

SOUTH BRISTOL TOWN BOARD MEETING

January 9, 2023

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order January 9, 2023 at 7:11pm.

PRESENT

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

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Brooks Lyon, David Whittaker and Andrew Gregor

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. APPROVAL OF MINUTES

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the minutes of the December 12, 2022 Regular Town Board meeting were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the minutes of the October 24, 2022 Budget Workshop meeting were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

III. PLEDGE OF ALLEGIANCE

IV. PRIVILEGE OF THE FLOOR

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley read the Highway report:
Following is a brief description of events at the Town Barns in the last month.

- Had an additional 500 tons of salt delivered.
- Both the F 350 pickup and the F 600 small dump truck are here and in service.
- Doing some roadside brush hogging on Gannett Hill Rd.
- Occasional plowing
- Fixing equipment
- Planning for this coming summer's roadwork.
- The 2012 F 350 should be declared surplus, I'll be looking for Town Board approval on that.

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- I'll also be looking for Town Board approval on quoting several new pieces of equipment to replace items that are due.

Supt. Wight noted that a check was received today for the sale of equipment for \$51,325.00 from Auctions International. Supt. Wight said he will be collecting quotes for replacing equipment. The next 10-wheeler is due to be replaced in 2024 and that has already been ordered.

Supr. Marshall said that the Board should consider a reserve for equipment.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel, the 2012 F350 was declared Surplus was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

FINANCE

Supr. Marshall said that the Town started using NY Class in the middle of September and to date the Town has earned \$16,355.00 in interest. Supr. Marshall informed the Board that he is in the process of moving the Town's bank accounts from Five Star Bank to Canandaigua National Bank.

VI. OLD BUSINESS:

REVISED LOCAL LAW TO ENFORCE SPECIAL EVENTS VENUE SCHEDULE PUBLIC HEARING

Supr. Marshall said the proposed local law for Special Events Venue was in front of the Board previously and Planning Board member Fred McIntyre came in and offered about 8 reasons why we should change it. The proposed law was sent back to the Planning Board for review and made their changes; the Board needs to schedule a Public Hearing to move this forward.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution NO. 26-2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

RESOLUTION #26-2023

AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF SOUTH BRISTOL TO ADD REGULATIONS PERTAINING TO SPECIAL EVENT VENUES"

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 entitled "A Local Law Amending the Zoning Law of the Town of South Bristol to Add Regulations Pertaining to Special Event Venues"; 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 February 13, 2023, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of South Bristol, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper 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

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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.

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 January 9, 2023, by the following vote:

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

Dated: January 9, 2023

Judy Voss, Town Clerk

SEAL

VII. NEW BUSINESS:
RESOLUTION NO. 27-2023

**LOCAL LAW TO OVERRIDE THE 2% TAX CAP REQUIRED BY NEW YORK
STATE FOR THE TOWN AND FIRE DISTRICTS – SCHEDULE PUBLIC HEARING**

Supr. Marshall said the Board does this every year.

On a motion made by Councilman Strickland and seconded by Councilman Strickland and seconded by Councilwoman Goodwin, Resolution No. 27-2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

RESOLUTION NO. 27-2023

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 to override the tax levy limit established in General Municipal Law §3-c; 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 February 13, 2023, 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

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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 aforementioned resolution was adopted by the Town Board of the Town of South Bristol on January 9, 2023, 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: January 9, 2023

Judy Voss, Town Clerk

SEAL

2023 FEE SCHEDULE

Supr. Marshall noted that the Fee Schedule has some changes for approval. Changes were approved by the Code Enforcement Office.

Councilman Cowley said he questioned how these changes came about with the Code Enforcement Office, not having any issue with anything, just curious. The permit fee for new Septic Systems was changed from \$100.00 to \$25.00 and the Assessor had suggestions, as residents were being charged twice. Once from the Canandaigua Lake Watershed for \$100 and the Town for \$100.00; that is not good. After a discussion, it was decided to put the Septic fee to \$0.00 for anyone in the watershed, to remove the 2nd fee, and anyone outside the watershed, the fee is \$25.00. Outside the watershed there is no charge.

Councilman Cowley continued, the Timber Harvest permit went up from \$25.00 to \$100.00 because of the extent of work of the permit process, contacting the neighbors, etc., and justifiable. Same with the Steep Slopes fee, \$25.00 increased to \$100.00.

Discussion.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the 2023 Fee Schedule was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

VIII. REPORTS: **ASSESSOR**

Supr. Marshall read the Assessor's Report.

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

CEO

Councilman Cowley read the CEO Report.

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

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Supr. Marshall said that once the new Code is in place, the Code Enforcement Office will need to take an inventory of properties that are out of control. By doing it that way we can't say that we are picking on anyone. It's just not fair to neighbors to have properties like that.

TOWN CLERK/TAX COLLECTION

Supr. Marshall read.

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

IX. ACCOUNTING: BUDGET TRANSFERS

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

SUPERVISOR'S REPORT

Supr. Marshall reported that the bank account reconciled as of 12/31/22 has \$3,652,484.00 in the bank. Revenues of \$173,491.00 in CHIPS fund. Expenditures through the month of December should equal 100%; the General Fund Budget, the A fund, expended 67% of the budget and the Highway Fund, the DA fund, expended 91% of the budget. There are funds left over from each budget that will go back as Unexpended Fund Balance column.

Supr. Marshall has instructed the Bookkeeper to inform him as soon as possible what our balance is for the Unexpended Fund will be.

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

APPROVAL OF VOUCHERS

Councilwoman Goodwin noted that the Abstract needed some corrections and a new total.

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel, Abstract of Vouchers, totaling \$170,638.26 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

Supr. Marshall noted that the Board needs to have a discussion regarding the improvements for the Town Hall. We have a lot of things we'd like to be doing to this Town Hall and it's been very difficult to get the project underway. The server needs to be moved and trying to get that done has been a challenge.

Councilman Wohlschlegel mentioned that the quote from SG Security for an updated security system seems excessive. Councilman Wohlschlegel will email SG Security.

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X. ADJOURN: 7:55pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk