

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order August 8, 2022 at 7:10 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, Highway Superintendent, Alan Pearce, Deputy Code Enforcement Officer, Kevin Stahl, Gloria Harrington, Members of the Cheshire Volunteer Fire Department
Online: Kim Kohler Lovejoy

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 Councilwoman Goodwin, the minutes of the Regular Town Board Meeting, July 11, 2022, were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

IV. PRIVILEGE OF THE FLOOR

Supr. Marshall said that members of the Cheshire Volunteer Fire Department that requested Privilege of the Floor tonight.

Bob Finger introduced himself, a resident of Cheshire and bring with him some dignitaries from the Cheshire Volunteer Fire Department, Chief Chris Brown, Board Chairman, Glen Zimmerman, our Treasurer, Crystal Martin. I've been a member of the Cheshire Volunteer Fire Department for 28 years, 14 of those as President. I am the current Vice-President. The CVF contract for services will be expiring at year-end and in anticipation of that we will soon commence contract negotiations and discussions with the Town of South Bristol officials. Given the level of effort and time required to complete the budgeting process our contract discussions will commence in the relatively near future. In anticipation of the negotiation process, we felt it important to first (*educate*) both the Town officials and the community at large regarding the CVFD today. Where we've been, where we are going and what we hope to accomplish. We are very pleased that Dan Marshall honored our request without hesitation to speak to you this evening. Thank you, Dan. As you will soon learn, we have experienced unprecedented growth and change in the last couple of years we've had to adapt to the changes in the community. The

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

State and Federal requirements and the response to the unexpected pandemic all at the same time. It's been said by one of our long-standing CVFD leaders "we grew up so fast our clothes don't fit," so this is the start of our clothes not fitting and what we are doing about it. We realize that we need to make some changes, develop a plan and initiate actions not only to bring CVFD to where it needs to be but to take CVFD to the next level. Driving this presentation is the dilemma of increasing demands on fire, EMS services, both locally and nationally and how CVFD is today, meeting these demands despite budgetary challenges. Proactive initiatives, slide 4, 5 and 6 presented by our Chief Chris Brown, highlights CVFD internal and external proactive activities and their results. We are 100% Volunteer Organization. In slide #7, Chief Brown will show that CVFD effectively saves the Taxpayers roughly, \$2.5 million dollars over an equal fire department with paid employees. We have a 10-year Master Plan, slides #8 and #9 shown by Crystal Martin, will outline our long-term financial plan which provides a roadmap for major expenditures such apparatus, equipment, facility maintenance and beyond. Strategic Plan: slide #10 through #18 presented by our Board Chairman, Glenn Zimmerman will show our long-term goals and objectives, compliance with OSHA and PESH, regulatory agencies. Closing comments will be presented by our Chief that again, reinforces the fact that we are 100% Volunteer.

Presentation continued.

Alan Pearce, of State Route 64, I am speaking as a concerned landowner and as Deputy Code Enforcement Officer for the Town of South Bristol. I feel like it is a big thing, Short-Term Rentals. They are now to a whole new level, I was watching tv back in June and we saw a show that was on HGTV all about the quaint little town of South Bristol, New York where you can buy a second, third, fourth home and make a lot of money by having it as a Short-Term Rental. So, I jumped up and it blew me away. In talking with some of you, you didn't know and everybody needs to know this. We all know Monica's Pies and when she was on the Food Network, that was national coverage, and she exploded. Wegmans wanted her in every store. It is here in our quaint little town of South Bristol. There are a number of things we can come up with. If you don't have a Naples or Canandaigua address, then usually you are from out of state, I've seen these applications. For every Short-Term Rental you have, I think you should come up with a Long-Term Rental because basically the Short-Term Rentals are kicking people out that actually live here, and want to live here, because they can't afford it. That's just one avenue that we could potentially take. Everyone needs to know that we were on national coverage.

Supr. Marshall said that there are 75 Short-Term Rental applications that have been completed on the books and 8 applications in the wings. It is concerning, I've heard of other communities that have put a limit on how many can be had, which could be challenged. It is concerning. It has just exploded.

V. COMMITTEE REPORTS: **HIGHWAY**

Councilman Cowley read the Highway Report: Following is a brief summary of events at the Highway Department recently.

Mix paving (oil and 1 ½ minus crushed gravel) is complete on South Hill. Chip seal to follow in a few weeks.

We took delivery of our new 20-yard roll-off container late last week.

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

Roadside mowing as well as Town property mowing continues.

We poured 9 yards of concrete for a sidewalk at the Town's Veterans' Memorial. Forms will be stripped, and sealer applied this coming week.

Supr. Marshall said that he and Supt. Wight had a conversation the other day about the amount of roadwork and the cost of oil has gone through the roof and the cost of paving Town Roads is skyrocketing. We budgeted \$325,000.00 for this year and its gone.

Supt. Wight said he was able to get half of Seneca Point Road paved back in May when the prices were reasonable; now prices are up 20-30%. Doing all we can with what we have.

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

FINANCE

Supr. Marshall mentioned that the 2nd half of our ARPA Funding has been received which brings a total of \$162,000.00. The funding is committed to 5.4 miles of internet expansion on Gannett Hill which up to this point only has Frontier DSL. It could be 10 months before this project gets started.

VI. OLD Business:

LOCAL LAW – SPECIAL EVENTS

Supr. Marshall said the Board heard from Mr. McIntyre in the Public Hearing and asked the Board their thoughts.

Councilwoman Goodwin agreed that the law needs to go back to the Planning Board.

Supr. Marshall said he has a copy of the Town of Mendon's Special Event Law and will delay this until the next meeting, send it back to the Planning Board for comments and suggestions.

ALLOWING FOR CHANGING TO ONE TOWN JUSTICE

Supr. Marshall wanted to bring everyone up to date on the change for the Town Justices. The Permissive Referendum for changing from two judges to one ran for 30 days. Supr. Marshall spoke with the Board of Elections for the next steps and at the end of the year the Town Clerk certifies which positions that will open at which point it is noted that there is only one judge.

VII. NEW BUSINESS:

ENTRY WAY PLANS FOR REVIEW

Supr. Marshall said that we do have a set of plans for the re-design of the entryway. The next step is to get estimates and/or bids for the project. We may have to wait until next spring to start.

REMOTE PARTICIPATION POLICY

Supr. Marshall said that last month we passed a local law that allows us to continue to have Board meetings remotely. The law allows for a board member to attend remotely. The second part of this law is a Remote Participation Policy which states what can and cannot happen. The quorum still needs to be in-person, can't have 2 members in the meeting and 3

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

members online. The Policy was from the Town of Canandaigua and submitted to the Town by the Town Attorney. This applies to all Boards within the Town.

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

TOWN OF SOUTH BRISTOL TOWN BOARD REMOTE PARTICIPATION POLICY

I. Purpose

The purpose of this Policy is to allow members of the Town Board of the Town of South Bristol and the general public to attend and participate in meetings of the Town of South Bristol or any of its committees by videoconferencing as identified in New York State Open Meetings Law, and to ensure that the public has an adequate opportunity to participate in the Town Board process.

II. Definitions

- (a) “Member” means a member of the Town of South Bristol Town Board, including the Town Supervisor.
- (b) “Meeting” means any meeting of the Town of South Bristol or any of the Town Board’s committees that are subject to this Policy.
- (c) “Remove Means” means videoconferencing which includes audio and video.
- (d) “Secretary” means the Town Clerk of the Town of South Bristol or the individual to whom the Town Clerk has designated responsibility for recording meeting minutes at Town Board meetings.

III. Remote Attendance Permitted

- (a) Subject to the limitations set forth in Section IV below, Town Board members may attend any meeting by Remote Means if the Member is prevented from physically attending the meeting.
- (b) Members of the public will be permitted to participate remotely in any Meeting by Remote Means, for those meetings where remote participation is offered, the same as if the member of the public was present for the meeting in person, once recognized by the Chair.

IV. Restrictions on Remote Attendance

- (a) No Member may attend any portion of a Meeting by Remote Means unless:
 - (i) The Remove Means being utilized is fully functional, and shall allow:
 - a. All Town Board members to hear all communications taking place during the Meeting;
 - b. Any persons in attendance at the Meeting to hear all communications taking place during the Meeting;
 - c. All Town Board Members to see any documents displayed during the Meeting;
 - d. Any persons in attendance at the Meeting to see any documents displayed during the Meeting; and
 - e. The Secretary to hear all communications taking place during the Meeting.

V. Rules of Procedure When Remote Attendance Utilized

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

- (a) When a Town Board Member attends any portion of a Meeting by Remote Means as permitted by this Policy:
 - (i) The minutes of the shall include the following:
 - a. A statement that the Member attended the Meeting by Remote Means;
 - b. The location from which the Member attended the meeting;
 - c. A statement that the Remote Means were fully functional;
 - d. The times, if any, during which the Member attending the Meeting by Remote Means left the meeting.
 - (ii) Every Member of the Town Board shall be identified during all Board discussions so that all participants are aware of which Member is speaking at all times.
- (b) A Town Board Member attending a Meeting by Remote Means shall:
 - (i) Be permitted to fully participate in the Meeting as if he or she were physically present, including the making or seconding of motions and voting on said motions, subject to the Town Board Rules of Procedure;
 - (ii) Advise the Secretary if he or she leaves or returns from the Meeting;
 - (iii) Advise the Secretary of all other persons in the same room as such Member attending by Remote Means and whether to what extent which such other persons are able to hear the discussions at the Meeting;
- (c) If the Town Supervisor attends a Meeting by Remote Means, the Deputy Supervisor shall serve as Chair of the Meeting. If the Deputy Supervisor is not present at the Meeting, then the Town Board shall designate a Temporary Chair from the Members who are physically present at the Meeting.

VI. Applicability

If any provision of this Policy conflicts with any provision of the Town Code of the Town of South Bristol or New York State Law then the stricter provision shall prevail.

VII. Effective Date

- (a) This Policy was Approved by the South Bristol Town Board on August 8, 2022.
- (b) This Policy shall become effective immediately upon approval by the South Bristol Town Board, and shall remain in effect until otherwise removed.

VIII. Availability of Policy

- (a) This Policy shall be files in the Office of the Town Clerk of the Town of South Bristol.
- (b) This Policy is hereby made a part of the Town of South Bristol Town Board Rules of Procedure.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the Remote Participation Policy was ACCEPTED.

VIII. REPORTS: **ASSESSOR**

Supr. Marshall read the Assessor's Report for June and July 2022. The Assessment Roll was filed with Town Clerk on June 11, 2022, work has begun on the 2023 Roll.

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

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

CEO

Councilman Cowley read the CEO Report. 18 Building Permits, 34 total inspections, 0 Short-Term Rental inspections, etc.

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

Supr. Marshall informed the Board that the Town received a document that goes all the way back to 1972 that stated that there were a set of minutes from a ZBA meeting, although there wasn't a ZBA at that time, the Town Board was acting as the ZBA. In the document is an agreement or resolution with Bristol Ventures and Bristol Recreation and in the document it speaks about providing fire protection services. Interesting document, and complicated by the fact that 50 years have passed. This document was forwarded to the Town's litigation attorney and expect to hear back in a day or so.

TOWN CLERK /TAX COLLECTION

Supr. Marshall read the Town Clerk's Report.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin the July 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: The Town has \$3,675,000.00 in the Bank; Receipts for this month \$84,715.00 which includes the ARPA funding. Expenditures through July should equal 58% of the annual budget and at the moment the General Fund is at 40.25% and the Highway budget is at 43.37%.

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

BUDGET TRANSFERS

Supr. Marshall explained the Budget Transfers:

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

Transfer From	A1990.4	Contingency	\$212.00
	A5999	Unexpended Fund Balance	<u>\$38,043.00</u>
			\$38,255.00
Transfer To	A1010.4	Legislative Bd – Contr Exp	\$212.00
	A8674.4	Disposal of Real Property	\$24,025.00
	A9060.8	Hospital & Medical Insurance	<u>\$14,018.00</u>
			\$38,255.00

SOUTH BRISTOL TOWN BOARD MEETING

August 8, 2022

APPROVAL OF VOUCHERS

Supr. Marshall explained that \$108,000.00 of the bills tonight is for oil and stone for roadwork as pricing increases by the day.

Supt. Wight explained that \$32,000.00 of the \$108,000.00 is in escalation alone; it follows the oil index. From the original quote was \$75,000.00 and the rest of it is all in oil escalation. We paved the south half of Seneca Point Road in May and at that time, asphalt was \$75.00 per ton. That same product is now pushing \$100 per ton.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, the Abstract, totaling \$175,874.56 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

Supr. Marshall said he received a phone call today from the Town Historian, Beth Thomas. The archeological class at Geneseo State wants to do a dig on property that the Town owns on County Road 33. There is a tiny parcel of land opposite Poplar Drive owned by *School House No. 6 Town of South Bristol*. There is no building left on the site, but there is a foundation. The School House was actually moved to the Girl Scout Camp that used to be on Lower Egypt. The students from Geneseo will be working on the site for a couple of weeks.

Joe Kohler of Bristol Harbor spoke to the Board regarding the lack of fire hydrants. I speak sadly, I wish they were here thank them for their brave service. It isn't going to go away by itself. It is obscene, it's immoral and I am getting opinions from different fire departments around the here, that it is illegal. I just hope this town will put a full-court press to get those hydrants unlocked.

X. ADJOURN: 8:12pm

Respectfully submitted:

Judy Voss