

SOUTH BRISTOL TOWN BOARD MEETING

December 11, 2023

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order December 11, 2023 at 7:07 p.m.

PRESENT

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

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Meg Fuller, Joe Kohler, Ginny Lalka, Tracey Howe and Kevin Stahl
Online: Jonathan Heidrich

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 Town Board Minutes for November 13, 2023 were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

IV. PRIVILEGE OF THE FLOOR

Joe Kohler of Bristol Harbour, thank you Mr. Supervisor and good evening Town Board, Town Clerk, Highway Superintendent. I first wish to thank again the Highway Department of the Town of South Bristol for keeping your word about a year ago with the paving of Seneca Point Road. Thank you. We appreciate it and all the great work with the plowing and keeping these roads safe in a very challenging township. I guess we have a little bit of dichotomy of wishes in weather in the room. Happy Holidays. A number of weeks ago with your open door policy, which I appreciate, in your office on Saturdays and you've made available these many years. Quite a number of weeks ago you asked me three times, you said, I know what you said because I wrote it down, Mr. Supervisor, you said "what is it you would like the Town of South Bristol to do? What is it?" And I said, "well, thank you for the question. I appreciate the question, respect it but I would like some time to think about that." So I had some time, and I didn't just think about it, I spoke to many residents of the Town of South Bristol, of Ontario County. Of State Officials, of people that have worked for the Town, I met with fire officials from the various fire departments, including Bristol, Cheshire, Wayland, Naples. Residents of Bristol Harbor Village, people down in Woodville and Law Enforcement and we will just leave it at that. There are four things I would like to see from the Town of South Bristol. I present

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December 11, 2023

these to you, I will present these two you on formal stationary as the Coalition of Concerned Citizens, as the founder and the chairman.

1. We would appreciate it and would ask the Town to do what ever they can within their power, jurisdiction, moral persuasion or any other way to get the fire hydrants at Bristol Harbor Village unlocked with the legal ring around it and to make them available to the responding fire departments. I would have a comment on that, is not a request: but in my discussions, I understand that there has been some discussions, instead of pulling up from down below, of using the water tower, the water facility, to feed the hydrants with gravity. And that is from the big water tank over there. Now the water company, as we know is privately owned, but the water rates and everything is determined by Albany by the Public Service Commission, who has been very favorable and has put in a lot of time and work and I have been to Albany several times to meet with the PFC at the Secretary's level and with the General Counsel's level. So perhaps the Town, in its capacity might receive some assistance from the Public Service Commission with regards to they hydrants. As we know, or if you don't know, a house burned to the ground on Andrews Way, a cat was inside and the cat was incinerated and I believe the resident, who lives in a wheelchair, fortunately wasn't there. So that is #1 of the 4 items.
2. As the BHVA Legal Committee Chair, presented to you several meetings ago and as I had presented to you having had you listen to opinion from our Buffalo/Rochester council, the Rupp Pfalzgraf firm, simply stated that the map that is on file with Ontario County needs correction. You indicated at that meeting you were going to meet with Mrs. Cushing, Mr. Supervisor and I asked you, "Did you meet with Gina?" and I believe you said No, but whether you did or didn't, we would like to see that map corrected.
3. I have met with certain Code Enforcement Officers throughout the County, some, I am not going to say who, what, when or where, but we would, not just we at Bristol Harbor, but the people down in the hamlet of Woodville, we would like to see the Code that is on the books here in the Town of South Bristol, enforced as with regards to everything at the marina. From the walls, to the caving walls down into our lockers, to the sewage that was flowing out as witnessed by the community back on the 4th of July from the bathrooms, down on the beach, everything. In Woodville, we would like to see it cleaned up. Not glacial progress, not we are working on it, because as we've all agreed, I think we've all agreed, Mr. Supervisor, tourism is everyone's business in the Town of South Bristol and in the Finger Lakes and in the State of New York.
4. I have filed certain FOIL requests I thank the Clerk in assisting me in filling out those FOIL requests, completing them. I have had no response to those requests and it has been over 90-days. The FOIL requests are simple as stated as to what it is I am looking for but I will say it again. I wanted to see everything and everything that I spoke from, this Privilege of the Floor regarding anything. And those are the four items, I will get to you in a signed document on my company station.

On a positive note, regarding property values in the Town of South Bristol, Ontario County in the Finger Lakes, Spectrum News featured this morning a Buffalo State Professor who has been studying weather here in this area for about 45 years, and he concludes that this area is very unique with all that is happening in the world and other parts of the world with horrible

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wildfires, earthquakes, tornados, tidal waves, tsunami's as I have lived with and many parts of the world being devastated by that these Finger Lakes and this particular area seems to be one of the best places you might want to live, invest, or visit because of the lack of these horrible, horrible climate change related events that are happening. I thank you and wish you a Happy New Year.

Mr. Kohler thanked Councilwoman Goodwin for her service and all her work. I know how hard you fought for the people of Bristol Harbor and for the Town.

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley read the Highway Report for November 2023.

Not a whole lot to report on this time of year.

- Trucks are all set up with plows and ready to go.
- Ordered 750 tons of salt.
- Replacing some lights on the salt barn.
- Everyone completed their yearly training at the Town Hall. Thank you, Diane.
- All summer equipment winterized and put in storage.

Supr. Marshall mentioned that the abstract includes a bill for \$28,000.00 for road salt. Supr. Marshall asked if the Highway Superintendent's Association has discussed changing the scraper blades on the trucks to a new material that conforms to the road?

Supt. Wight answered, yes, it is called ReHab React Plate and we have one truck outfitted with this scraper blade. The Association is looking at different grants available and different ways to finance those blades, help the town get them in place. The blades, supposedly, they clean that much better, cut salt usage by a third. This will be on the truck that plows Gulick Road.

Supr. Marshall said that this type of scraper blade on a gravel road is much better.

Supt. Wight agreed, also works well on roads with deep ruts; individual segments of the plow drop down and clean the road better and conform to the roadbed.

Supt. Wight said he looked into the truck purchase we spoke about at the last meeting. There is a truck, on the ground at VanBortel in Victor, that we can have now, and will be a savings of \$5,000.00; the truck is silver, not blue.

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

FINANCE

Supr. Marshall had nothing to report until the Year-End meeting.

VI. OLD BUSINESS:

LOCAL LAW TO REVISE ZONING MAP FOR GOVERNMENT PROPERTIES

Supr. Marshall noted that the Public Hearing for this local law was held earlier tonight.

Councilman Wohlschlegel asked if SEQR was required?

Supr. Marshall noted that no SEQR was required.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, Resolution No. 41-2023 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

**RESOLUTION 41-2023 AUTHORIZING ADOPTION OF
LOCAL LAW NO. 4 OF 2023**

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 December 11, 2023, at 7:00 p.m. at South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of South Bristol, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Changing the Zoning District Classifications of Certain Parcels and Amending Portions of the Zoning Map of the Town of South Bristol" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on November 28, 2023 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 11, 2023, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of South Bristol, 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, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; 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. 4 of 2023, entitled "A Local Law Changing the Zoning District Classifications of Certain Parcels and Amending Portions of the Zoning Map of the Town of South Bristol", 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, to publish an abstract of this local law in the Town's official newspaper 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 December 11, 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: _____, 2023

Judy Voss, Town Clerk

SEAL

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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

City

Town of South Bristol

Village

Local Law No. **4** of the year **2023**

A local law **"Changing the Zoning District Classifications of Certain Parcels and Amending Portions of the Zoning Map of the Town of South Bristol"**

(Insert Title)

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

County

City

Town of South Bristol

as follows:

Village

Section 1. In accordance with Sections 170-5 and 170-11 of the Zoning Law of the Town of South Bristol, Ontario County, New York State, the Zoning Map of the Town of South Bristol is hereby amended by changing the zoning district classification of the following thirteen (13) properties:

1. Property located at 7201 State Route 21 in the Town of South Bristol, identified as Tax Map No. 194.00-1-16.100; and
2. Property located on the north side of Hicks Road and directly east of 6150 Hicks Road in the Town of South Bristol, identified as Tax Map No. 168.00-1-71.000; and
3. Property located on the east side of State Route 21 and the north side of Bopple Hill Road in the Town of South Bristol, identified as Tax Map No. 178.00-1-46.000; and
4. Property located on the east side of County Road 12 in the Town of South Bristol, identified as Tax Map No. 194.00-1-20.210; and
5. Property located at 7083 County Road 12 in the Town of South Bristol, identified as Tax Map No. 194.00-1-22.110; and
6. Property located north of 6450 Gannett Hill Park Drive, south of 7121 County Road 34 and east of 6297 County Road 33 in the Town of South Bristol, identified as Tax Map No. 184.00-1-78.000; and
7. Property located in the Town of South Bristol south of 7077 Sumac Drive, east of the easterly boundary of the Town of Richmond and north of the northerly boundary of the Town of Naples, identified as Tax Map No. 188.00-5-8.100; and
8. Property located at 6860 Gulick Road in the Town of South Bristol, identified as Tax Map No. 189.00-1-33.000; and

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9. Property located at 5809 State Route 64 in the Town of South Bristol, identified as Tax Map No. 177.00-1-80.100; and
10. Property located at 5809 State Route 64 in the Town of South Bristol, identified as Tax Map No. 177.00-1-80.200; and
11. Property located at 6358 State Route 64 in the Town of South Bristol, identified as Tax Map No. 184.00-1-30.000; and
12. Property located on the west side of State Route 21 in the Town of South Bristol, identified as Tax Map No. 184.00-1-57.000; and
13. Property located on the west side of State Route 21 in the Town of South Bristol, identified as Tax Map No. 184.00-1-58.000.

The portion of the property identified in 1 above that is located west of State Route 21 and presently designated to be in the R-3 – Three-Acre Residential District, is rezoned so as to be designated “Government Lands”.

All four (4) of the properties identified in 2, 3, 4 and 5 above, presently designated to be in the R-3 – Three-Acre Residential District, are rezoned so as to be designated “Government Lands”.

All three (3) of the properties identified in 6, 7 and 8 above, presently designated to be in the R-5 – Five-Acre Residential District, are rezoned so as to be designated “Government Lands”.

Both of the properties identified in 9 and 10 above, presently designated to be in the NC – Neighborhood Commercial District, are rezoned so as to be designated “Government Lands”.

The property identified in 11 above, presently designated to be in the C-1 – Light Commercial District, is rezoned so as to be designated “Government Lands”.

The property identified in 12 above, presently designated to be in the C-2 –Commercial District, is rezoned so as to be designated “Government Lands”.

The property identified in 13 above, presently designated as “Government Lands”, is rezoned so as to be designated to be in the C-2 –Commercial District.

Section 2. 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 3. This local law shall take effect immediately upon filing with the Secretary of State.

(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.),

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the **Town of South Bristol** was duly passed by the South Bristol Town Board on December 11, 2023, 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.)

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.

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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__, and was (approved)(not approved)(repassed after disapproval) 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 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: _____

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On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, Resolution No. 42-2024 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

**LOCAL LAW 467 LOWER INCOME SENIOR CITIZENS EXEMPTIONS
RESOLUTION 42-2023**

AUTHORIZING ADOPTION OF LOCAL LAW NO. 5 OF 2023

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 December 11, 2023, at 7:00 p.m. at South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York, to hear all interested parties on a proposed Local Law entitled “A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on November 30, 2023 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 11, 2023, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, 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. 5 of 2023, entitled, “A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes”, 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 December 11, 2023, by the following vote:

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

Dated: December 12, 2023

Judy Voss, Town Clerk

SEAL
LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform
Commercial Code

(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

City

Town of South Bristol

Village

Local Law No. **5** of the year **2023**

**A Local Law Amending Chapter 153 of the Code of the Town of South Bristol
Relative to the Exemptions for Senior Citizens and for Disabled Persons with
Limited Incomes**

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

County

City

Town of South Bristol

as follows:

Village

Section 1. The opening paragraph of §153-6 of Chapter 153 (Taxation) of the Code of the Town of South Bristol is hereby repealed and a new opening paragraph of §153-6 is inserted in its place to read as follows:

Pursuant to § 467 of the New York State Real Property Tax Law, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by a married couple, one of whom is 65 years of age or over, shall be exempt from Town of South Bristol taxes to the extent shown below of the assessed valuation thereof as determined by the owner's or owners' corresponding annual income:

Section 2. Paragraph A of §153-7 of Chapter 153 (Taxation) of the Code of the Town of South Bristol is hereby repealed and a new paragraph A is inserted in its place to read as follows:

A. If the income of the owner or the combined income of the owners of the property for the income tax year ("income tax year" shall have the meaning ascribed to it in § 467 of the New York State Real Property Tax Law) is equal to or exceeds the Annual Income amount set forth in §153-6 hereof showing a 0% Reduction. Where title is vested in a married person, the combined income of such person and such person's spouse may not exceed such sum.

Section 3. §153-9 of Chapter 153 (Taxation) of the Code of the Town of South Bristol is hereby amended with the insertion of a new paragraph C to read as follows:

C. In this Article, the term "income" shall have the meaning ascribed to it in § 467 of the New York State Real Property Tax Law and shall include distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income.

Section 3. Article V (Exemption for Disabled Persons With Limited Incomes) of Chapter 153 (Taxation) of the Code of the Town of South Bristol is hereby amended with the insertion of a new §153-16 to read as follows:

§ 153-16 Definitions.

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- A. In this Article, the term “income” shall have the meaning ascribed to it in § 459-c of the New York State Real Property Tax Law and shall include distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income.

SECTION 4. 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 5. This local law shall take effect immediately upon filing with the Secretary of State.

(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.),

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the **Town of South Bristol** was duly passed by the South Bristol Town Board on December 11, 2023, 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 Officer².)

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__, and was (approved)(not approved)(repassed after disapproval) 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

² 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.

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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 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: _____

VII. NEW BUSINESS:

APPROVAL OF MAXFIELD HOSE FIRE CONTRACT FOR 2024

Supr. Marshall noted that there is a contract to sign with the Village of Naples for fire protection in the amount of \$113,864.00 for 2024 fire protection by the Maxfield Hose Company.

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

DISCUSSION ON AMENDMENT TO THE TOWN CODE

Supr. Marshall said we discovered something in the Town Code that did not include the Schedule of District Regulations, a schedule for each district. The current town code makes a reference to a section in the Code that hasn't been assigned yet. That is simply a typo, as long as Board is in agreement and the attorney approves the amendment. Needs a motion to amend Chapter 170-14, Section 4.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley, to amend Chapter 170-14 as mentioned was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

VIII. REPORTS:
ASSESSOR

Supr. Marshall read the Assessor's Report.

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

CEO

Councilman Cowley read the CEO Report.

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

TOWN CLERK/TAX COLLECTION

Supr. Marshall read the Town Clerk's Report.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the Town Clerk's Reports for November 2023 were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

IX. ACCOUNTING:
SUPERVISOR'S REPORT

Supr. Marshall read the report: As of November 30th, \$3,511,5395.00 in the Bank. Received \$29,715.00; \$15,979.00 in interest earned. Received Franchise Tax fee from Charter Communications \$8,207.00.

Expenditures for November should reach 91.63% of the annual town budget, we are actually above 80% in the A Fund, and the DA 83%.

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

BUDGET TRANSFER

Supr. Marshall noted that there is a transfer included in the is a transfer of \$130,000.00 for the garage, which is reserve funds to pay for the repaving of the highway parking lot.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, to approve the Budget Transfer and Amendment was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

BUDGET TRANSFERS & AMENDMENTS
TO BE APPROVED BY THE TOWN BOARD

GENERAL FUND:

Transfer From:	AA.3989.4 Public Safety	\$5,000.00
	AA.2401 Interest & Earnings	\$10,000.00
	AA.5999 Unexpended Fund Bal	<u>\$148,292.00</u>
		\$163,292.00
Transfer to:	AA.1315.4 Comptroller, Cont	\$2,617.00
	AA.1410.102 Clerk, Pers Ser	\$2,000.00

SOUTH BRISTOL TOWN BOARD MEETING

December 11, 2023

AA.1410.4 Clerk, Cont	\$110.00
AA.1620.4 Buildings, Cont	\$16,000.00
AA.1650.4 Central Comm, Cont	\$6,500.00
AA.1670.4 Central Print & Mail	\$1,000.00
AA.5132.4 Garage, Cont	\$130,000.00
AA.7510.4 Historian, Cont	\$1,065.00
AA.8160.4 Refuse & Garbage	<u>\$4,000.00</u>
	\$163,292.00

BUDGET AMENDMENT:

Transfer From:	A9901.9 Interfund, other	\$370,000.00
Transfer To:	DA5031 Interfund Transfer	\$370,000.00

APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Abstract of Vouchers, totaling \$70,691.05 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Wohlschlegel, Goodwin, Strickland and Cowley.

X. ADJOURN: 7:50 p.m.

Respectfully submitted:

Judy Voss
South Bristol Town Clerk