

SOUTH BRISTOL TOWN BOARD MEETING

November 14, 2022

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order November 14, 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

William Welch, Joe Kohler, David Whittaker

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the minutes of the Public Hearing and the Regular Town Board Meeting for October 11, 2022, were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

IV. PRIVILEGE OF THE FLOOR

William Welch of County Road 12: Thanked the Board for the Court Budget for my department. I just would like to bring a couple of things to the Board, couple of things as a citizen of South Bristol and a couple as a Judge for the Town, as well. One of the things is about moving my office into another location, which is fine and have no problems with that and we will be able to work with the smaller office, especially now being just myself and the Court Clerk.

Mr. Welch continued, as a Citizen, there was a fire down on Longview some time ago and that house has not been touched since that fire happened and that is ridiculous. Absolutely ridiculous. When I used to work for the insurance industry, I was assigned to go to Buffalo and to look into a fire, we thought it was arson. I went there, the fire was at night, I got there within 48 hours and the building was leveled. I asked the Fire Chief what they did, I was told it was uninhabitable and their ordinance states that it can be raised, and they did it in one day. Now, as an insurance company we were a little upset, but municipalities throughout NYS have enacted Statutes that put insurance companies to the fire, you have to take care of these things, you can't let something like that sit for months and months and months. It is a safety hazard, it is not fair to the insured and certainly really no reason. Typically, what insurance company would do is if they got the letter from a Town saying that our ordinance says you have to do something within

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30 days or else, they are going to do something within that 30 days. Or they are going to ask for a continuance. There will be a dialogue. I would say to have the CEO say “You can’t live here anymore, it’s burnt to the ground.” I would encourage the Town Board to explore a Statute that would be similar to an abandoned vehicle; something that would make the Town functioning.

Mr. Welch continued, I spoke with Supr. Marshall about if South Bristol was “Farm Friendly.” If we were a “Farm Friendly” community. On my road, which happens to be the same road that the Supervisor lives on we have several farms. We have several farms on that road and think that signage that if we are in fact a “Farm Friendly” community.

Councilman Cowley said that the “Farm Friendly” would be farm friendly to the watershed and to Canandaigua Lake, are you talking about something else?

Supr. Marshall said we could go back and find past documentation that we are a Farm Friendly community.

Mr. Welch noted that the Town of Canandaigua has signs when you get into their Town, this is a Farm Friendly Town.

Councilman Wohlschlegel noted that it is also part of the Town’s Comprehensive Plan.

Mr. Welch said signage would be nice and I would also like to see signage for the farmers on County Road 12 for safety reasons.

Mr. Welch continued, for Supervisor Marshall, there was several counties that the Board of Supervisor’s lowered the Gas Tax several months ago and Ontario County was not one of them. The reason given was that the County Executive was doing a study to see what the impact it would have, etc. I would ask that our representative to the Board of Supervisors that you want to see the report and why are we not doing that? No answers necessary Dan, what is, I believe, South Bristol being the smallest town in the County, we should the mouse that roared and tell them, look, other Counties did it, gas is going up again, it effects everyone here. I think that is something that needs to be revisited by the Board of Supervisors.

Mr. Welch continued, the last point I want to make is the Town Hall parking lot. The parking lot needs more lighting. It manifested to me on Election Night, and the people that come are my age or older. They were coming in, God Bless the, on their walkers, their canes and things of that nature, the parking lot needs to be more lit. I can tell you there was a study done years ago and there was a grant through the Court System for lighting and we used that money from the Court System, but the study was over money. I know that you have done your budget, but you should be able to find some place somewhere to draw up that plan and take a look and see if it is feasible to put in additional lighting.

Mr. Welch thanked the Board for their time.

Supr. Marshall said that he received the Audit for the Town Justices for 2021 completed by EFPR.

Supr. Marshall reported that the Town was notified that a cell tower will be installed in Middlesex.

Letter of resignation received from Planning Board Chair Matt Sousa. The Planning Board is down 2 members, and we also need 1 member for the Zoning Board.

Supr. Marshall reported that the negotiations with the Teamsters has come to an agreement.

Supr. Marshall reported that the Excellus Health Insurance will increase by 8% rates for 2023.

V. COMMITTEE REPORTS:
HIGHWAY

Councilman Cowley read the Highway Report: Following is a very brief summary of events at the Highway Department in the last month. There is not a whole lot to report on this time of the year.

- Prepping equipment for winter, putting snow tires on, painting and installing plow equipment.
- Winterizing and storing summer construction equipment.
- We have taken delivery of 200 tons of Type 2 treated salt (melts ice at subzero temps)
- 800 tons of regular road salt (very effective to 17 degrees, then takes longer the colder it gets)
- Ordered guide rail for 2 different projects. One project on Fribolin Rd. and the other on Seneca Pt. Rd. (County will help us install)
- Done roadside mowing and Town property mowing for the year.
- Hoping to have a resolution from the Town Board declaring Middle Brook Rd. a Town maintained Rd. so we can get it added to our Highway inventory for CHIPS funding.

FINANCE

Supr. Marshall reported that NY Class is a consortium of municipalities across NYS pooling their money together and as of today, the interest rate is over 3%. The Reserve Accounts have been moved over to NY Class and the Bond Reserve Account has already earned \$400.00 interest. The ARPA funds of \$160,000 have already earned \$441.00 interest. The funds are very simple to retrieve if needed. The Month-to-Date income for November earned \$2,800.00. Our year-to-date is almost \$4,700.00 of interest earned.

Supr. Marshall noted that tomorrow they will be making a Bond Payment on the new Highway Garage. This will be for interest only, \$24,378.00 will be wired for payment and is the 2nd payment for this year.

Supr. Marshall continued, next year we hope to be affiliated with the Tompkins County Consortium for health insurance.

VI. OLD BUSINESS:
RICHMOND FIRE CONTRACT

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the 2023 Fire Contract for \$36,569.00 with Richmond Fire was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

CHESHIRE VOLUNTEER FIRE DEPARTMENT

Supr. Marshall said he put together a letter to the fire department and read into the record:
*“Dear President Roskin and Board Members:
Let’s be very clear, the Town of South Bristol is not very happy with the Cheshire Fire Department. You have accused us of being disrespectful and one-sided, yet your responses have*

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been exactly that. We take your refusal about our tax cap concern unbelievable. As we have said previously, we have contracts with 4 different fire companies. None of the other 3 expect a multiple year contract. We would be perfectly happy with a one-year contract. We will not except a multi-year contract with such large percentage increases in the future. In order to finally come to a conclusion, we've reluctantly accept your offer. My Board is angry. If years two and three put us over the cap our residents will know that Cheshire was the cause.

The entire South Bristol,

Daniel Marshall"

Supr. Marshall continued, asking the Board if they wanted to add anything or take anything away?

Councilman Wohlschlegel said it gets to the point.

Councilman Strickland and Councilwoman Goodwin agreed.

Discussion.

VII. NEW BUSINESS: **NAPLES FIRE CONTRACT**

Supr. Marshall noted that there is another fire contract with the Village of Naples, the total amount is \$112,578.00. For the record, it is around a 4% increase.

Discussion.

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, the Village of Naples Fire Contract for \$112,578.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

NO PARKING SIGNS ON ROUTE 64

Supr. Marshall said he has a Resolution that is not on the agenda for allowing No Parking signs on Route 64. As you know we had some residents come in and express concern that, on occasion, when there is a large crowd at Brews & Brats, vehicles are parking on the shoulder of Route 64. Clearly, it could potentially become a bad situation with County Road 12 and Route 64. The ability for people to see clearly could be infringed by the parking on Route 64.

Supr. Marshall said he spoke with NYSDOT and was told that the decision for the No Parking signs is a decision of the Town. If we do approve the signs, then we can ask the DOT to install the signs. Does the Board want to take that step? The Highway Superintendent is okay with this, we need to make sure that everyone agrees and that it is a good idea. In speaking with the owners of Brews & Brats, according to them, they can resolve their parking problems with the Church's parking lot, the Gannett Gardens and also the Bakery. There are places they could park.

Councilman Cowley asked if the are illegally parked on Route 64? So Law Enforcement couldn't issue tickets to deter any problems?

Supr. Marshall answered no, there is nothing to give them authority to do that. Once the No Parking signs are there, then they have the authority. It is up to this Board if you want to have signs.

Councilman Cowley asked if the property owners are okay with those signs in his parking area?

Supr. Marshall said they property owner also has the ability to park behind their building. Both residents were asking for No Parking signs.

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Supr. Marshall noted that he is aware that Brews & Brats is a great business for the community.

Councilman Wohlschlegel said he has mixed emotion about this, it would be hard for the owner of Brew & Brats to go out and monitor that.

Councilman Cowley said that we had a legitimate landlord complaint and if he wants to see No Parking signs in his own parking area that he can't even park in, I would approve the Resolution.

On a motion made by Councilwoman Cowley and seconded by Councilwoman Goodwin, Resolution No. 39-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

RESOLUTION NO. 39-2022

WHEREAS, from time to time activities at Brew and Brats draw a larger than normal attendance, and

WHEREAS, on those occasions people will often park on the shoulders of Route 64, and

WHEREAS, the portion of Route 64 concerned includes an intersection and a sharp curve in the road, Now Therefore Be It

RESOLVED, that the South Bristol Town Board requests No Parking signs be installed in the area of concern by the NYS Department of Transportation, and

RESOLVED that a copy of this Resolution be sent to Greg Trost at the NYS Department of Transportation as our formal request for the installation requested.

VIII. REPORTS:

ASSESSOR

Councilman Cowley read the Assessor's Report.

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

CEO

Councilman Cowley read a summary of the report.

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

IX. ACCOUNTING:

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	\$15,111.59
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Transfer To:	A1380.4	Fiscal Agent Fees Cont	\$1,854.00
	A1650.4	Centrl Comm System, Cont	\$2,440.42
	A1910.4	Unallocted Ins, Contr	\$65.20
	A5182.4	Street Lighting, Cont	\$100.02
	A8010.102	Zoning, Per Serv, Dep	\$9,041.00
	A8010.4	Zoning, Per Serv	\$1,610.95

SUPERVISOR’S REPORT

Supr. Marshall read the Executive Summary: \$3,917,000.00 in the bank. Expenditures through the month of October should equal 83.33% of the budget and under the general fund we are only at 54.8% and Highway is 70.95%.

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

APPROVAL OF VOUCHERS

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel, the Abstract of Vouchers, totaling \$103,898.76 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Strickland, Wohlschlegel and Goodwin.

PRIVILEGE OF THE FLOOR

Joe Kohler of Bristol Harbor, some happy news, 2 former residents of Bristol Harbor, the late Helen and Fred Sarkis were recognized by the University of Rochester for a very major foundation they established helping kids through the Yes, Pa Foundation. It was a beautiful recognition. The foundation will live for 1,000 years just like Bristol Mountain and Bristol Harbor. Also, their continued grant for a foundation down at Cornell University School of Hotel Administration continues and receive a letter every year from a poor kids that they sponsor at our hotel school. I congratulate you Mr. Supervisor for the work you did on this budget and when I see you fight for your money with interest rates, it is kind of great, actually. Good work Mr. Supervisor. A couple of comments, questions, with all due respect to this Board I might add, I am down around the Town of South Bristol, down on the launch site, the beautiful Hi-Tor game preserve and I was there on the same side, that is so bad in there, I just stuff that is rotting, I will call it garbage, but it is really, really bad. The hydrants also are still under the lock of the owners of the water company. Lastly, Town Clerk, thank you for the use of this beautiful hall for our association meetings. I think you have been given some flawed information Mr. Supervisor, it was stated pretty unequivocally by counsel that the property on Shore Drive that was approved by the Planning Board, that is in the PUD of Bristol Harbor Village Association.

EXECUTIVE SESSION

Supr. Marshall explained that the Board will move into Executive Session.

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

Board moved into Executive Session at 8:16pm

Board moved out of Executive Session at 8:31pm with the same motion and no action.

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X. ADJOURN: 8:31pm

Respectfully submitted:

Judy Voss