

## **SOUTH BRISTOL TOWN BOARD MEETING**

December 12, 2022

### **REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order December 12, 2022 at 7:10pm 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**

Joe Kohler, Fred McIntyre, Sam Seymour, Jon Heidrich, Jill & Marty Gordon

### **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 Strickland and seconded by Councilman Wohlschlegel, the minutes of the Regular Town Board Meeting for November 12, 2022, were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

### **IV. PRIVILEGE OF THE FLOOR**

Supr. Marshall informed the Board that the Town insurance policy renewal increased around \$2,000.00 due to new equipment and because of the budget. The Town also has an open case against the Town for a motorcyclist being injured on Bopple Hill Road. The case is still open and effects the insurance premium.

### **V. COMMITTEE REPORTS:** **HIGHWAY**

Councilman Cowley read the Highway Report:

Following is a brief summary of events at the Highway Department in the last month.

- Winter is here, we've already logged 10 + days in plowing/ treating roads.
- New Ford F-600 is here and ready for service.
- New Ford F-350 is also available at Friendly Ford.
- Brush Hog head installed on boom mower, ready for cutting back roadsides.
- Cleaning up trees around Town that came down in high winds.
- Painted all the truck's plow equipment and some of the truck frames.
- Sold surplus equipment with Auctions International for \$50,000.00 + minus their fees, (2014 Terra Star dump truck brought over \$27,000.00).

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### **VI. OLD BUSINESS:**

#### **CHESHIRE VOLUNTEER FIRE DEPARTMENT CONTRACT**

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, the 2023 Cheshire Volunteer Fire Department Contract was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin Strickland and Wohlschlegel.

### **VII. NEW BUSINESS:**

#### **TEAMSTERS CONTRACT**

Supr. Marshall said the Teamsters Contract runs from January 2023 through December 31, 2026; a 4-year contract. The initial increase for salaries was 10%, 4%, 2%, 2%. The other agreement is for \$250.00 towards safety-toe boots.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the 2023-2026 Teamsters Union Contract was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin Strickland and Wohlschlegel.

#### **HIGHWAY**

Supr. Marshall noted that Supt. Wight has submitted a Resolution to the Town Board that will add Middlebrook Road to the New York State Local Highway Inventory.

On a motion made by Councilman Strickland and seconded Councilwoman Goodwin, Resolution No. 40-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin Strickland and Wohlschlegel.

#### **RESOLUTION NO. 40-2022**

#### **A RESOLUTION BY THE TOWN OF SOUTH BRISTOL REQUESTING THAT AN EXISTING TOWN ROAD, "MIDDLEBROOK ROAD," BE ADDED TO THE NEW YORK STATE LOCAL HIGHWAY INVENTORY (LHI)**

WHEREAS, the Town Board of South Bristol is requesting that the road named Middlebrook Road be added into the LHI as an existing Town Road.

WHEREAS, the Town of South Bristol is in acceptance of responsibility for maintenance and repair of Middlebrook Road.

WHEREAS, the Town of South Bristol accepts legal responsibility for Middlebrook Road.

WHEREAS, Middlebrook Road runs from starting point north on State Route 64 and runs South 0.2 miles to end point on State Route 64.

NOW THEREFORE BE IT RESOLVED, on this date that the Town Board of the Town of South Bristol has voted on and passed this resolution requesting that Middlebrook Road be added to the New York State Local Highway Inventory (LHI).

#### **SOUTH BRISTOL CODE REVIEW – SEQR**

Supr. Marshall noted that per the discussion the Board had with Matt Sousa from MRB Group, he suggested that the Town Board declare us the SEQR Lead Agency through a Resolution.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, Resolution No. 41-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin Strickland and Wohlschlegel.

#### **RESOLUTION NO. 41-2022**

#### **TOWN OF SOUTH BRISTOL ZONING CODE UPDATES**

**SEQR RESOLUTION  
DECLARING THE INTENT TO BE LEAD AGENCY**

WHEREAS, the Town of South Bristol Town Board (hereinafter referred to as Town Board) has reviewed and completed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Town Engineer) on the above referenced town of South Bristol Zoning Code Updates (hereinafter referred to as Action); and

WHEREAS, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Town Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby declare its intent to be designated as the lead agency for the Action and directs the Town Supervisor to sign and date the Full EAF Part 1.

BE IT FURTHER RESOLVED, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing.

**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 November 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 Strickland, the CEO Report for November 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 Councilwoman Goodwin and seconded by Councilman Wohlschlegel the November 2022 Town Clerk's Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Cowley, Goodwin, Strickland and Wohlschlegel.

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

Supr. Marshall read the Executive Summary: \$3,723,000.00 in the bank. We are doing very well with NY Class earning interest, earning close to \$10,000.00 all ready. Supr. Marshall is contemplating moving some of our banking to Canandaigua National Bank. Currently, Five Star Bank has no bank manager and has mis-handled the Bond Payments and cannot have that.

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On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland 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 Councilman Cowley and seconded by Councilman Wohlschlegel, the Abstract of Vouchers, totaling \$257,682.25 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, thanked the Board for the privilege. I have 3 items as previously discussed since June. Mr. Kohler said he does not speak for the BHVA but I do speak for a lot of residents that I've spoken to since your last meeting. I am joined by the residents of Woodville, and I've had every single of Bristol Harbor endorse what I am about to say, on all three of these items. Thank you for your favorable comments, Mr. Supervisor, tourism in your last meeting and tourism isn't just your business, it is everyone's business in the Town of South Bristol. The clean-up of Woodville continues to be a problem and since June I am passing by there, parking there, taking photographs. In all of the Finger Lakes, it is a blight, it is obscene and I see no progress, I've seen zero progress and I've got a lot of photographs. The people at Bristol Harbor and the people of Woodville endorse a request for the Town to enforce the Code and get Woodville cleaned up and out. The dump needs to be shut down. The locked up fire hydrants at Bristol Harbor Village, again 3 fire departments, Naples, Wayland and Cheshire are in unanimous agreement, along with every resident of Bristol Harbor except for one named person who is on title at a condo, to have these fire hydrants opened. There is a moral obligation, there is a legal thin line between, you as the Town could be held for manslaughter if you've done something that allowed somebody to die. We lost a cat and thank God it wasn't someone in a wheelchair in that house. I would request that this Town stand with the fire department's and anyone from Bristol Harbor who is willing to show up with a news reporter coming down from Rochester, pleading our plight of life or death. The third item, the structure on, as Clerk Voss is well aware and has all the records, 3 weeks ago in this room, it was reported again, and I've seen the photographs the Town has, the structure was approved for a residence on Shore Drive and it is illegal, it has been in the PUD at Bristol Harbor and remains in the PUD of Bristol Harbor and it needs to be razed.

Supr. Marshall said the Town is not going to raze a building that has been constructed? We are not. No. 2, we will dispute the fact that it is in your PD. It may have been at one time, but the last set of drawings that we had from Ontario County show that it is not.

Mr. Kohler asked the Clerk to play at the next meeting the section of the comment that addresses the Supervisor's comment.

Supr. Marshall noted that 3 months ago I asked the President of Bristol Harbor Village Association if they would be willing to sit down and have a conversation with Todd & Laura Cook to have a discussion about the fire hydrants. To this day, I have not gotten a reply.

Mr. Kohler thanked the Supervisor for that comment, I welcomed that comment. Now I am going to give the Board a comment in answer to that comment. The last time Mr. Cook and Mr. Fields invited the BHVA President Will Kim and Laura Halloren, to come to discuss matters, Mr. Cook and Mr. Fields invited Laura Halloren to leave the room.

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Supr. Marshall said the BHVA President said she was going to go back and ask the Board if they would be willing to do that and to this date, they have not answered me.

Councilman Cowley said the Supervisor has reached out with an olive branch and tried very hard to has not gotten a response.

Councilman Strickland agreed and said we represent everybody in this town that is a resident of this town. You have a homeowner's association and we don't have any say in the homeowner's association, we've been through this so many times and has gone out of our way to help you folks out, and we just keep getting brow-beat, it gets a little tiring.

Clerk Voss handed out to the Board, a quote from SG Security to upgrade the Town Hall security and asked Councilman Wohlschlegel to contact the salesperson to discuss the security. Also, a sketch for a proposed garage attached to the Town Hall by Shanna Williams, an architect from the village of Naples.

Supr. Marshall asked how will we pay for this? Sort of an important fact and not in the budget for this year.

Clerk Voss answered, there is \$200,000.00 in the 2023 building budget line, do you know what all that is for?

Supr. Marshall, not yet. We have the transfer station to repair, we've got the highway lot to pave.

Councilman Wohlschlegel asked about replacing the foyer and wasn't that in the works as well?

Supr. Marshall answered that it was too late in the year to do anything about it and Councilman Strickland pretty much said this price is ridiculous, so now come springtime we will go out and quote it.

Councilman Wohlschlegel said if you are going out for a quote for the foyer, maybe it is something to add to the project, something we could redesign.

Clerk Voss noted that there are 3 people in one office, with another office being used as storage. This is for everybody and is sorely needed.

Supr. Marshall said we need to go back to the drawing board for the front, no doubt about that; the quote for \$82,000.00 was too high. We were having difficulty finding people to submit a quote, if we add the garage that it would make more interesting to people.

Clerk Voss said that being in the construction business myself, they are booked for next year all ready, so if we put it out to bid in the spring that is another year before they even start. We've got people to move around in the Town Hall and no one cares. It is going nowhere here at the Town Hall.

Councilman Strickland said he was working with that architect that took forever to get the plans from for \$16,000.00.

Clerk Voss noted that Shanna Williams had the sketch to me in 2 days.

Clerk Voss asked Supr. Marshall if we need to do anything with the new zoning map.

Supr. Marshall said he would look into it.

X. ADJOURN: 8:05pm

Respectfully submitted:

Judy Voss