

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order October 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, Brett McManus, Shawn Ritchie, Steve Warner, Barbara Miles, Kathleen Prozeller, Virginia Latka, Galina Capanella, Elizabeth Caprini, Joe Kohler, Mike Musselman, Tracey Howe, Susan DeVito, Mimi Gotham, Mike Fitzgerald
Online: Alan Braun, Brian Perkins, Danielle Johnson, Pamela O'Neill, Susan Glenz, Tom Gunter-Kremens
Cheshire Volunteer Fire Department: Rick Roxin, Bob Finger, John Springer, Crystal Martin

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 Public Hearing and the Regular Town Board Meeting for September 12, 2022, were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

IV. PRIVILEGE OF THE FLOOR

Susan DeVito of Bristol Harbor, I am actually here in support of Cheshire Volunteer Fire Department and to 1. Say Thank You for all that you do for those of us in the community, South Bristol, fire, life safety. We have a lot of things that get discussed, I'm sure, with all the things at Bristol Harbor, but what matters to me is people's lives and fire/life safety. So thank you for what you do and please approve their budget to help us support what we lack in the community in the event of another unnecessary fire that we can't quite put out quick enough.

Clerk Voss read a letter to be Town Board from the Bristol Harbor Village Association:
Dear Supervisor Marshall and Council Members,

Wherein we are now firmly entrenched in the fall season, which includes the annual municipal budget development process, we deem it very important to express our support for

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

Cheshire Volunteer Fire Department (CVFD). The Department has heavily invested in an \$800K pumper/tanker and is currently developing specifications for a second replacement engine replacement with CAFS technology (compressed air foam system). These new units will provide invaluable to this 100% volunteer organization if they are to continue to provide viable fire/rescue services to the South Bristol community.

While we applaud the Town of South Bristol's efforts to effectively manage costs and constrain spending, we believe the financial support of the CVFD to be of paramount importance in addressing the live and home safety concerns which exist in Bristol Harbour and the great community. To successfully manage the fire suppression needs of this community we are requesting that the CVFD be adequately funded to protect all who live in this community. Currently, the department receives \$57,158. The goal for 2023 is a 75% increase followed by a 25% increase in 2024 and a 20% increase in 2025. Certainly, the lives and homes of all South Bristol residents warrant state of the art fire protection. We strongly urge you to fund this extremely necessary budget request in order to protect all those whom you have pledged to serve in this community.

We thank you for your consideration.

Respectfully, Ginny Lalka on behalf of the BHVA Board of Directors

Joe Koher of Bristol Harbor, thanked the Board for the privilege and for the open-door policy you continue to maintain in this building on Saturdays. I speak to you as the founder of the Coalition of Concerned Citizens Limited, not as the BHVA Board, or any of the Condo Boards. If we could have a, I can't thank these people in white enough behind me. To that point, could we have an update on the status of the opening of the sealed fire hydrants at Bristol Harbor Village, that's my first question, my second question, could we have an update, and thank you for your favorable comments again, Mr. Supervisor, about tourism being, as I say, everyone's business, and your comments about putting some teeth into keeping properties clean and maintained. I'd appreciate an update on campaign to clean up Woodville.

Supr. Marshall said he reached out to the Bristol Harbor Village Association about 6 weeks ago requesting if they would consider allowing the Town to try to create a meeting between the Homeowner's Association and Todd and Laura Cook who are the owners of Bristol Harbor. I was told that they would look into it, talk to their Board and I have heard nothing back. So this stage to the game there's nothing else to report to that.

Supr. Marshall continued, with regards to Woodville, we are currently working on that. We are discussing and we will be working with the Code Enforcement Officer to finally get some resolution for the project.

OLD BUSINESS

CHESHIRE VOLUNTEER FIRE DEPARTMENT BUDGET

Supr. Marshall said the Fire Department has been patiently waiting for us.

Rick Rocks, thanked the Board, I am an interior firefighter and President of the Cheshire Volunteer Fire Department. With me this evening are 3 of our members, our Vice President and lead-negotiator in the ongoing contract negotiations with the Town, Bob Finger, who is also an apparatus operator. Assistant Chief, John Springer, who is here to help answer questions you may have regarding the operations aspect of the proposed budget. And Crystal

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

Martin, who is an EMT, exterior fire fighter and our Treasurer. We are here to answer your questions hopefully clarify questions you may have regarding the proposed budget. Thank you.

Crystal Martin, said she has some information to share with you. We just wanted to help everyone understand some of the reasons why we thought it was necessary for us to request more funds over the next 3 years. If you look at the first graph that I handed out, you will see that our year over year contract increases have been one to three percent, nevermore than 3% since 2015. That does not even keep up with inflation. The next page, is a point when we gave the presentation and that is the fact that our budget is 70% for our fire operations, for gear, equipment, maintaining our fire trucks, etc. The thing that makes it so difficult for us is that within that 70% of those funds are controlled by the National Fire Protection Association and what that means is that we have to replace our trucks according to their guidelines every 10 years. That is what they recommend. They have specific guidelines for how long we can use our gear. In fact, when we go to our training, if our gear is too old, they won't let us go through the training. Seventy percent of our budget is for fire ops and 60% of that is controlled by NFPA and we have to pay those costs just to keep our firefighters safe. Any questions?

Councilwoman Goodwin said she was actually looking for budget numbers, how much is in the budget for a firetruck, an actual budget.

Ms. Martin said that confidentiality we can't give you a full budget, I can give you ratios if you want or if you want, in the individual negotiations we might be able to get them.

Supr. Marshall said that we get a budget from every other fire department.

Bob Finger said they can provide some basic budget amounts.

Councilwoman Goodwin said when we negotiated with Naples we went down and sat with them and they went through every budget line with us.

Ms. Martin asked if they can bring it to the next meeting?

Councilwoman Goodwin agreed, because that is what we really need to see. It is hard for us to approve a number without any backup to it whatsoever.

Ms. Martin said one of the points I'd like to make since you brought up that question, is that the amount of money that we bring in right now is eaten up by the budget which leaves no money for the accruals. The accruals are what we have to have so that we can buy the next truck and those accruals are needed so we can buy the major gear and things like that. So right now there is no wiggle room.

Councilman Cowley asked about what the fire department has been charging, how much is that compared to Canandaigua in your full budget?

Ms. Martin answered, about 10%.

Councilman Cowley asked if Canandaigua pays 80% of the budget?

Ms. Martin agreed, the contracts pay the bulk, even though we do quite a bit of fund raising.

Councilwoman Goodwin asked what the Town of Canandaigua's increase?

Ms. Martin said 15%.

Mr. Finger said there are proposals on the table now, it hasn't been approved yet.

Ms. Martin said one of the things you have to realize is that just because their numbers are so much larger, if you can focus on the percentages to focus on the dollars and that is where there is a pretty big disparity. A 15% increase for Canandaigua is significant.

Supr. Marshall said that we understand that. For those who spoke in favor of the Cheshire Fire Department I applaud you, that's wonderful. As a Town Board, we are trying to make sure that we are looking out for everyone's best interests. Our reaction was to the huge

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

percentage increase needed to be looked at. As for the other fire departments, Bristol is holding its own, Richmond is up 3 or 4% and Naples is up about the same. So when we see a percentage that you provided to us, alarms go off. I sent an email to Bob Finger a proposal at 15% increase and did you have any discussion on that?

Mr. Finger said we did and we decided to stay our course for now.

Mr. Finger thanked the Board for taking the time for listening to us. To put it into perspective for everybody, what we are asking for initially is \$100,000.00 for this coming year. That is a jump from \$57,000.00 to \$100,000.00. The value of the house that burned on Andrews Way was in the neighborhood of \$300,000.00. This is a third of that cost of that house; that's part of the justification we have in this situation. Bristol Harbor on its own has been a challenge for you, for us, for everybody that has lived there. It is no secret to tell you that the Cooks are making life miserable for everybody. You've got a small community that has narrow roads, and now it doesn't have any hydrants. From a Fire Department point of view we needed to go out and, we had money approved for a firetruck prior to Truck 431 which is the truck we now have designed for this area, Bristol Harbor in particular. It is designed with 1800 gallons of water and that along with a tanker will get you the 3,000 gallons minimum you need to fight a fire in a rural, highly exposed situation like that. That is NFP law. So we're trying to play the game within NFPA and work with Bristol Harbor. Yes, Dan, I agree with you 100%, I can see the frustration I totally get the frustration; we are frustrated too. As Chris alluded to, that we don't have any money to put away for the trucks. We are running at the edge of our budget. Part of the reason is, Cheshire has been looked at for solve a lot of problems both in the Town of Canandaigua and now the Town of South Bristol. The Town of South Bristol with the monkey on its back of Bristol Harbor, has turned into a real challenge to be frank. What do you do to solve this problem? We are not going to be able to make it on the money that we've been getting all along. I understand your question, Donna, with a budget.

Councilwoman Goodwin said we are just doing our fiscal responsibility. We are not disputing the importance of fire protection, not at all, but we need some figures about this huge increase.

Mr. Finger agreed and said that was fair enough and said he thinks we can provide that to you.

Mr. Finger continued, you can readily see Crystal's challenge and the point that she is making at 60% of our total budget is NFPA driven. In other words, we have to stay on the schedule to replacing things. I've put together a few details for you here tonight if that is okay. One of the things that is going to come up is that we have an aging fleet. This is part of what we are talking about, putting money away to buy vehicles. The 411 is 15 years old, projected replacement cost in 2023 is \$382,000.00. This is actually short believe it or not. The 441 is our Tanker, 27 years old projected replacement cost is 2025 \$220,000.00. Engine 412 is another pumper/tanker 12 years old and in 2025 it will cost \$400,000.00. Brush Truck, 17 years old, \$180,000.00 slated to be replaced in 2026. The ladder truck is 14 years old now is going to be near \$2 million. By 2028, we are looking at the cost incurred by the fire department of about \$3 million. We could make that up in a boot drive, selling chickens. This is a big nut, there is no doubt about it and it is uncomfortable and I am not going to shy away from it.

Councilman Wohlschlegel said he has a question right off the bat, so you are starting here in 2023 what you need for your replacement costs, how come you weren't starting back in 2020? I look at what we were budgeting for the Town and it hasn't changed much, so all of a sudden it is slamming us with this amount of money.

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

Mr. Finger answered, we have an unfortunate situation with a prior financial committee that kept our investments and kept our projections close to the vest, to the point where we entertained talking to professional fund raisers that would create a program where we could hopefully glean millions of dollars. Well those all fell apart to tell you the truth. Now we have Crystal and the new finance committee that put together a short-term and long-term plan and you are correct. We are playing catch up as well.

Councilman Wohlschlegel said it is significant.

Mr. Finger agreed, and the significant part of it is that trucks cost a bunch of money and to be fair you've got to really understand what we are dealing with at Bristol Harbor. I've told Dan this before, nobody needs the fire department until you need the fire department. Then you damn-well need the fire department. You want them there within 10 minutes. And that is what the Cheshire Volunteer Fire Department can do. Naples not so much we've got a schedule here that shows the time responses for good meaning fire departments in the area, Cheshire is the closest. We are not saying we are the only game in town but we are close and we come to every call. You are paying us for every call we come to. We've earned it. Part of the request of the Board was to understand the number of calls and the nature of the calls, and they are not significant. I will tell you that right now. This is not our high volume call area, why is that? Well you've got a lot of other things going on in the Town of Canandaigua. But when you say calls for service, this is gas smells, dangerous situations, you've got EMS calls, anything else the fire department gets calls for. This year alone, and our budget year ends at the end of February, we've got 4 fires so far, in the Town of South Bristol and 28 calls for service. So we are right up there with 2022, which was a busy year.

Mr. Finger continued, just so we are clear on what the taxpayer load for the Cheshire Volunteer Fire Department. What we have here is current information for Fishers, Victor, East Bloomfield, Livonia, Honeoye-Richmond, Hopewell, Bristol, City of Canandaigua, Canandaigua, Shortsville, Manchester, Gorham, Middlesex, Farmington, South Bristol and the average is a little over \$1.00 per 1,000 for fire coverage. Right now, Cheshire is 0.39 per 1,000. I could argue that could double very easily and I would think most of the residents here, that would help the town recover the money that we are talking about here and I don't think you'd get a lot of push back on that to tell you the truth. Second page shows you the amount of tax rate for Maxfield Hose, Naples, they get from you \$104,000.00, 0.32 on the 1,000, Richmond gets 0.36 per 1,000. Unfortunately, also, say that many times, we don't see Naples at our calls. The last page is the response time and is based on Google Maps and real driving time, 5.4 miles 10 minutes for Cheshire. Station 2 of Cheshire 11 miles, 17 minutes and Bristol Fire Station 8.6 miles and 15 minutes. Naples is 12 miles and 20 minutes coming up the hill. I will tell you that part of this so uncomfortable that it is hard for me to be up here and tell you guys this is what we are looking at but this is the fact of what we are doing. If you look at the cost of trucks alone, \$2 million by 2028 and our turn-out gear which expires every 10 years is about \$6,000 per set plus the CPA. The business of fighting fires is crazy expensive. The benefit we have, to tell you the truth, this is not a paid fire department. We are a volunteer fire department. There is no cost to the residents for paid fire fighters, none, and that runs about \$100,000 per person. Look at the City of Canandaigua, they are astronomical in their costs. As hard of this seems to look, this is a bargain. We've been asked by Supr. Marshall and Councilman Cowley what our 3 year plan is, well, hopefully this will plateau and we can start to put money away for trucks that we need. We have to repair these trucks. You know the truck that is sitting in the barns over there from Naples, try to start that thing up when you need it. It may not. I am very passionate about this

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

this is what I've spent the last 25 years of my volunteer career being a part of. Cheshire has been asked to do a lot of stuff here within the last 5 year that we haven't been tasked with. We are trying play catch up, ante up, meet the guidelines that NFPA provides and the needs of the citizens of both the Towns of Canandaigua and South Bristol. One more thing, I hope everybody knows, should there be a fire at Bristol Harbor Village, that would be a tanker relay right now because the hydrants are no longer available. The nearest hydrant is located at the bottom of Miller Hill on West Lake Road, that is the most viable water source we have to fight a fire in the Town of South Bristol. Mr. Finger said he will get budget numbers to the Town Board for review.

Supr. Marshall noted that there is one downside for the Town, that the increase has caused us to override the tax cap by \$20,000.00. With all due respect to the Cheshire Volunteer Fire Department the fact that an outside agency can cause my Town to go over the tax cap and we don't have any control over it I find a little discerning. Fortunately, let's be honest about it, we have overwritten that requirement, however we've never done it, we did it as a protection in case the calculations were incorrect. Every year on the advice of our Town Attorney we override the tax cap, but we have never actually gone over.

Mr. Finger appreciates the situation and would argue that again the Bristol Harbor situation has driven just about every bit of anxiety that we are feeling right now. Thank you for hearing us out.

Rick Rossin said we are 100% volunteer and typically when everyone else in this room is sound asleep and those tones drop, we are going to be there. We know that your responsibility is to the entire Town of South Bristol. I am going to ask you are you review our numbers that not to be so focused on percentage increase from where we've been but rather focus on the hard dollar amount increases and what we are looking to put that increase to. We want to save these people, we want to protect and save their property and we will be there. We ask to be properly equipped and properly protected so we get out of it alive.

Discussion.

V. COMMITTEE REPORTS: **HIGHWAY**

Councilman Cowley read the Highway Report:

Not much to report on this time of the year, kind of in between seasons. Still doing some roadside mowing. Still mowing Town properties. Prepping equipment for winter activities. Painting plows and plow frames etc. We have some salt leftover from last year, so that has been mixed with sand for roadmix to use during winter storms. We just finished doing some grader patching on McGary Rd. Auctions International is coming Oct. 20th to list our surplus equipment. F 600 is being outfitted with its body and plow equipment at Wilbri in Avoca.

VI. OLD BUSINESS: **MORATORIUM ON SHORT TERM RENTAL**

Supr. Marshall said that the Board has heard from the Public this evening, if anyone feels we need to address this more as a result of having the Public Hearing, say so. If not, suggests that we move forward with the moratorium.

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel Resolution No. 38-2022 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

RESOLUTION 38-2022 AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL OF LOCAL LAW NO. 6 OF 2022 ENTITLED “A LOCAL LAW ESTABLISHING A MORATORIUM ON SHORT-TERM RENTALS”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of South Bristol for a public hearing to be held by said Town Board on October 11, 2022, at 7:00 p.m. at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, New York, to hear all interested parties on a proposed Local Law entitled, “A Local Law Establishing a Moratorium on Short-Term Rentals”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on October 7, 2022 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on October 11, 2022, at 7:00 p.m. at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of South Bristol, after due deliberation, finds it in the best interest of the Town of South Bristol to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of South Bristol hereby adopts said Local Law No. 6 of 2022, entitled “A Local Law Establishing a Moratorium on Short-Term Rentals”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of South Bristol, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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 October 11, 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	_____	_____

Dated: October 11, 2022

Judy Voss, Town Clerk

SEAL

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

City
Town of South Bristol
Village

Local Law No. 6 of the year 2022

A local law Establishing a Moratorium on Short-Term Rentals
(Insert Title)

Be it enacted by the Town Board (Name of Legislative Body)

County

City

Town of South Bristol as follows:

Village

Section 1. STATEMENT OF LEGISLATIVE INTENT:

It is the purpose of this moratorium to enable the Town of South Bristol to have sufficient time to review existing laws pertaining to short-term rentals and to recommend modifications to those laws or new laws regarding short-term rentals. The Town Board believes this review is necessary because of the extraordinary number of requests for short-term rental permits that are putting an undue burden on the Code Enforcement Officer and that is causing concern by many in the Town that the character of the community is being compromised. The Town Board is also concerned that approval and permitting of short-term rentals, under the existing laws, may not support the best uses for lands within the Town of South Bristol. This review is in accordance with the Town of South Bristol Comprehensive Plan.

It is, therefore, the intent of the Town Board to suspend the review, inspection, approval, permitting, creation or establishment of all short-term rentals that might affect lands within the Town of South Bristol. This will afford the Town sufficient time to review the Town Code and, if determined to be necessary, amend pertinent sections of the Town Code or draft new provisions to the Town Code.

Based on the foregoing, the Town Board wants to ensure that any short-term rentals are reviewed under the new regulations and not under the existing laws.

Section 2. DEFINITIONS

- A. TOWN: Town of South Bristol, Ontario County, New York
- B. TOWN BOARD: Town of South Bristol Town Board
- C. PLANNING BOARD: Town of South Bristol Planning Board
- D. ZONING BOARD OF APPEALS: Town of South Bristol Zoning Board of Appeals
- E. CODE ENFORCEMENT OFFICER: Town of South Bristol Code Enforcement Officer
- F. SHORT-TERM RENTAL: Shall have the meaning set forth in §170-71 of the Zoning Law of the Town of South Bristol, Ontario County, New York State.

Section 3. MORATORIUM.

The Town Board hereby enacts a moratorium, which shall prohibit the review, inspection, approval, permitting, creation or establishment of any new short-term rental anywhere within the Town, except:

Short-term rental applications approved by the Planning Board prior to the effective date of this local law may receive a short-term rental permit from the Code Enforcement Officer pursuant to §170-71 of the Zoning Law of the Town of South Bristol, Ontario County, New York State.

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

Short-term rental permits issued prior to the effective date of this local law may be renewed if otherwise allowed by §170-71 of the Zoning Law of the Town of South Bristol, Ontario County, New York State.

B. This moratorium shall be in effect for a period of nine (9) months from the effective date of this Local Law and shall expire on the earlier of (i) the date nine (9) months from said effective date, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all zoning districts and all real property within the Town.

D. Pursuant to this moratorium, the Code Enforcement Officer shall not accept for filing any application for any new short-term rental, shall not review any application for any new short-term rental, shall not conduct any inspection for any new short-term rental and shall not issue any permit for any new short-term rental anywhere within the Town.

E. Pursuant to this moratorium, the Planning Board shall not review any application or floor plan for a new short-term rental nor shall it grant any approval for a new floor plan or new short-term rental application.

Section 4. PENALTIES.

Any person, firm, entity or corporation which shall violate the provisions of this Local Law, shall be subject to:

A penalty in the amount of \$250.00 for each day that such violation shall exist; and

Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction or improvements which may have been built in violation of this Local Law.

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Local Law.

Section 5. VARIANCES

Any property owner affected by this moratorium may apply to the Zoning Board of Appeals and make use of the existing variance procedures under the Town of South Bristol Zoning Local Law to seek relief from the restrictions of this local law.

Section 6. VALIDITY.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 7. SUPERSEDING EFFECT.

Pursuant to New York Municipal Home Rule Law, Section 22, the provisions of this law are to supersede any inconsistent provision of state or local law.

Section 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State and shall remain in force and effect for a period of nine (9) months from the date of such filing.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.),

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2022 of the Town of South Bristol was duly passed by the South Bristol Town Board on October 11, 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20__ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2005 of the City of _____ of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ____, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a

¹ Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county- wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or Village, or the supervisor of a Town where such officer is vested with the power to approve or veto local laws or ordinances.

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

majority of the qualified electors of the Towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Clerk of the Town
(Seal)

Date: _____

TENTATIVE 2023 BUDGET APPROVAL

Supr. Marshall said the Board needs to approve the Tentative Budget tonight, approve the tentative with the caveat that the Cheshire Fire will not exceed \$100,000.00, leaving it open for discussion.

Councilman Wohlschlegel said he would like to see their budget and do some checking for ourselves it is our fiscal right to do so and we should for this town. It is a lot to ask in a short period of time. The \$100,000.00 will be a “place-holder.”

Supr. Marshall agreed, the Tentative Budget needs to be approved this evening, all things considered with the exception of the Cheshire Fire Department. We’ve gone through salary increases, when we get to the Preliminary Budget there will be an explanation of where all this money is going. We are going to making improvements to the Town Hall, improvements to the Transfer Station, possibility of a new entry way for the Town Hall, paving the Highway Garage. All those numbers have been looked and are part of the budget and we can still keep the tax rate 0.02 cents lower than it was last year. We have a very large unexpended fund balance that we are able to draw from.

Councilwoman Goodwin asked if we approve the Preliminary Budget that the Cheshire Fire number change? We need their budget numbers.

Supr. Marshall noted that the minutes should reflect that the Tentative Budget was approved with the caveat, the understanding, that the Cheshire Fire Department number will not exceed \$100,000.00.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley the 2023 Preliminary Budget with the understanding that Cheshire Fire Dept will not exceed \$100,000.00 was APPROVED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

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

Supr. Marshall said he received a contract from Richmond Fire Contract and reflects a 4% increase over last year’s numbers. The Fire Department is asking the Town Board to approve the contract and signatures.

Councilwoman Goodwin said the numbers from the previous years do not match.

Supr. Marshall said we will hold this over to the next meeting.

(See Below)

VIII. REPORTS:
ASSESSOR

Supr. Marshall read the Assessor's Report.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin the Assessor's Report for September 2022 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin 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 September 2022 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin 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 Wohlschlegel the August 2022 and September 2022 Town Clerk's Report were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

IX. ACCOUNTING:
SUPERVISOR'S REPORT

Supr. Marshall read the Executive Summary: \$3,593,311.00 in the bank, the General Fund of the Town Budget expenditures are at 50% and should be at 75%; the Highway Fund expenditures are at 65%.

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

BUDGET TRANSFERS

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

Transfer From:	A1990.4	Contingency	\$11,804.00
Transfer To:	A1380.4	Fiscal Agent Fees Cont	\$1,854.00
	A8010.102	Zoning, Per Serv, Dep	\$9,950.00

RICHMOND FIRE CONTRACT APPROVAL

Councilwoman Goodwin informed Supr. Marshall that the Richmond Fire Contract is correct.

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, the Richmond Fire Contract for \$36,569.00 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

SOUTH BRISTOL TOWN BOARD MEETING

October 11, 2022

APPROVAL OF VOUCHERS

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel, the Abstract of Vouchers, totaling \$86,670.09 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Wohlschlegel and Goodwin.

SCHEDULE PUBLIC HEARING – 2023 BUDGET

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Public Hearing for the 2023 Town Budget is scheduled for Monday, October 24, 2022 at 7:00pm was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

EXECUTIVE SESSION

Supr. Marshall explained that the Board will move into Executive Session to discuss potential litigation.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Town Board moved into Executive Session was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin and Wohlschlegel.

Board moved into Executive Session at 8:30pm

Board moved out of Executive Session at 8:50pm with the same motion and no action.

X. ADJOURN: 8:50pm

Respectfully submitted:

Judy Voss