system. The law would allow Privilege of the Floor for in-person meetings, the same is allowed for anyone online. It is pretty much how we have been doing things and this law that. In addition, we would be required to create a policy on how WebEx is being used by the Town. The proposed Local Law the Board is looking at is from the Town of Canandaigua. This law is for any Board within the Town, Planning Board, Zoning Board of Appeals, Board of Assessment Review, etc. The next step is to schedule a Public Hearing for July to approve the law.

Councilwoman Goodwin asked if one of us has to because of illness or whatever, we can attend through WebEx? Does our vote count if we are online?

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Supr. Marshall said yes, to both questions. The important thing is, on a 5-member Board such as this one, you have to have a quorum here, 3 out of the 5 need to be present if that were the case. Unless you are deathly ill, it is best for you to show up. If you are sick yourself or caring for someone that is; it has to be extraordinary reason for not being here.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution No. 32-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

RESOLUTION 32-2022

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 authorizing the Town Board and the other public bodies of the Town to use videoconferencing technology to participate in public meetings; 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 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 July 11, 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 Town Board of the Town of South Bristol adopted the aforementioned resolution on June 13, 2022 2022, by the following vote:

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

Dated: June 13, 2022

Judy Voss, Town Clerk

SEAL

LOCAL LAW – SPECIAL EVENTS

Supr. Marshall said the other Local Law the Board regarding Special Events venue where we create a law that provides some type of controls over the use of Special Events. The Special

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Events are being allowed in the Neighborhood Commercial District portion of Route 64, essentially opposite Bristol Mountain.

Councilman Strickland asked if the Special Events are reserved for the Route 64 corridor?

Supr. Marshall said the law concerns events of 300 people or more. It is not for a 50-person wedding in the backyard, that is a different situation. We need a motion to send this to the Town Attorney to create the local law.

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

VIII. REPORTS: **ASSESSOR**

Supr. Marshall read the Assessor's Report. The BAR met on May 24th and no grievances were filed. The Assessor is doing a very good job in her work.

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

CEO

Supr. Marshall read the CEO Report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the CEO Report for May 2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

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 May 2022 Town Clerk's Report and ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

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

Supr. Marshall read the Supervisor's Report, as of May 31st the Town has \$3,753,000.00 in the bank. Receipts for the Month were \$396,977.00, of which \$383,000 were Sales Tax revenue. The Sales Tax amount received was about 15% higher than the same quarter last year. The General Fund YTD expenses \$421,000 on an annual budget of \$1.3 million, about 31% of the annual budget where typically through the month of May should be 41.65%. The Highway, town wide, we are only at 29.92% but the expenses of this month will change that.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Supervisor's Report for April 2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Goodwin.

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APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Abstract, totaling \$184,619.00 was ACCEPTED. Voting AYE: 5 Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

EXECUTIVE SESSION

Supr. Marshall noted that the Board needed to move into Executive Session to discuss an employee matter.

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

The Board moved into Executive Session at 8:18pm

The Board came out of Executive Session at 8:28pm.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel, the hours of the Deputy Code Enforcement Officer increase 8 hours, not to exceed 24 hours per week was ACCEPTED. Voting AYE: 5 Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

X. ADJOURN: 8:31pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk