

SOUTH BRISTOL TOWN BOARD MEETING

January 8, 2024

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order January 8, 2024 at 7:11pm.

PRESENT

Daniel Marshall, Supervisor
Stephen Cowley, Councilman
Scott Wohlschlegel, Councilman
Meg Fuller, Councilwoman
Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Jim Wight, Ginny Lalka, Gloria Harrington, Tracey Howe and Joe Kohler, Jonathan Heidrich online.

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. APPROVAL OF MINUTES

No minutes available at this time.

III. PLEDGE OF ALLEGIANCE

IV. PRIVILEGE OF THE FLOOR

Joe Kohler of Bristol Harbor, questions or suggestions, whatever way you want to take this Mr. Supervisor, I request that the next monthly meeting of the Town Board, that this item be put on the agenda for discussion. It's pretty simple, the late Sandra Day O'Connor was kind of famous for after the court battled it out, for taking them all out to her club or for lunch or picnic or whatever. I'd like to suggest, and my caucus, the Coalition of Concerned Citizens, both within the village of Bristol Harbor and throughout the Town of South Bristol have endorsed this thought, request, suggestion, that on the first Monday of the month, a place to be designated by yourself sir, we have a Town meeting. Not in this formal setting, but where the honorable members, I suggest the Clerk, and the Highway Superintendent, the court or anybody else in the building that would like to join us, that we meet and just talk about items that are of interest to the residents and the taxpayers in the Town of South Bristol. I'd like to suggest, I do not have the authorization to speak for the village of Bristol Harbor, but that the first meeting be at the village of Bristol Harbor. And you are hearing me use a phrase tonight, that maybe you have never heard before, instead of Bristol Harbor village, I am calling, saying the village of Bristol Harbor because as I understand town law, state law, county law and federal law, we are the village within your town, Mr. Supervisor, and you're within the County and the County is within the State and the State is within the Fed. So thank you very much for this request, and I request it be put on the meeting agenda for discussion, thank you. Congratulations Councilwoman, Mrs. Fuller.

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V. COMMITTEE REPORTS:
HIGHWAY

Councilman Cowley read the December Highway Report:

Following is a brief recap of events at the Town Barns in the last month: Finally got some real snow to clear off the roads. Fixing equipment in the shop. Working on installing some new LED lights on the back of the salt barn. Put one new high bay LED inside the barn to replace an old one not working. Also replacing an outside light on the back corner of the maintenance shop. Trimming brush and trees roadside. Broomed several roads a second time to remove loose stone from chip sealing. Updating and replacing faded road signs where needed.

Supr. Marshall asked if there was anything to add to the report. Supt. Wight said no, it is slow this time of year. The crew was out plowing and salting Saturday and into Sunday; it was busy.

Councilman Cowley said that high-winds are expected tomorrow.

Supr. Marshall requested that Supt. Wight find out the cost would be to re-side the existing original barn so that it matches the new building. Not suggesting that we are going forward with this, just would like to know how much money it will take to complete.

Supt. Wight said that is something the Highway Department can take care of.

Supr. Marshall said there is about \$28,000.00 still available from money that was used to building the new Highway barn that is reserve. The thought is to have the other buildings all look the same.

Councilman Wohlschlegel said the \$28,000.00 will be enough to reside the building.

Supr. Marshall agreed.

On a motion made by Councilman Strickland and seconded by Councilwoman Fuller, the Highway Report for December 2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

FINANCE

Supr. Marshall said that the Employees HSA and HRA accounts have been funded.

VI. OLD BUSINESS:

VII. NEW BUSINESS:
RESOLUTION 25-2024

**AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING TO CONSIDER
OVERRIDING THE TAX CAP LEVY**

Supr. Marshall noted that every year we pass a local law that allows the Town of override the 2% Tax Cap. For the record, we have never exceeded the tax cap. The local law is a precaution to protect the Town if the budget exceeded the 2% tax cap by mistake. This provides the Town protection in the event there are stiff penalties from NYS. Supr. Marshall mentioned that every year it is tougher and tougher to stay under the tax cap.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Fuller, Resolution #25-2024 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

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RESOLUTION #25-2024

INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

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 Monday, February 12, 2024, 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

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 8, 2024 2024, by the following vote:

| | <u>Aye</u> | <u>Nay</u> |
|--------------------|------------|------------|
| Daniel Q. Marshall | <u>X</u> | _____ |
| Scott Wohlschlegel | <u>X</u> | _____ |
| Meg Fuller | <u>X</u> | _____ |
| Stephen Cowley | <u>X</u> | _____ |
| James Strickland | <u>X</u> | _____ |

Dated: January 8, 2024

Judy Voss, Town Clerk

SEAL

RESOLUTION 26-2024

CORRECTING SPECIFIC LANGUAGE IN THE EMPLOYEE HANDBOOK

Supr. Marshall introduced the Resolution that clarifies the language of Section 7.13 of the Employee Handbook. That particular section of the Handbook refers to the funding of a HSA accounts for the employees; Regular Part-time employees which is most everyone at the Town Hall. All we are doing is amending the language in that to be very specific; "Regular Part-time Employees: 50% of the deductible for the current year for that employee's coverage. In other words, if the deductible changes from year to year it will always be 50% of whatever the new amount would be. In this case, for Single coverage, the deductible is \$3,200.00 and we would

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pay 50% of that, \$1,600.00. For Family coverage, the deductible is \$6,400.00 and we pay half of that, \$3,200.00.

Supr. Marshall read the Resolution.

Councilman Cowley asked, the Full-time employees work 40 hours, correct?

Supr. Marshall said that's correct.

Councilwoman Fuller asked, that's because of the past it said that Town will establish the amount if any that it will place in the Health Savings Account, but were we setting an amount in the past?

Supr. Marshall said, actually in the past we established ½ of \$1,300.00 which was, back then, what the deductible was. So we were saying \$650.00, but the fact of the matter is, the intent was to say 50% of whatever the current deductible was at that time.

Councilwoman Fuller asked, so we are drafting the language to be in line with that?

Supr. Marshall said the whole idea is to clarify the language, because really, it says we will pay 50% but what it doesn't clearly tell you, 50% of what?

Councilman Cowley said, just the established amount?

Supr. Marshall noted that is what we are talking about.

On a motion made by Councilman Strickland and seconded by Councilwoman Fuller, Resolution No. 26-2024 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

RESOLUTION NO. 26-2024

TO CLARIFY LANGUAGE IN SECTION 7.13 OF THE EMPLOYEE HANDBOOK

WHEREAS, Section 7.13 of the South Bristol Employee Handbook has language that is unclear, and

WHEREAS, the language pertaining to the percentage of money contributed by the Town for Regular Part-time Employees Health Savings Account, and

WHEREAS, the percentage of that amount is not adequately described,

NOW, THEREFORE BE IT RESOLVED, that the following edit be made to Section 7.13 of Employee Handbook in January of each year. Under the paragraph as shown below,

“How Much Will the Town Contribute? – The Town will establish the amount, if any, that will be placed in the Health Savings Account in the subsequent year. The following will apply when determining the Health Savings Account (HSA) deposits made by the Town.

- *Full-Time Employees – 100% for employee and dependent coverage*
- *Regular Part-time Employees – 50% of the deductible for the current year of employee coverage*

RESOLVED, the above changes will take effect immediately upon approval of this resolution.

VIII. REPORTS:

ASSESSOR

Supr. Marshall read the Assessor's Report. Nothing new to report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the Assessor's Report for December 2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

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CEO

Councilman Cowley read the CEO Report.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel, the December 2023 CEO Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

Councilwoman Fuller asked what is being done to track down the unpermitted Short-Term Rentals?

Supr. Marshall noted that some time back, we did do investigation through advertising on VRBO or AirBnB's; not sure how effect that was. It hasn't been very effective. It is difficult and has to be by word-of-mouth more than anything where a resident complains.

Councilman Cowley noted that they pop up, fill up and they pop back down, so if you are not watching them, they book their place and take themselves off.

Supr. Marshall noted that the other issue, we believe that the whole business of Short-Term Rentals is slowing down. New applications for STR's has dwindled completely.

TOWN CLERK/TAX COLLECTION

No report.

IX. ACCOUNTING:
SUPERVISOR'S REPORT

Supr. Marshall read the Executive Summary: as of 12/31/23 the bank had \$3,317,322.00 in the bank. Revenues for the month of December 2023 totaled \$54,693.81. The biggest contributor to the revenues was the Ontario County Mortgage Tax which we receive 2 payments each year. That check was \$30,347.00, which is disappointing. We did meet what we projected in the 2023 budget but it is showing a sign that Mortgage Tax is slowing down. Total Expenditures through December on average should equal 99.96% of the annual budget and our year-to-date expenses are \$1,948,853.00 which represents 94% of the annual budget. The Highway Fund, our total expenses are \$1,765,408.00 representing 83% of the annual budget. The rest of that goes back to the General Fund.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, the Supervisor's Report for December 2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

BUDGET TRANSFERS

Councilwoman Fuller noted that last month the Board tables the Budget Transfers.

Supr. Marshall agreed.

Supt. Wight asked if they found out why the funds were transferred from that budget line when the funds were encumbered from 2022?

Supr. Marshall answered, because the money that had been encumbered for the Grader, hadn't been taken into consideration. We paid for the Grader out of that account, which put the budget line in the red. Once the funds that were encumbered were transferred to that budget line, we are in good shape.

On a motion made by Councilman Strickland and seconded by Councilwoman Fuller, the Budget Transfers dated December 29, 2023, were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

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GENERAL FUND

| | | | |
|----------------|------------|-----------------------|-------------|
| Transfer From: | AA2401 | Interest & Earnings | \$28,078.00 |
| Transfer To: | AA1110.101 | Municipal Court, | \$155.00 |
| | AA1410.4 | Clerk, Contr | \$337.00 |
| | AA1620.4 | Buildings, Contr | \$9,960.00 |
| | AA3310.4 | Traffic Control | \$1,260.00 |
| | AA5010.1 | Street Admin, Pers | \$1.00 |
| | AA5132.4 | Garage, Contr | \$2,306.00 |
| | AA7110.4 | Parks, Cont | \$2,306.00 |
| | AA8010.1 | Zoning, Pers | \$163.00 |
| | AA8010.201 | Zoning, Per ser | \$461.00 |
| | AA8010.4 | Zoning, Contr | \$7,736.00 |
| | AA8020.4 | Planning, Contr | \$966.00 |
| | AA8160.1 | Refuse & Garbage | \$1,877.00 |
| | AA8160.4 | Refuse & Garbage | \$546.00 |
| | AA8810.1 | Cemetery, Per Ser | \$350.00 |
| | AA9030.8 | Social Sec, Empl Bene | \$1,913.00 |

HIGHWAY FUND

| | | | |
|----------------|----------|------------------------|--------------|
| Transfer From: | DA.2665 | Sales of Equip | \$5,810.00 |
| | DA.2401 | Interest & Earn | \$10,506.00 |
| | DA.5999 | Unexpended Fund Bal | \$156,491.00 |
| Transfer to: | DA5130.2 | Machinery, Equip | \$156,491.00 |
| | DA5130.4 | Machinery, Cont | \$1,005.00 |
| | DA5142.1 | Snow Removal, Pers | \$3,933.00 |
| | DA5148.1 | Serv Other Govts, Pers | \$1,063.00 |
| | DA9030.8 | Social Sec, Emp Ben | \$10,315.00 |

APPROVAL OF VOUCHERS

On a motion made by Councilwoman Fuller and seconded by Councilman Strickland, Abstract of Vouchers, totaling \$219,856.54 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

EXECUTIVE SESSION

Supr. Marshall noted that the Board will be moving into Executive Session.

On a motion made by Councilwoman Fuller and seconded by Councilman Cowley the Board moved into Executive Session to discuss _____. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Fuller, Wohlschlegel, Strickland and Cowley.

The Board moved into Executive Session at 8:00pm and came out of Executive Session at 8:30pm by the same motion. No Action taken.

X. ADJOURN: 8:30pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk