

SOUTH BRISTOL TOWN BOARD MEETING

January 14, 2013

**REGULAR MEETING**

The regular meeting of the South Bristol Town Board was called to order January 9, 2012 at 7:12pm at the South Bristol Town Hall, 6500 W Gannett Hill Rd., Naples NY 14512.

**PRESENT**

Daniel Marshall, Supervisor  
Barbara Welch, Councilwoman  
Hermann Arndt, Councilman  
Mark Storm, Councilman  
Jim Bachman, Councilman

**RECORDING SECRETARY**

Judy Hanley, Town Clerk

**OTHERS**

Bub Seymour, Jim Wight, Kevin Murphy, Melanie Eisenberg, Edgar Brown, Petra Page-Mann, John & Mary McAlpin, Lee & Mary Wiltse, et al

Supr. Marshall opened the meeting with roll call and the Pledge of Allegiance.

**TOWN BOARD MINUTES**

On a motion by Councilman Arndt and seconded by Councilwoman Welch the minutes of the December 10, 2012 Town Board Meeting; and the minutes of the December 29, 2012 Year-End Town Board meeting were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**PRIVILEGE OF THE FLOOR**

No one signed up for privilege of the floor.

Supr. Marshall mentioned that in the last couple of weeks we have lost two good people that did much for the Town of South Bristol. Gary Muxworthy, who was a Town Board member, passed away on December 31<sup>st</sup>. Earlier this week, Joe Polimeni passed away and was a member on the South Bristol ZBA and BAR. Supr. Marshall noted that he has two resolutions of sympathy.

On a motion made by Councilman Arndt and seconded by Councilman Storm, Resolution No. 20-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 20 - 2013**

**RESOLUTION OF SYMPATHY – GARY MUXWORTHY**

**WHEREAS**, the citizens of South Bristol were saddened by the news of the death of Gary R. Muxworthy, and

**WHEREAS**, Mr. Muxworthy played a major role in the promotion of skiing and snowboarding in South Bristol, and

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**WHEREAS**, Mr. Muxworthy served for four years as Councilman for the Town of South Bristol, and

**WHEREAS**, this Town Board wishes to express its sorrow in the loss of such a valued individual; now, therefore, be it

**RESOLVED**, that this Town Board on behalf of its members, town officials and town employees, mourn the death of Gary R. Muxworthy and extends its sympathy to his family, and further

**RESOLVED**, that this resolution be made a part of the minutes of this Board and a copy presented to his family.

On a motion made by Councilwoman Welch and seconded by Councilman Bachman, Resolution No. 21-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 21-2013**

**RESOLUTION OF SYMPATHY – JOSEPH POLIMENI**

**WHEREAS**, the citizens of South Bristol were saddened by news of the death of Joseph Polimeni, and

**WHEREAS**, Mr. Polimeni was a long time resident of South Bristol, and

**WHEREAS**, for many years, Mr. Polimeni served on the former Board of Assessors, and

**WHEREAS**, Mr. Polimeni served on the Board of Assessment Review, and

**WHEREAS**, Mr. Polimeni also served on the South Bristol Zoning Board, now therefore be it

**RESOLVED**, that this Town Board on behalf of its members, town officials and town employees, mourn the death of Joseph Polimeni and extends its sympathy to his family and further

**RESOLVED**, that this resolution be made a part of the minutes of this Board and a copy presented to his family.

**DEPARTMENTAL REPORTS:**

**CEO REPORT**

Supr. Marshall noted that ZBA Secretary Debbie Minutes submitted a noted stating that all Zoning Board of Appeals Board members met their training requirements.

On a motion made by Councilman Arndt and seconded by Councilwoman Storm the 2012 Year-End CEO Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Councilman Arndt noted that there will be a Fireworks display on January 26<sup>th</sup> at Bristol Harbor by Young Explosives. Supr. Marshall noted asked Clerk Hanley to notify the residents at Bristol Harbor.

Councilman Bachman asked if the Board was going to talk about fees tonight? This is another example of 5 days notice, the Bristol Harbor residents will get this information tomorrow and will need to make plans for something that is days from now. Councilman Bachman said that this coincides with his request to have a 30-day notice. If the Town doesn't get 30 days notice, then no fireworks permit is issued.

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Supr. Marshall noted that the Board will discuss the fees on a broader scale in the next month or two; all the Town's fees. Councilman Arndt noted that the Board had discussed this but didn't make a determination. Councilman Bachman said this is why he made the suggestion.

### **ASSESSOR'S REPORT**

Supr. Marshall noted that the Assessor has submitted a report as well as an addendum to the report.

On a motion made by Councilman Bachman to accept the Assessor's report seconded by Councilman Storm was ACCPETED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

### **COMMITTEE REPORTS:**

#### **HIGHWAY DEPT.**

Councilman Arndt noted that the Highway Dept. is working on tree-trimming on Seneca Point Road. The rest of the work is typical winter repair work.

Councilman Arndt noted that the Town of Victor had stored 1100 tons of salt in the Town Salt Barn and South Bristol has since used that salt. The 1100 tons was recently drop-shipped off to the Town of Victor and there is a voucher in the abstract that reflects this so the Board is aware. The Highway Dept. is within 200 tons of its contractual obligation for salt. The contract requires the Town to purchase 80% of its agreement.

Councilman Arndt continued, noting that new windows have been installed over at the Highway Dept. as well as the installation of a dropped ceiling in the break room and office.

Councilman Arndt noted that Supt. Wight did some analysis on propane prices for the Town. Amerigas was the lowest at \$2.39. Supt. Wight noted that the price is \$1.49.

Councilman Arndt continued, that the Grater has been sandblasted and painted and the blade extended; part of the winter work.

Councilman Arndt noted that the Loader purchased last year has accumulated 189 hours. The Board decided that the Loader would be on a two-year trade in rotation; that decision can be made at the end of the year.

Councilman Arndt noted that Supt. Wight has been talking with Suit-Kote, the oil supplier. Councilman Arndt noted that the Highway Dept. will be working on Gulick Road this summer. Gulick Road is 6.7 miles of Town roadway; double that up for 2 lanes. The plan is to increase the road bed by 1.5 feet per side and would like to have all of Gulick Road done; if not, the Highway Dept. will only do half. Councilman Arndt noted that there is CHIPS money from 2012 still available as well as 2013 CHIPS money; totaling around \$130,000.00 for the project. Councilman Arndt will put Gulick Road on rotation with all the other Town roads, every 3-4 years, for repair. After the work, Gulick Road should be close to County specs. If it is cost prohibitive only half of the roadway will be completed.

Councilman Arndt noted that the new truck is not in yet. We are not trading in a truck but keeping the best of the fleet for mutual aid with other Towns. If we do this and put the trucks on rotation, we should be able to have a 4-5 year rotation instead of having to buy 2 trucks in one year which would kill the budget.

Councilman Arndt continued, noting that Supt. Wight would like to take down the Quonset hut down that is on the north-side of the Transfer Station and add a 2-bay garage at some point.

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Supr. Marshall asked what equipment would go in the 2-bay garage, the loader and another vehicle? Supt. Wight agreed, the Loader also gets put inside during the winter months.

Councilwoman Welch asked if we are keeping track of the hours of all the equipment now? Supr. Marshall noted the service logs would keep track of the hours on the equipment. Supt. Wight noted that there is an hour meter on everything. Councilwoman Welch asked if the yearly totals were figured? Supt. Wight agreed, the hours are recorded when the equipment is serviced and there are mileage and fuel logs as well.

Supr. Marshall asked the reasoning behind keeping a truck for mutual aid. Councilman Arndt said that the dump truck we are keeping is worth a lot of money and if we do have a mutual aid agreement and one of the trucks and an employee are out it doesn't jeopardize the whole crew. Supt. Wight agreed and said that the "old" truck is the truck that had its box body replaced that was purchased recently. The Board had discussed the reason behind having 4 trucks, instead of 3 because he needs to be able to send a truck and employee out for mutual aid and still get the work done for the Town. The plan is to have 4 trucks and when it comes time to replace a truck, the old truck will go to auction; we are not just going to be adding to the fleet.

Councilwoman Welch asked if the 4<sup>th</sup> truck will be used solely for mutual aid. Supt. Wight said no, it will serve the Town.

### **BUILDINGS & GROUNDS, CEMETERIES**

Councilman Storm had nothing to report. Supr. Marshall noted that the roof of the Town Hall is still leaking and the sooner we consider a roof replacement the better. Councilwoman Welch asked if we have someone to replace the roof. Supr. Marshall noted that the quotes received were for budget purposes only. The Board will have to put out a form request for quotes. Councilwoman Welch noted that one of the roofers that submitted a quote does work year round and wouldn't have to wait until spring. Councilman Arndt asked if the Board had decided on standard shingles or standing-seam? Councilman Storm said the standard shingles. Supr. Marshall noted that we decided on standard shingle but you can have a metal roof without the standard seam; he would like a roof that lasts. Councilman Arndt agreed. Supr. Marshall noted that the roof has a small pitch to it and not sure that is an issue. Councilman Arndt said if you applied ice and water shield on the whole roof with a 30-year architectural shingle it should last. The issue is the cupola on the roof and didn't know who put it up there or how. Supr. Marshall agreed and noted that the contractor that has tried to repair the leak has said that the cupola is the problem and recommended removing it. Supr. Marshall noted that BOCES students had designed built and placed the cupola on the roof and doesn't know if it was properly flashed. Supr. Marshall asked the Board if they wished to begin the bid process for the roof replacement. Councilman Arndt defined the bid as a 35-year architectural shingle, ice and water shield throughout, with or without a cupola and tear-off. Councilman Storm noted that the quotes received for budget purposes did not include a 35-year shingle. Supr. Marshall noted that next month, the Board will decide which course to take.

### **PERSONNEL, HANDBOOK PROCEDURES**

Councilwoman Welch had nothing to report.

### **PUBLIC SAFETY & COMMUNITY RELATIONS**

Councilman Bachman noted that 175<sup>th</sup> Celebration Committee meets again this week. The March 9<sup>th</sup> Open House is a Saturday from 9am – Noon, Town officials should be present.

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Supr. Marshall agreed and will take care the Town employees; the CEO and Assessor should be available and the Tax Collector will be here. Supr. Marshall asked the Committee to invite the Town Justices. Councilman Bachman said that it is the kick-off to the 2013 birthday celebration for the Town.

Councilman Bachman said that the CD tickets for the Transfer Station are now available and spoke with one of the new employees about the process; they are conveying the message but have nothing to enforce. Councilman Bachman said that he would like Supt. Wight to help implement the new regulations. Councilman Bachman said that he would get the information together and plan on spending the whole day at the Transfer Station this Saturday. Supt. Wight agreed and said that it will be a learning curve for the residents.

### **POLICY – INSURANCE, HANDBOOK, PROCEDURES**

Councilwoman Welch wanted to talk to the Board about Additional Insured Certificates; it is probably the greatest tool any organization has to protect itself from negligence or gross negligence. What it does is any organization or corporation that provides a service to the Town of South Bristol, at a charge and under contract such as roofing or fire protection, or an agreement or anyone that uses the Town Hall, such as the Historical Society, needs to provide to the Town of South Bristol a certificate of insurance indicating that they have contacted their insurance carrier and that the Town of South Bristol has been added to their policy. What that does for the Town of South Bristol, if there is some gross negligence, if we hire a roofer with an employee that has a drug and alcohol problem that they are aware of and backs someone over in the parking lot. If the Town doesn't get insurance certificate the Town will have to sue the contractor and the injured party can sue the Town and the Town's insurance as well. Councilwoman Welch continued, now what will happen with the insurance certificate is the contractor's insurance will become the primary insurance; their insurance carrier will defend the Town against a lawsuit for negligence. Under municipal law it has to be gross negligence; there is a higher standard that municipalities have to reach. In the case of the Naples Fire Dept. that is a municipal contract; in the past we have added "hold harmless" to the Fire Contracts. Councilwoman Welch noted that the greatest protection the Town could have is by telling the fire departments that we want additional insured status or certificate issued. This affects a lot of our relationships; namely the 4 fire departments that we take taxpayer money and a contract in place. It affects the South Bristol Historical Society and Councilwoman Welch noted that she has spoken with the President and is on board with that.

On a motion made by Councilwoman Welch request that the Town of South Bristol be placed as additional insured on General Liability and Vehicle Insurance Policies for the 4 fire districts and the South Bristol Historical Society and when we go out to bid on the roofing that we specify a required and Additional Named Insured Certificate and not enter into any contracts with these parties until that language is included in the contract for the current year and seconded by Councilman Arndt was ACCEPTED. Voting AYE: 4. Voting NAY: 1. Voting AYE: Marshall, Welch, Arndt and Bachman. Voting NAY: Storm.

#### Discussion:

Supr. Marshall noted that, in the past, we have written the fire contracts. Councilwoman Welch noted that she will ask Joel Steele for the wording to be added to the fire contracts; and there is not a contract with the South Bristol Historical Society for usage of the building. Councilwoman Welch noted that the Historical Society has said they would get an insurance certificate to the Town.

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Supr. Marshall noted that up until recently the Historical Society seldomly used the Town Hall; are we going to ask everyone to use the Town Hall for an insurance certificate? Councilwoman Welch said that is a separate discussion; we've had that discussion in the past of the usage of the building by third parties and have chosen not to develop a contract for usage. Councilwoman Welch said that the Ontario Co. Republican Committee, the Red Cross, Historical Society have all used the building at times.

Supr. Marshall noted that if Ontario Co. Planning Dept. wants to use the Town Hall, as well as the Fingerlakes Visiting Center, one time, that's all. Do we really need to call them out on that? Councilwoman Welch said probably, we have no control over who is negligent and who is not. Our insurance carrier will give us an additional insured certificate with no additional premium, no extra cost. It is a lot simpler than it sounds; the range is \$0 - \$135 per year for liability insurance. The insurance company wants to know who is coming in to use the Town Hall; they want to make sure you don't have someone coming in and serving alcohol; and we have no control over accidents.

Councilman Bachman asked if someone came in on a Friday and wanted to use the building on Saturday, this is a public building. Supr. Marshall agreed and said the building should be available for the South Bristol residents. Supr. Marshall understood the reasoning for protection, but having a quilting group use the building; they are not an organization and are not going to have an insurance policy and do not want to tell them they can't use the facility; can't the current insurance have some coverage for that?

Councilwoman Welch said that the Town does have coverage for that; but you don't want to assume coverage where you don't have to. This is a vehicle where you do not assume the risk for other people's negligence, gross negligence. Things happen; this protects the taxpayers of South Bristol.

Kevin Murphy said that the Town does have insurance if he met with 12 people at the Town Hall and someone fell and broke their leg; organizations are the issue. Councilwoman Welch agreed. Mr. Murphy said the atmosphere is licentious; everyone covering their backside.

Councilman Arndt said that Councilwoman Welch had mentioned the 4 fire departments, the mutual aid and has made the motion to include all that. Councilman Arndt suggested tabling the issue until we see what the language sounds like, etc.

John McAlpin said that Monroe County Water Authority set the standard on additional named insured. There is a difference between *additional insured* and *additional named insured*. Additional named insured, the contractor who is doing work for you literally has you named in their contract which means their policy not only coverage, but defense; so additional named insured is appropriate. Monroe County Water Authority did not want to assume the financial risk of any contractor going out and doing the digging for them; Monroe County Water Authority was relying on their insurance and their insurance was inadequate. This is to reduce costs; going so far as having a public organization having to file an insurance certificate is a bit much. Supr. Marshall agreed.

Supr. Marshall noted that everything Councilwoman Welch has said has merit, but there is a line there. Councilwoman Welch agreed and said that she was relying on the insurance broker, he did recommend, particularly since we are having the Historical Society meeting here, as additional insured under their coverage.

Edgar Brown, President of the South Bristol Historical Society, noted that one of the considerations should be frequency of use. Councilwoman Welch didn't have that information.

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Supr. Marshall noted that the event scheduled in March for the 175<sup>th</sup> Open House; is that a Town event or a Historical society event? Councilman Bachman said that all the events have been described as being Historical Society events.

Supr. Marshall noted that it seems like an easy fix and given the events scheduled it would be appropriate. Councilwoman Welch agreed.

Councilman Arndt summated, we will get the insurance certificate from the fire departments and every contractor does this as a matter of course, anyways; the Historical Society will submit their insurance for this year. Councilwoman Welch agreed and said that mutual aid is another area.

Councilman Storm asked if someone comes in to work on the Town Hall they have to submit insurance; someone had come and fixed some siding and asked if we need to get their insurance too? Councilman Arndt said to ask Mr. Steele. Councilwoman Welch agreed.

**ENVIRONMENTAL**

Supr. Marshall noted that he had nothing on Environmental.

**LEGAL**

Supr. Marshall noted that he has been trying to find out what the status is on the final decisions with regards to the lawsuits for assessment grievances; they are still pending.

**OLD BUSINESS**

**RESOLUTIONI – ADOPTION OF LOCAL LAW  
EXTENDING MORATORIUM ON HYDRO-FRACKING**

Supr. Marshall that Public Hearings were held tonight and asked the Board is they had anything to discuss? Councilman Arndt and Councilwoman Welch said to move forward. Supr. Marshall noted that the Board has a Resolution to Adopt the Local Law in front of them for their approval.

On a motion made by Councilwoman Welch to adopt Local Law #1-2013 Establishing a Second Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing Uses and seconded by Councilman Storm was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 22-2013**

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW #1-2013**

**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 January 14, 2013, 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 Establishing a Second Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing Uses” and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on January 6, 2013 and other notices required to be given by law were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on January 14, 2013, 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

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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. 1 of 2013, entitled "A Local Law Establishing a Second Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing Uses", 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, and be it further

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	<u>x</u>	_____
Barbara Welch	<u>x</u>	_____
Herman Arndt	<u>x</u>	_____
Mark Storm	<u>x</u>	_____
James Bachman	<u>x</u>	_____

Dated: January 14, 2013

\_\_\_\_\_  
Judy Hanley, Town Clerk

SEAL

**LOCAL LAW #1-2013**

**FILING LOCAL LAW**

New York State Department of State  
41 State Street, Albany, NY 12231

**(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. **1** of the year **2013**.

A local law **"Establishing a Second Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing Uses"**

(Insert Title)

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

County

City

**Town of South Bristol**

as follows:

Village

Section 1. TITLE:

This Local Law shall be known as the "Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing".

Section 2. STATEMENT OF LEGISLATIVE INTENT:



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It is the purpose of this local law to prevent serious detrimental health and environmental effects posed by the practices of horizontal or directional gas drilling and hydraulic fracturing, also known as hydro-fracking, which could threaten the Town of South Bristol through potential contamination of aquifers and fresh water supply, the use of massive quantities of water, the disposal of the fracking fluids, the release of chemicals used in the processes and the impact upon local landscapes which could result in the degradation of the Town of South Bristol's significant environmental, natural, aesthetic and agricultural resources as well as to the Town of South Bristol's infrastructure. It is the further purpose of this local law to enable the Town of South Bristol to have sufficient time to research its ability to enact regulations pertaining to the practices of horizontal or directional gas drilling and hydraulic fracturing and to enact a local law enacting such regulations within the Town of South Bristol.

The Town of South Bristol established a one-year moratorium on the review, approval or creation of any new wells, projects or businesses involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking) effective January 31, 2012 with the filing of Local Law No. 1 of 2012 with the New York State Department of State. After consideration of the scope of the review and possible revisions to the Town Code, the Town Board deems it necessary to adopt a second six (6)-month moratorium on these specified operations.

### Section 3. DEFINITIONS

A. HORIZONTAL OR DIRECTIONAL DRILLING – The practice of digging a well, first, down vertically to a depth above the target gas-bearing rock formation, then, on a curve so that the hole is drilled horizontally or at an angle within the gas-bearing rock.

B. HYDRAULIC FRACTURING OR HYDRO-FRACKING – The practice of pumping a fluid and a propping material, typically composed of sand or other chemicals, down a well under high pressure to create fractures in gas-bearing rock.

C. TOWN: Town of South Bristol, Ontario County, New York

TOWN BOARD: Town of South Bristol Town Board

PLANNING BOARD: Town of South Bristol Planning Board

BUILDING INSPECTOR: Town of South Bristol Building Inspector

### Section 4. MORATORIUM.

A. The Town Board hereby enacts a second moratorium which shall prohibit the review, approval or creation anywhere within the Town of any new wells, projects or businesses involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking), or the disposal, storage, or dumping of waste, contaminated or otherwise, or other waste by-products created by the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking).

B. This second moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of (i) the date six (6) 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 real property within the Town.

D. Pursuant to this moratorium, the Planning Board shall not review any applications for any new wells, projects or businesses within the Town involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking) and shall not grant any preliminary or final site plan approval to any property on which is intended to have on it any

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well, project or business involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking), or the disposal, storage, or dumping of waste, contaminated or otherwise, or other waste by-products created by the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking).

E. Pursuant to this moratorium, the Building Inspector shall not issue Building Permits for the construction of any well involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking), or facilities for the disposal, storage, or dumping of waste, contaminated or otherwise, or other waste by-products created by the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking) anywhere within the Town.

F. Pursuant to this moratorium, no applications for variances, special use permits or other approvals involving any new wells, projects or businesses involving the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking), or facilities for the disposal, storage, or dumping of waste, contaminated or otherwise, or other waste by-products created by the practices of horizontal or directional drilling or hydraulic fracturing (hydro-fracking) anywhere within the Town shall be processed or granted.

Section 5. PENALTIES.

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

1. A penalty in the amount of a minimum of \$100.00 and a maximum of \$250.00 for each day that such violation shall exist; and
2. 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 Building Inspector to enforce the provisions 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 six (6) 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.),

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2013 of the Town of South Bristol was duly passed by the South Bristol Town Board on January 14, 2013, in accordance with the applicable provisions of law.

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2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer<sup>1</sup>.)

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 2009 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.

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<sup>1</sup> 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 <sup>1</sup> 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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(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: \_\_\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ONTARIO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Attorney to the Town  
Town of South Bristol

Date: \_\_\_\_\_

Supr. Marshall explained that the current moratorium that is being extended expires January 31, 2013 and this extension will add 6 months from the date the law is filed with the Attorney General which will be before January 31<sup>st</sup>.

**RESOLUTION NO. 23-2013**

Supr. Marshall said that the next resolution before the Board determines that the SEQR is a Type II action because it is an administrative function.

On a motion made by Supr. Marshall and seconded by Councilman Arndt, Resolution No. 23-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 23-2013**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,  
ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE  
SOUTH BRISTOL FIRE PROTECTION DISTRICT**

**WHEREAS**, the Town of South Bristol Town Board, hereinafter referred to as Town Board, has determined the action of altering the boundaries of the South Bristol Fire Protection District to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

**WHEREAS**, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

**WHEREAS**, the Town Board has considered the potential impacts associated with said action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board makes this Determination of Non-Significance based upon: the Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

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**BE IT FURTHER RESOLVED THAT**, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	<u>x</u>	_____
Barbara Welch	<u>x</u>	_____
Herman Arndt	<u>x</u>	_____
Mark Storm	<u>x</u>	_____
James Bachman	<u>x</u>	_____

Dated: January 14, 2013

\_\_\_\_\_  
Judy Hanley, Town Clerk

SEAL

**RESOLUTION NO. 24-2013**  
**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,**  
**ONTARIO COUNTY, NEW YORK, APPROVING CREATION OF**  
**THE CHESHIRE FIRE PROTECTION DISTRICT**

Supr. Marshall noted that the next resolution before the Board which is the creation of the Cheshire Fire Protection District.

On a motion made by Councilwoman Welch and seconded by Councilman Bachman, Resolution No. 24-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Discussion: Councilman Arndt noted that he made an error with regard to the SEQR; the attorney used the EIF which would make this a Type I, there is no environmental impact so stating that it was a Type II action was incorrect. There is always the big concern whether it is an administrative activity which in essence it is; because it is such a large district the attorney chose Type I but there is no environmental impact which makes it a Type I.

On a motion made by Supr. Marshall and seconded Councilwoman Welch by that the SEQR determination is a Type I, that the Town Board did thoroughly analyze and identify any relevant areas of environmental concern was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

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Councilman Bachman noted that the Schedule A that lists the affected properties will be posted on the Town website and a copy posted at the Town Clerk's office. Supr. Marshall agreed.

**RESOLUTION NO. 24-2013**  
**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,**  
**ONTARIO COUNTY, NEW YORK, APPROVING CREATION OF**  
**THE CHESHIRE FIRE PROTECTION DISTRICT**

**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 January 14, 2013, 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 the creation of the Cheshire Fire Protection District, such District proposed to consist of those properties in the Town of South Bristol that are shown to be a part of the Cheshire – Fire Response Map produced by the Ontario County Public Works Department, last dated October 2012, and that are detailed in Schedule A, attached hereto and made a part hereof; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on January 6, 2013 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 January 14, 2013, 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 the creation of the Cheshire Fire Protection District; and

**WHEREAS**, pursuant to Part 617 of the Implementing Regulations pertaining to Article VIII (State Environmental Quality Review Act), it has been determined by the Town Board that creation of said proposed fire protection district would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED:**

- (a) That the establishment of the proposed district is in the public interest; and be it further
- (b) That the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- (c) That all property and property owners within the proposed district are benefited thereby;
- (d) That all property and property owners benefited are included within the limits of the proposed district; and be it further

**RESOLVED AND DETERMINED:**

That the establishment of the Cheshire Fire Protection District be, and hereby is, approved with the boundaries of said district being such that they include only those properties being benefited by this District which are only those properties in the Town of South Bristol which are set forth in Schedule A, attached hereto and made a part hereof; and be it further

**RESOLVED**, that the town clerk shall cause a certified copy of this resolution to be duly recorded in the office of the clerk of Ontario County, the expense of such recording shall be a charge against the district; and be it further

**RESOLVED**, that the town clerk shall, within ten days, cause a certified copy of this resolution to be filed in the state department of audit and control at Albany, New York; and be it further

SOUTH BRISTOL TOWN BOARD MEETING

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**RESOLVED**, the amount which is to be paid each year pursuant to any contract entered into pursuant to New York State Town Law, together with all other expenses necessarily incurred or occasioned by reason of the establishment of this fire protection district, shall be assessed and levied upon the taxable property in the district and collected in the same manner, at the same time and by the same officers as town taxes are assessed, levied and collected.

**RESOLVED**, that said fire protection district shall be designated and known as the Cheshire Fire Protection District; and be it further

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	x	_____
Barbara Welch	x	_____
Herman Arndt	x	_____
Mark Storm	x	_____
James Bachman	x	_____

Dated: January 14, 2013

\_\_\_\_\_  
Judy Hanley, Town Clerk

SEAL

SCHEDULE A

Property Location	Tax Map Number	Owners Name
5793 Almond	168.12-1-1.017	Wegmans Food Markets, Inc.,
1 Andrews Way	168.15-2-1.000	Eilertsen, John C. Sr
2 Andrews Way	168.15-2-30.000	LeBrun, Stephen G.
3 Andrews Way	168.15-2-2.000	Walsh, Timothy H.
4 Andrews Way	168.15-2-29.000	Devito, Michael J.
5 Andrews Way	168.15-2-3.000	Hewson, David H.
6 Andrews Way	168.15-2-28.000	Lawler, Jo Ann
7 Andrews Way	168.15-2-4.000	Hamer, Robert
8 Andrews Way	168.15-2-27.000	Bierman, Edward J.
9 Andrews Way	168.15-2-5.000	Marshall Living Trust,
10 Andrews Way	168.15-2-26.000	Wildman, Edward R.
11 Andrews Way	168.15-2-6.000	Bugg, Timothy C.
12 Andrews Way	168.15-2-25.000	DeVito, Susan
13 Andrews Way	168.15-2-7.000	Lefebvre, David R.
14 Andrews Way	168.15-2-24.000	Smith, James R.
15 Andrews Way	168.15-2-8.000	Ceglie, Leonard P.
16 Andrews Way	168.15-2-23.000	Storch, Alan
17 Andrews Way	168.15-2-9.000	Parlave, Valerie
18 Andrews Way	168.15-2-22.000	Gerstner, Brent D.
19 Andrews Way	168.15-2-10.000	Haefner, Joan
20 Andrews Way	168.15-2-21.000	Campbell, Bruce C.
21 Andrews Way	168.15-2-11.000	Cutter, Douglas
22 Andrews Way	168.15-2-20.000	Thirtle (Zach), Tonia M.
23 Andrews Way	168.15-2-12.000	Jenkins, Stephen
24 Andrews Way	168.15-2-19.000	Barnes, Kenneth E. Jr.
25 Andrews Way	168.15-2-13.000	Hostler, Susan L.
26 Andrews Way	168.15-2-18.000	Barrett, Sr., William C.
27 Andrews Way	168.15-2-14.000	Ryan, William
28 Andrews Way	168.15-2-17.000	Winship Johnson, Susan
29 Andrews Way	168.15-2-15.000	Swart, Robert J.

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30	Andrews	Way	168.15-2-16.000	Hauck, John
5500	Andrews	Way	168.15-2-31.100	Andrews Way Homeowners Asso,
	Applewood	Dr	168.20-1-30.000	Lape, Carol M.
	Applewood	Dr	168.20-1-35.300	Schenck, Frances H.
	Applewood	Dr	168.20-1-35.210	Crofton, Deirdre H.
	Applewood	Dr	168.20-1-35.110	Schenck, Frances H.
5691	Applewood	Dr	168.20-1-5.000	Weaver, John L.
5693	Applewood	Dr	168.20-1-6.000	Tobin, Gail W.
5695A	Applewood	Dr	168.20-1-8.100	Landsman, Elliot
5695B	Applewood	Dr	168.20-1-7.100	Tobin, Patrick A.
5697	Applewood	Dr	168.20-1-9.000	The Landsman Company,
5699	Applewood	Dr	168.20-1-10.000	Schenck, Frances H.
5701	Applewood	Dr	168.20-1-11.000	Crofton, Deirdre H.
5703	Applewood	Dr	168.20-1-12.000	Weinstein RevocableTrust1998, David
5705	Applewood	Dr	168.20-1-13.000	Hale, Kenneth
5707A	Applewood	Dr	168.20-1-15.100	Lape, Carol M.
5707B	Applewood	Dr	168.20-1-14.100	Lape, Carol M.
5709	Applewood	Dr	168.20-1-16.000	Reeves Children Trust,
5711	Applewood	Dr	168.20-1-18.000	Whitaker, David J.
5713	Applewood	Dr	168.20-1-19.000	Lacagnina, Bonnie Corbett
	Applewood	Dr	168.20-1-31.000	Hale, Kenneth
	Blake Acres	Dr	168.12-1-3.100	Dickinson, Elizabeth D.
	Blake Acres	Dr	168.12-1-3.700	Shadel, Gregg H.
	Blake Acres	Dr	168.12-1-3.400	Nichols, Alice A.
5750	Blake Acres	Dr	168.12-1-3.300	McWilliams, Catherine M.
5751	Blake Acres	Dr	168.12-1-3.500	McWilliams, Catherine
5757	Blake Acres	Dr	168.12-1-3.600	Dickinson, Allan B.
5758	Blake Acres	Dr	168.12-1-3.200	Blake, William
5771	Blake Acres	Dr	168.12-1-4.000	Sarkis, Wade
	Bristol Harbour Blv		168.15-4-62.000	South Bristol Resorts Llc,
5880	Bristol Harbour Blv		168.15-4-67.000	Summers Pittsford Family, LLC.,
5882	Bristol Harbour Blv		168.15-4-66.000	Summers Pittsford Family, LLC.,
5884	Bristol Harbour Blv		168.15-4-65.000	Summers Pittsford Family, LLC.,
5886	Bristol Harbour Blv		168.15-4-64.000	Summers Pittsford Family, LLC.,
1	Cliffside	Dr	168.16-1-9.001	Voorheis, Michael B.
2	Cliffside	Dr	168.16-1-9.002	Matrachisia Jr., John J.
3	Cliffside	Dr	168.16-1-9.003	Harkins, Charles F. Jr
4	Cliffside	Dr	168.16-1-9.004	York, John M.
5	Cliffside	Dr	168.16-1-9.005	Payette, Susan
6	Cliffside	Dr	168.16-1-9.006	Gage, Jeanne M.
7	Cliffside	Dr	168.16-1-9.007	Dusett, Patricia H.
8	Cliffside	Dr	168.16-1-9.012	Issakainen, Ryan
9	Cliffside	Dr	168.16-1-9.008	Ronan, Cynthia S.
10	Cliffside	Dr	168.16-1-9.009	Kohler-Lovejoy, Kim
11	Cliffside	Dr	168.16-1-9.013	Johnson, Richard C.
12	Cliffside	Dr	168.16-1-9.010	Buckley, Mark S.
13	Cliffside	Dr	168.16-1-9.011	Cuellar, Edward A.
14	Cliffside	Dr	168.16-1-9.014	Weaver, Michael L.
15	Cliffside	Dr	168.16-1-6.015	Janto, Steven J.
16	Cliffside	Dr	168.16-1-6.016	Trass, Gregory P.
17	Cliffside	Dr	168.16-1-6.017	Soja, Raymond W.
18	Cliffside	Dr	168.16-1-6.018	Knapke, Mark G.
19	Cliffside	Dr	168.16-1-6.019	Dewey, Lowell
20	Cliffside	Dr	168.16-1-6.020	Gates, David S.
21	Cliffside	Dr	168.16-1-6.021	Pawelek, Adam Z.
22	Cliffside	Dr	168.16-1-6.022	Merrill, Daren R.



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23	Cliffside	Dr	168.16-1-6.023	Merrill, Daren
24	Cliffside	Dr	168.16-1-6.024	Ternisky, Michael
25	Cliffside	Dr	168.16-1-6.025	Held Family Revocable Trust,
26	Cliffside	Dr	168.16-1-6.026	Medyn, Mark
27	Cliffside	Dr	168.16-1-6.035	Doane, Stephen P.
28	Cliffside	Dr	168.16-1-6.028	Sarkis Sr. Management Trust, The Frederick W.
30	Cliffside	Dr	168.16-1-6.030	Sarkis Sr. Management Trust, The Frederick W.
31	Cliffside	Dr	168.16-1-6.031	McKee, Lawrence
32	Cliffside	Dr	168.16-1-6.032	Billings, Christopher A.
33	Cliffside	Dr	168.16-1-6.034	Leo R. Landhuis Living Trust,
34	Cliffside	Dr	168.16-1-6.033	The Symon New York Trust,
36	Cliffside	Dr	168.16-1-6.036	Ortiz, Carlos
37	Cliffside	Dr	168.16-1-6.037	Gardiner, Patricia
38	Cliffside	Dr	168.16-1-6.038	Murray, Anne K.
39	Cliffside	Dr	168.16-1-6.039	Crann, James
40	Cliffside	Dr	168.16-1-6.040	Mace, Sharon E.
41	Cliffside	Dr	168.16-1-6.041	Allison, Karen M.
42	Cliffside	Dr	168.16-1-6.042	Fortin, Matthew
43	Cliffside	Dr	168.16-1-6.043	Allen, David
44	Cliffside	Dr	168.16-1-6.044	Hahn, Todd W.
45	Cliffside	Dr	168.16-1-6.045	Lucky 4 Us, LLC.,
46	Cliffside	Dr	168.16-1-6.046	Allen, David M.
47	Cliffside	Dr	168.16-1-6.047	Smart, Arthur
48	Cliffside	Dr	168.16-1-6.048	Wendroff, Robert S.
49	Cliffside	Dr	168.16-1-6.057	Taylor, Tobiah T.
50	Cliffside	Dr	168.16-1-6.055	Scott, Richard H. Jr
51	Cliffside	Dr	168.16-1-6.049	Rosenbloom Irrev Trust, Renee H.
52	Cliffside	Dr	168.16-1-6.050	LaSalle, Stephen C.
53	Cliffside	Dr	168.16-1-6.051	Borgeest, Wayne
54	Cliffside	Dr	168.16-1-6.053	Franklin, Betty Jane
55	Cliffside	Dr	168.16-1-6.054	Weinberg, Jack L.
56	Cliffside	Dr	168.16-1-6.056	Fouquet Family Trust,
57	Cliffside	Dr	168.16-1-6.058	Saperstein, Alan
61	Cliffside	Dr	168.16-1-4.061	Mye, Peter W.
62	Cliffside	Dr	168.16-1-4.062	Titus, William
63	Cliffside	Dr	168.16-1-4.063	Titus, William J.
64	Cliffside	Dr	168.16-1-4.064	Murray, John M.
65	Cliffside	Dr	168.16-1-4.065	Plumb, James D.
66	Cliffside	Dr	168.16-1-4.066	Huber, William C.
67	Cliffside	Dr	168.16-1-4.067	Kurtz, James M.
68	Cliffside	Dr	168.16-1-4.068	Lamberson, David E.
69	Cliffside	Dr	168.16-1-4.069	Wydra, Kathy J.
70	Cliffside	Dr	168.16-1-4.070	Murdock, Randie G.
71	Cliffside	Dr	168.16-1-4.071	Fondak, Mary Jane
72	Cliffside	Dr	168.16-1-4.072	Ackley, Edward
73	Cliffside	Dr	168.16-1-4.073	Griffen, Cheryl A.
74	Cliffside	Dr	168.16-1-4.074	Adams, Bernard E.
75	Cliffside	Dr	168.16-1-4.075	Stiffler, Mary J.
76	Cliffside	Dr	168.16-1-4.076	Calia, John E.
77	Cliffside	Dr	168.16-1-4.077	Adams, Barbara J.
78	Cliffside	Dr	168.16-1-4.078	Titus, Donald E. Jr.
79	Cliffside	Dr	168.16-1-4.079	Marshall, Glenn A.
80	Cliffside	Dr	168.16-1-4.080	Marianne Dasch Trust,
81	Cliffside	Dr	168.16-1-4.081	Witten, Gary
82	Cliffside	Dr	168.16-1-4.082	Bohonos, Merton D.
83	Cliffside	Dr	168.16-1-4.083	Lawlor, James

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84	Cliffside	Dr	168.16-1-4.084	Hegedorn's Iga Foodliner Inc,
85	Cliffside	Dr	168.16-1-4.085	Bachman, James D.
86	Cliffside	Dr	168.16-1-4.086	Tepas, Norine
87	Cliffside	Dr	168.16-1-4.087	Titus, Donald
88	Cliffside	Dr	168.16-1-4.088	J. Scott Miller Trust,
89	Cliffside	Dr	168.16-1-4.089	Kerr, Janet E.
90	Cliffside	Dr	168.16-1-4.090	Oette, William E.
91	Cliffside	Dr	168.16-1-4.091	French, Henry P. Jr.
92	Cliffside	Dr	168.16-1-4.092	Shoolman, Amy
93	Cliffside	Dr	168.16-1-4.093	Apple, Keith H.
94	Cliffside	Dr	168.16-1-4.094	Aloi Owner/Remainderman, Marina
95	Cliffside	Dr	168.16-1-4.095	Titus, Robert J.
96	Cliffside	Dr	168.16-1-4.096	Schlesinger, Richard A.
97	Cliffside	Dr	168.16-1-4.097	Skrypek, John G.
98	Cliffside	Dr	168.16-1-4.098	Leonard, John
99	Cliffside	Dr	168.16-1-4.099	Dean, Robert A.
100	Cliffside	Dr	168.16-1-4.100	Lookup, Jeffrey C.
101	Cliffside	Dr	168.16-1-4.101	Hagler, Michael
102	Cliffside	Dr	168.16-1-4.102	Bartolotta, James F.
103	Cliffside	Dr	168.16-1-4.103	Walsh, Sheila
104	Cliffside	Dr	168.16-1-4.104	Meszler, Russell C.
105	Cliffside	Dr	168.16-1-4.105	D'Esopo, Valera
106	Cliffside	Dr	168.16-1-4.106	McCall, Jennifer A.
107	Cliffside	Dr	168.16-1-4.107	Russ, Richard J.
108	Cliffside	Dr	168.16-1-4.108	Muhleman, Fred W.
109	Cliffside	Dr	168.16-1-4.109	Kolko, Mark
110	Cliffside	Dr	168.16-1-4.110	Temkin, Sandra
111	Cliffside	Dr	168.16-1-4.111	Killeen, Gary P.
112	Cliffside	Dr	168.16-1-4.112	Bergin, Robert J.
113	Cliffside	Dr	168.16-1-4.113	Cheung, Luke O.
114	Cliffside	Dr	168.16-1-4.114	Waters, Jeana
115	Cliffside	Dr	168.16-1-4.115	Hobart, Thomas Y.
116	Cliffside	Dr	168.16-1-4.116	Viele, Edmund
119	Cliffside	Dr	168.16-1-3.119	Klemans, Gary C.
120	Cliffside	Dr	168.16-1-3.120	Tedeschi, Michael A.
121	Cliffside	Dr	168.16-1-3.121	Meloni, Andrew
122	Cliffside	Dr	168.16-1-3.122	Murray, Thomas
123	Cliffside	Dr	168.16-1-3.123	Rutowski, Joseph A.
124	Cliffside	Dr	168.16-1-3.124	Mangin, James B.
125	Cliffside	Dr	168.16-1-3.125	Rimai, Donald
126	Cliffside	Dr	168.16-1-3.126	Dudek, Gary
127	Cliffside	Dr	168.16-1-3.127	Gigliotti, Thomas
128	Cliffside	Dr	168.16-1-3.128	Sutherland, Alexander C.
129	Cliffside	Dr	168.16-1-3.129	Masterson, Matthew J.
130	Cliffside	Dr	168.16-1-3.130	Ruth B Rapoport Trust,
131	Cliffside	Dr	168.16-1-3.131	Luellen, David H.
132	Cliffside	Dr	168.16-1-3.132	Citro, Frank D.
133	Cliffside	Dr	168.16-1-3.133	Tomaino, Beverly A.
134	Cliffside	Dr	168.16-1-3.134	Hockenbrock Living Trust, Donald R.
135	Cliffside	Dr	168.16-1-3.135	Walker, Robert H.
136	Cliffside	Dr	168.16-1-3.136	Reisinger, Scott R.
137	Cliffside	Dr	168.16-1-3.137	Maloy, Charles T.
138	Cliffside	Dr	168.16-1-3.138	Kenline, Roxane
139	Cliffside	Dr	168.16-1-3.139	Isgrigg, George R.
140	Cliffside	Dr	168.16-1-3.140	Muller Survivors Trust,
141	Cliffside	Dr	168.16-1-3.141	The R&M Belmont Living Trust,

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142	Cliffside	Dr	168.16-1-3.142	Deisenroth, E. Thomas
143	Cliffside	Dr	168.16-1-3.143	Burke, Gayle
144	Cliffside	Dr	168.16-1-3.144	Kanter, Shamai
145	Cliffside	Dr	168.16-1-3.145	West, Barbara C.
146	Cliffside	Dr	168.16-1-3.146	Oros, Michael K.
147	Cliffside	Dr	168.16-1-3.147	Layton, Susan Huston
148	Cliffside	Dr	168.16-1-3.148	Fisher Family Trust,
149	Cliffside	Dr	168.16-1-3.149	Saperstein, Andrew
150	Cliffside	Dr	168.16-1-3.150	Didsbury, Bruce
151	Cliffside	Dr	168.16-1-3.151	Ryon, Jean
152	Cliffside	Dr	168.16-1-3.152	Chrzan Management Trust, The Terence J.
153	Cliffside	Dr	168.16-1-3.153	Gilmore Management Trust, The Richard A.
154	Cliffside	Dr	168.16-1-3.154	Gagliardi, V. Brian
155	Cliffside	Dr	168.16-1-3.155	Moretti, Mark
156	Cliffside	Dr	168.16-1-3.156	Gootnick, Lester T.
157	Cliffside	Dr	168.16-1-3.157	Young, William W.
158	Cliffside	Dr	168.16-1-3.158	Stein, Bonita L.
159	Cliffside	Dr	168.16-1-3.159	Swain, Leonard
160	Cliffside	Dr	168.16-1-3.160	Hunt, Bruce H.
161	Cliffside	Dr	168.16-1-3.161	Palvino Living Trust, Nancy M.
162	Cliffside	Dr	168.16-1-3.162	King Family Living Trust,
163	Cliffside	Dr	168.16-1-3.163	The Hires Trust, Robert C. Hires,
164	Cliffside	Dr	168.16-1-3.164	Callan, Stasia J.
165	Cliffside	Dr	168.16-1-3.165	Nelson, Richard D.
166	Cliffside	Dr	168.16-1-3.166	Weston, Bonnie
167	Cliffside	Dr	168.16-1-3.167	Iula, Joseph
168	Cliffside	Dr	168.16-1-3.168	Comins, Andrew L.
169	Cliffside	Dr	168.16-1-3.169	Streeter, Perry
170	Cliffside	Dr	168.16-1-3.170	Goldberg-Schaible, Jocelyn L.
171	Cliffside	Dr	168.16-1-3.171	Wilson, Louis E.
172	Cliffside	Dr	168.16-1-3.172	Waters, James G.
173	Cliffside	Dr	168.16-1-3.173	Fink, Carl P.
174	Cliffside	Dr	168.16-1-3.174	Zollo, Anthony J.
175	Cliffside	Dr	168.16-1-3.175	Geen, Timothy G.
176	Cliffside	Dr	168.16-1-3.176	Holtzman, Eleanor
177	Cliffside	Dr	168.16-1-3.177	Fortin, Ronald A.
178	Cliffside	Dr	168.16-1-3.178	Elizabeth Kuenen Rev. Trust, Charlotte Anna M
179	Cliffside	Dr	168.16-1-3.179	Wilson, Janet Margaret
180	Cliffside	Dr	168.16-1-3.180	Rosen, Gale
181	Cliffside	Dr	168.16-1-3.181	Mulkin, Diane M.
182	Cliffside	Dr	168.16-1-3.182	Wilber, Kenneth
183	Cliffside	Dr	168.16-1-3.183	Lotto, Marlene
184	Cliffside	Dr	168.16-1-3.184	Tanner, Edward
185	Cliffside	Dr	168.16-1-3.185	Hagler Family Wealth Trust,
186	Cliffside	Dr	168.16-1-3.186	Pilecki, John E.
5535	Cliffside	Dr	168.16-1-2.130	Summers, John M.
5543	Cliffside	Dr	168.16-1-2.120	Summers, John M.
5547	Cliffside	Dr	168.16-1-2.110	Summers, John M.
5417	Coye	Rd	168.12-1-2.000	Perkins, Brian L.
5823	Evergreen	Way	168.15-3-54.000	Summers Pittsford Family, LLC.,
5825	Evergreen	Way	168.15-3-53.000	Summers Pittsford Family, LLC.,
5827	Evergreen	Way	168.15-3-52.000	Summers Pittsford Family, LLC.,
5829	Evergreen	Way	168.15-3-51.000	Summers Pittsford Family, LLC.,
5831	Evergreen	Way	168.15-3-50.000	Summers Pittsford Family, LLC.,
5833	Evergreen	Way	168.15-3-49.000	Summers Pittsford Family, LLC.,
5835	Evergreen	Way	168.15-3-48.000	Summers Pittsford Family, LLC.,

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5837	Evergreen	Way	168.15-3-47.000	Summers Pittsford Family, LLC.,
5839	Evergreen	Way	168.15-3-46.000	Summers Pittsford Family, LLC.,
	Golfside	Cir	168.15-3-56.100	Homeowners Association, Lochcrest Circle
	Golfside	Cir	168.15-3-56.200	Lakewood Tr Homeowners Asc,
	Golfside	Cir	168.15-1-28.000	Bristol Harbour Vlg Asso Inc,
	Golfside	Cir	168.15-2-36.120	Bristol Harbour Vlg Asso Inc,
1	Golfside	Cir	168.15-2-36.101	Fackelman, Zoe
2	Golfside	Cir	168.15-2-36.102	Bachman, James
3	Golfside	Cir	168.15-2-36.103	Bachman, James D.
4	Golfside	Cir	168.15-2-36.104	Seebach, Robert B.
5	Golfside	Cir	168.15-2-36.105	Mulley, William A.
6	Golfside	Cir	168.15-2-36.106	Nasr, Nabil Z.
7	Golfside	Cir	168.15-2-36.107	Donnellan, Chris G.
8	Golfside	Cir	168.15-2-36.108	Ross Family Trust, Kenneth & Diane
9	Golfside	Cir	168.15-2-36.109	Sheedy, Michael B. Jr.
10	Golfside	Cir	168.15-2-36.110	Smith, Douglas H.
11	Golfside	Cir	168.15-1-29.110	Russ, Richard J.
12	Golfside	Cir	168.15-1-29.120	Voorheis, Brian J.
13	Golfside	Cir	168.15-1-29.130	Warner, Janet
14	Golfside	Cir	168.15-1-29.140	Chrysler, Karen Kaye
15	Golfside	Cir	168.15-1-29.150	Pavone, John
16	Golfside	Cir	168.15-1-29.160	Langmead, Nancy B.
17	Golfside	Cir	168.15-1-29.170	Noffsinger, Timothy L.
18	Golfside	Cir	168.15-1-29.180	Mehra, Ravinder
19	Golfside	Cir	168.15-1-29.190	Charlton, Brian
20	Golfside	Cir	168.15-1-29.200	Henrichs, Gary
21	Golfside	Cir	168.15-1-29.210	Huston, Todd W.
22	Golfside	Cir	168.15-1-29.220	Cooper, David W.
23	Golfside	Cir	168.15-1-29.230	Endres, Kelly A.
24	Golfside	Cir	168.15-1-29.240	Anslow, Marguerite
5523	Hagen	Trl	168.15-4-19.000	Summers Pittsford Family, LLC.,
5525	Hagen	Trl	168.15-4-20.000	Summers Pittsford Family, LLC.,
5527	Hagen	Trl	168.15-4-21.000	Huston, Todd W.
5529	Hagen	Trl	168.15-4-22.000	Mroczek, James G.
5531	Hagen	Trl	168.15-4-23.000	Kislinger, John D.
5533	Hagen	Trl	168.15-4-24.000	Summers Pittsford Family, LLC.,
1	Harbour	Ln	168.74-1-12.000	Regester, Patricia
2	Harbour	Ln	168.74-1-11.000	Charlton, Joseph F. Jr.
3	Harbour	Ln	168.74-1-10.000	Tabechian, Darren A.
4	Harbour	Ln	168.74-1-9.000	Caprini, Anne M.
5	Harbour	Ln	168.74-1-8.000	Kessler, Roger P.
6	Harbour	Ln	168.74-1-7.000	Coleman, William M.
7	Harbour	Ln	168.74-1-6.000	Brown, Howard Douglas
8	Harbour	Ln	168.74-1-5.000	Davis-Starr, Kathleen
9	Harbour	Ln	168.74-1-4.000	O'Neill, Michael W.
10	Harbour	Ln	168.74-1-3.000	Streb, Claire
11	Harbour	Ln	168.74-1-2.000	Yasso, Ernest J.
12	Harbour	Ln	168.74-1-1.000	Braun, Alan J.
5832	Harbour	Dr	168.15-3-1.100	Eldon III, David
5836	Harbour	Dr	168.15-3-3.000	Foster, Robert D.
	Hicks	Rd	168.00-1-80.200	Caprini, Chester
	Hicks	Rd	168.00-1-51.200	Hennrich, Carl P.
6003	Hicks	Rd	168.00-1-56.000	Ingle Jr., John W.
6013	Hicks	Rd	168.00-1-54.210	Peifer, Edward B.
6017	Hicks	Rd	168.00-1-54.112	Morgan, Howard D.
6021	Hicks	Rd	168.00-1-55.000	Morgan, Larry J.

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6045	Hicks	Rd	168.00-1-46.110	Caprini, Leandro S.
6045	Hicks	Rd	168.00-1-46.120	Caprini, Leandro S.
6050	Hicks	Rd	168.00-1-46.211	Luley, Christopher J.
6069	Hicks	Rd	168.00-1-52.000	Biche', Mark
6080	Hicks	Rd	168.00-1-46.220	Bachman, James D.
6100	Hicks	Rd	168.00-1-48.000	Smith, John Charles
6113	Hicks	Rd	168.00-1-50.000	Rowe, Donald E.
6117	Hicks	Rd	168.00-1-51.100	Schultz, Dahl T.
2	Hillside	Dr	168.15-1-17.000	Paolicelli, Jeanine
4	Hillside	Dr	168.15-1-18.000	Langmead, James R.
6	Hillside	Dr	168.15-1-22.000	Sharza, John J.
8	Hillside	Dr	168.15-1-23.000	Farrar, J. Michael
5547	Hogan	Ln	168.15-4-31.000	Starowitz Family Wealth Trust,
5549	Hogan	Ln	168.15-4-32.000	Gerstner, Brent
5551	Hogan	Ln	168.15-4-33.000	Benjamin, Edith A.
5553	Hogan	Ln	168.15-4-34.000	Regan, Sandra K.
5539	Jones	Way	168.15-4-27.000	Summers, John M.
5541	Jones	Way	168.15-4-28.000	McGrath, Richard D.
5549	Jones	Way	168.15-4-29.000	Hainen, Ronald L.
	Lakewood	Trl	168.15-3-55.100	Homeowners Association Inc., Lakewood Trail
5540	Lakewood	Trl	168.15-3-28.000	Summers Pittsford Family, LLC.,
5541	Lakewood	Trl	168.15-3-27.000	Loncto, Daniel F.
5542	Lakewood	Trl	168.15-3-29.000	Summers Pittsford Family, LLC.,
5543	Lakewood	Trl	168.15-3-26.100	Tomaino, Matthew M.
5544	Lakewood	Trl	168.15-3-30.000	Henrichs, Gary
5545	Lakewood	Trl	168.15-3-25.100	Spada, Robert J.
5546	Lakewood	Trl	168.15-3-31.000	Rose, Jason D.
5547	Lakewood	Trl	168.15-3-24.100	Emblidge, Douglas N.
5548	Lakewood	Trl	168.15-3-32.000	Rose, Jason D.
5549	Lakewood	Trl	168.15-3-23.100	Pecoraro, Peter
5550	Lakewood	Trl	168.15-3-33.000	LaBella, John P.
5551	Lakewood	Trl	168.15-3-22.100	Benson, Jeffrey L.
5552	Lakewood	Trl	168.15-3-34.000	Eisenberg, Robert
5553	Lakewood	Trl	168.15-3-21.000	Miner, R. Edward
5554	Lakewood	Trl	168.15-3-35.000	Eisenberg, Robert
5556	Lakewood	Trl	168.15-3-36.000	Eisenberg, Robert
5558	Lakewood	Trl	168.15-3-37.000	Chartrand, Steven L.
5559	Lakewood	Trl	168.15-3-20.000	Eisenberg, Robert A.
5560	Lakewood	Trl	168.15-3-38.000	Harrington, Gloria G.
5561	Lakewood	Trl	168.15-3-19.000	Beck, John H.
5562	Lakewood	Trl	168.15-3-39.000	Harrington, Gloria
5563	Lakewood	Trl	168.15-3-18.000	Meisch, John H.
5564	Lakewood	Trl	168.15-3-40.000	Summers Pittsford Family, LLC.,
5565	Lakewood	Trl	168.15-3-17.000	Elwell, Holly K.
5566	Lakewood	Trl	168.15-3-41.000	Summers Pittsford Family, LLC.,
5567	Lakewood	Trl	168.15-3-16.000	Brancato Joint Revocable Trust, Thomas & Judith
5568	Lakewood	Trl	168.15-3-42.000	Summers Pittsford Family, LLC.,
5569	Lakewood	Trl	168.15-3-15.000	VanKnapp, David P.
5570	Lakewood	Trl	168.15-3-43.000	Summers Pittsford Family, LLC.,
5571	Lakewood	Trl	168.15-3-14.000	Habler, Lawrence C.
5572	Lakewood	Trl	168.15-3-44.000	Stuber, Michel D.
5573	Lakewood	Trl	168.15-3-13.000	Baird C. Couch Living Trust,
5574	Lakewood	Trl	168.15-3-45.000	Noffsinger, Timothy
5575	Lochcrest	Cir	168.15-3-12.000	Hotchkiss, Robert G.
5577	Lochcrest	Cir	168.15-3-11.000	Harper, Janis M.

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5579	Lochcrest	Cir	168.15-3-10.000	McCarthy, James R.
5581	Lochcrest	Cir	168.15-3-9.000	Ryan, William
5583	Lochcrest	Cir	168.15-3-8.100	Larson, Craig E.
5586	Lochcrest	Cir	168.15-3-6.000	Oros, Michael K.
5588	Lochcrest	Cir	168.15-3-5.000	Lake View Trail HO Assoc. Inc.,
5590	Lochcrest	Cir	168.15-3-4.000	Endres, Ralph A. Jr
	Medalist	Ln	168.11-1-17.000	Summers, Todd D.
6010	Medalist	Ln	168.11-1-9.000	Summers, Todd D.
6021	Medalist	Ln	168.11-1-1.000	Summers Pittsford Family, LLC.,
6024	Medalist	Ln	168.11-1-10.000	Summers Pittsford Family, LLC.,
6027	Medalist	Ln	168.11-1-2.000	Summers Pittsford Family, LLC.,
6033	Medalist	Ln	168.11-1-3.000	Vanni, Robert
6036	Medalist	Ln	168.11-1-11.000	Summers Development LLC.,
6037	Medalist	Ln	168.11-1-4.000	Summers Pittsford Family, LLC.,
6038	Medalist	Ln	168.11-1-12.000	Summers Pittsford Family, LLC.,
6041	Medalist	Ln	168.11-1-5.000	Summers Pittsford Family, LLC.,
6042	Medalist	Ln	168.11-1-13.000	Summers Pittsford Family, LLC.,
6043	Medalist	Ln	168.11-1-6.200	Summers Pittsford Family, LLC.,
6043	Medalist	Ln	168.11-1-6.100	Summers Pittsford Family, LLC.,
6048	Medalist	Ln	168.11-1-14.000	Summers Pittsford Family, LLC.,
6049	Medalist	Ln	168.11-1-7.100	Summers Pittsford Family, LLC.,
6049	Medalist	Ln	168.11-1-7.200	Summers Pittsford Family, LLC.,
6054	Medalist	Ln	168.11-1-15.100	Russell, Theodore S.
6054	Medalist	Ln	168.11-1-15.200	Russell, Theodore S.
6057	Medalist	Ln	168.11-1-8.000	Summers Pittsford Family, LLC.,
6060	Medalist	Ln	168.11-1-16.100	Summers Pittsford Family, LLC.,
6060	Medalist	Ln	168.11-1-16.200	Summers Pittsford Family, LLC.,
	North Hillside Trail		168.67-2-41.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-42.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-40.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-43.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-44.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-53.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-38.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-54.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-55.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-56.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-57.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-58.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-59.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-60.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-61.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-62.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-63.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-51.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-37.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-36.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-35.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-45.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-34.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-33.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-32.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-31.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-30.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-29.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-28.000	Bristol Harbour Dev. LLC,

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	North Hillside Trail		168.67-2-27.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-26.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-50.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-49.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-48.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-47.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-52.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-46.000	Bristol Harbour Dev. LLC,
	North Hillside Trail		168.67-2-39.000	Bristol Harbour Dev. LLC,
	Seneca Hill	Dr	168.12-1-13.000	Blauvelt, Donald E.
	Seneca Hill	Dr	168.12-1-11.000	Buechler, Judith Maria
5400	Seneca Hill	Dr	168.12-1-5.000	Simon, Elaine R.
5401	Seneca Hill	Dr	168.12-1-6.000	Bronson, Jane
5403	Seneca Hill	Dr	168.12-1-7.000	Piacquad, David
5407	Seneca Hill	Dr	168.12-1-8.000	Block, James A.
5411	Seneca Hill	Dr	168.12-1-9.000	Buxbaum, Klaus L.
5415	Seneca Hill	Dr	168.12-1-10.000	Buechler, Hans C.
5417	Seneca Hill	Dr	168.12-1-12.000	Blauvelt, Donald E.
	Seneca Point	Rd	168.15-3-57.000	Lake View Trail HO Asso Inc,
	Seneca Point	Rd	178.07-1-17.100	Pier Lot Associates LLC,
	Seneca Point	Rd	168.16-1-1.110	Bristol Harbour Dev. LLC,
	Seneca Point	Rd	168.12-1-15.000	Beck, Laima
	Seneca Point	Rd	168.16-1-1.120	Bristol Harbour Dev. LLC,
	Seneca Point	Rd	168.16-1-2.200	Bristol Harbour Vlg Asso Inc,
	Seneca Point	Rd	168.20-1-32.000	Crofton, Albert
	Seneca Point	Rd	168.20-1-27.000	Hershey, Emma Rae
	Seneca Point	Rd	168.20-1-29.000	Whitaker, David
	Seneca Point	Rd	168.74-1-13.110	Bristol Harbour Vlg Asso Inc,
	Seneca Point	Rd	168.00-1-84.000	South Bristol Resorts Llc,
	Seneca Point	Rd	168.20-1-39.000	Phelps, Elizabeth R.
	Seneca Point	Rd	168.20-1-44.000	Morse Conservation Club LLC, Richard M.
	Seneca Point	Rd	168.20-1-40.000	Bennett, John C.
	Seneca Point	Rd	168.20-1-38.000	Hamlin IV, George W.
	Seneca Point	Rd	168.16-1-11.200	Bristol Harbour Vlg Asso Inc,
	Seneca Point	Rd	168.20-1-34.000	Crofton, Albert C.
	Seneca Point	Rd	168.20-1-33.000	Crofton, Albert C.
	Seneca Point	Rd	168.20-1-37.000	South Bristol Resorts Llc,
5400	Seneca Point	Rd	168.00-1-14.110	Mulshenock, Jameson T.
5402	Seneca Point	Rd	168.00-1-14.120	Ketmar Development Corp., Marie Kenton
5404	Seneca Point	Rd	168.00-1-14.130	Ketmar Development Corp., Marie Kenton
5409	Seneca Point	Rd	168.12-1-1.018	Wegmans Food Markets Inc.,
5418	Seneca Point	Rd	168.12-1-18.000	Danahar, David C.
5481	Seneca Point	Rd	168.12-1-14.000	Habben, Terry
5505	Seneca Point	Rd	168.12-1-17.000	Stoker II, Dale G.
5680	Seneca Point	Rd	168.20-1-36.000	Arena, Charles
5715	Seneca Point	Rd	168.20-1-20.000	Guider, Katharine S.
5717	Seneca Point	Rd	168.20-1-28.000	Guider, Katharine S.
5719A	Seneca Point	Rd	168.20-1-21.100	Guider, Katharine S.
5719B	Seneca Point	Rd	168.20-1-21.200	Guider, Katharine S.
5721	Seneca Point	Rd	168.20-1-23.100	Jones IV, Hugh M.
5723A	Seneca Point	Rd	168.20-1-24.110	GWH 11 2010 QPRT,
5723B	Seneca Point	Rd	168.20-1-24.120	Gladshiem Properties, LLC,
5725	Seneca Point	Rd	168.20-1-25.000	Phelps, Elizabeth R.
5728	Seneca Point	Rd	168.20-1-41.000	Bennett, John C.
5731	Seneca Point	Rd	178.07-1-1.100	Wiltse, Lee E.
5733	Seneca Point	Rd	178.07-1-1.200	Wiltse, Leonore B.

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5734	Seneca Point	Rd	168.20-1-42.000	Richards, William
5735	Seneca Point	Rd	178.07-1-2.000	Kennedy, Susanne
5737A	Seneca Point	Rd	178.07-1-3.211	FCH House Associates LLC,
5737B	Seneca Point	Rd	178.07-1-17.200	Seneca Point Stone House LLC,
5738	Seneca Point	Rd	168.20-1-43.000	Kennedy, Susanne G.
5739	Seneca Point	Rd	178.07-1-4.100	Swartout, Steven H.
5741	Seneca Point	Rd	178.07-1-5.000	Cornell, David
5743	Seneca Point	Rd	178.07-1-6.000	Holden Ingle House LLC,
5768	Seneca Point	Rd	168.12-1-1.005	Wegmans Food Markets, Inc.,
5770	Seneca Point	Rd	168.12-1-1.004	Wegmans Food Markets, Inc.,
5788	Seneca Point	Rd	168.12-1-1.001	Wegmans Food Markets, Inc.,
5687	Shore	Dr	168.20-1-3.000	Cook, Thomas D.
5689	Shore	Dr	168.20-1-4.100	Ryan II, Charkes F.
	South Hillside Trail		168.67-1-1.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-6.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-7.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-8.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-21.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-9.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-20.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-17.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-16.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-15.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-14.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-13.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-12.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-11.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-10.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-18.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-5.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-19.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-22.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-2.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-4.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-24.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-23.000	Bristol Harbour Dev. LLC,
	South Hillside Trail		168.67-1-3.000	Bristol Harbour Dev. LLC,
1	Spyglass	HI	168.15-1-1.100	Izzo, Rita
2	Spyglass	HI	168.19-1-3.100	Cowles, Stephen W.
3	Spyglass	HI	168.15-1-2.100	Izzo, Rita
4	Spyglass	HI	168.19-1-4.000	Bicknell Revocable Trust, Martha Logan
5	Spyglass	HI	168.15-1-3.100	Constance, John A.
6	Spyglass	HI	168.19-1-5.000	Chiapperino Trust,
7	Spyglass	HI	168.15-1-26.000	Murphy, Robert
8	Spyglass	HI	168.19-1-6.000	Rubin, Philip
9	Spyglass	HI	168.15-1-25.000	Hewson, David H.
10	Spyglass	HI	168.19-1-7.000	Wight, Bryan J.
11	Spyglass	HI	168.15-1-24.000	Chanler, Wayne S.
12	Spyglass	HI	168.19-1-8.000	Gloria J Baker Living Trust,
13	Spyglass	HI	168.19-1-10.000	Kotlik, George H.
15	Spyglass	HI	168.19-1-11.000	Thomas, Marilyn
17	Spyglass	HI	168.19-1-12.000	Dickens, Larry M.
19	Spyglass	HI	168.19-1-13.000	Monagan, Ellen
5573	Storm Haven		168.12-1-1.015	Wegmans Food Markets, Inc.,
5740	Storm Haven		168.12-1-1.011	Wegmans Food Markets, Inc.,
5744	Storm Haven		168.12-1-1.010	Wegmans Food Markets, Inc.,



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5745 Storm Haven		168.12-1-1.012	Wegmans Food Markets, Inc.,
5748 Storm Haven		168.12-1-1.009	Wegmans Food Markets, Inc.,
5752 Storm Haven		168.12-1-1.008	Wegmans Food Markets, Inc.,
5756 Storm Haven		168.12-1-1.007	Wegmans Food Markets, Inc.,
5757 Storm Haven		168.12-1-1.013	Wegmans Food Markets, Inc.,
5760 Storm Haven		168.12-1-1.006	Wegmans Food Markets, Inc.,
5769 Storm Haven		168.12-1-1.014	Wegmans Food Markets, Inc.,
5776 Storm Haven		168.12-1-1.003	Wegmans Food Markets, Inc.,
5783 Storm Haven		168.12-1-1.016	Wegmans Food Markets, Inc.,
5784 Storm Haven		168.12-1-1.002	Wegmans Food Markets, Inc.,
5794 Storm Haven		168.12-1-1.019	Wegmans Food Markets, Inc.,
5800 Storm Haven		168.12-1-1.020	Wegmans Food Markets, Inc.,
5521 Vardon	Dr	168.15-4-18.000	Summers Pittsford Family, LLC.,
5534 Vardon	Dr	168.15-4-17.000	Savage, L Henry
5535 Vardon	Dr	168.15-4-25.000	Miller, Barbara
5536 Vardon	Dr	168.15-4-16.000	Caprini, Chester F.
5537 Vardon	Dr	168.15-4-26.000	Summers Pittsford Family, LLC.,
5538 Vardon	Dr	168.15-4-15.000	Koster, Charles E.
5540 Vardon	Dr	168.15-4-14.000	Koster , Charles E.
5542 Vardon	Dr	168.15-4-13.000	Koster, Charles E.
5544 Vardon	Dr	168.15-4-12.000	Voorheis, Brian
5545 Vardon	Dr	168.15-4-30.000	South Bristol Resorts, LLC,
5546 Vardon	Dr	168.15-4-11.000	Rose, Jason D.
5548 Vardon	Dr	168.15-4-10.000	Kuchta, William G.
5550 Vardon	Dr	168.15-4-9.100	Wilcox, Alan J.
5554 Vardon	Dr	168.15-4-7.100	Macri, Frank S.
5555 Vardon	Dr	168.15-4-35.000	Silva, Roberto
5556 Vardon	Dr	168.15-4-6.000	Uhlen, William T.
5557 Vardon	Dr	168.15-4-36.000	Schriefer, John H.
5558 Vardon	Dr	168.15-4-5.000	Tucker, Russell
5559 Vardon	Dr	168.15-4-37.000	Raab, Leo J.
5560 Vardon	Dr	168.15-4-4.000	Charlton Trustee, Joseph E.
5561 Vardon	Dr	168.15-4-38.000	Canandaigua National Bank,
5562 Vardon	Dr	168.15-4-3.000	Hartman, Randy C.
5563 Vardon	Dr	168.15-4-39.000	Bierman, Edward J.
5564 Vardon	Dr	168.15-4-2.000	Lefebvre, David
5565 Vardon	Dr	168.15-4-40.000	Pamela Muxworthy Trust,
5566 Vardon	Dr	168.15-4-1.000	Eleanor B Caccamise RLT,
5878 Villa	Dr	168.15-4-52.000	South Bristol Resorts Llc,
5879 Villa	Dr	168.15-4-53.000	South Bristol Resorts Llc,
5880 Villa	Dr	168.15-4-51.000	South Bristol Resorts Llc,
5881 Villa	Dr	168.15-4-54.000	South Bristol Resorts Llc,
5882 Villa	Dr	168.15-4-50.000	South Bristol Resorts Llc,
5883 Villa	Dr	168.15-4-55.000	South Bristol Resorts Llc,
5884 Villa	Dr	168.15-4-49.000	South Bristol Resorts Llc,
5885 Villa	Dr	168.15-4-56.000	South Bristol Resorts Llc,
5886 Villa	Dr	168.15-4-48.000	South Bristol Resorts Llc,
5887 Villa	Dr	168.15-4-57.000	South Bristol Resorts Llc,
5888 Villa	Dr	168.15-4-47.000	South Bristol Resorts Llc,
5889 Villa	Dr	168.15-4-58.000	South Bristol Resorts Llc,
5890 Villa	Dr	168.15-4-46.000	South Bristol Resorts Llc,
5891 Villa	Dr	168.15-4-59.000	South Bristol Resorts Llc,
5892 Villa	Dr	168.15-4-45.000	South Bristol Resorts Llc,
5893 Villa	Dr	168.15-4-60.000	South Bristol Resorts Llc,
5894 Villa	Dr	168.15-4-44.000	South Bristol Resorts Llc,
5895 Villa	Dr	168.15-4-61.000	South Bristol Resorts Llc,

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5896 Villa	Dr	168.15-4-43.000	South Bristol Resorts Llc,
5898 Villa	Dr	168.15-4-42.000	South Bristol Resorts Llc,
5900 Villa	Dr	168.15-4-41.000	South Bristol Resorts Llc,

Supr. Marshall thanked Councilman Bachman for what everyone thought would be a fairly routine procedure to change the fire districts and turned out to be a major project; as well as the Transfer Station Law.

On a motion made by Councilman Arndt and seconded by Councilman Storm, Resolution No. 25-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 25-2013**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,  
ONTARIO COUNTY, NEW YORK, APPROVING THE ALTERATION OF  
BOUNDARIES OF THE SOUTH BRISTOL FIRE PROTECTION DISTRICT**

**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 January 14, 2013, 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 the alteration of the boundaries of the South Bristol Fire Protection District, so that the South Bristol Fire Protection District will consist only of those properties in the Town of South Bristol that are detailed in Schedule A, attached hereto and made a part hereof, and all other properties presently in the South Bristol Fire Protection District but not detailed in Schedule A shall no longer be part of the South Bristol Fire Protection District.

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on January 6, 2013 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 January 14, 2013, 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 the alteration of the boundaries of the South Bristol Fire Protection District; and

**WHEREAS**, pursuant to Part 617 of the Implementing Regulations pertaining to Article VIII (State Environmental Quality Review Act), it has been determined by the Town Board that alteration of the boundaries of the South Bristol Fire Protection District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED** that the boundaries of the South Bristol Fire Protection District are hereby altered so that the South Bristol Fire Protection District will consist only of those properties in the Town of South Bristol that are detailed in Schedule A, attached hereto and made a part hereof, and all other properties presently in the South Bristol Fire Protection District but not detailed in Schedule A shall no longer be part of the South Bristol Fire Protection District; and be it further

**RESOLVED**, that this alteration of the boundaries of the South Bristol Fire Protection District is in the public interest; and be it further

**RESOLVED**, that the Town Board finds that the notice of hearing was published and posted as required by law, and is otherwise sufficient; and be it further

SOUTH BRISTOL TOWN BOARD MEETING

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**RESOLVED**, that all property and property owners within the altered boundaries of the South Bristol Fire Protection District are benefited thereby; and be it further

**RESOLVED**, that all property and property owners benefited by the South Bristol Fire Protection District are included within the altered boundaries as approved by this resolution; and be it further

**RESOLVED**, that the town clerk shall cause a certified copy of this resolution to be duly recorded in the office of the clerk of Ontario County, the expense of such recording shall be a charge against the South Bristol Fire Protection District; and be it further

**RESOLVED**, that the town clerk shall, within ten days, cause a certified copy of this resolution to be filed in the state department of audit and control at Albany, New York; and be it further

**RESOLVED**, that this Resolution is subject to a permissive referendum as provided in Section 172-c of the Town Law.

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	<u>x</u>	<u>      </u>
Barbara Welch	<u>x</u>	<u>      </u>
Herman Arndt	<u>x</u>	<u>      </u>
Mark Storm	<u>x</u>	<u>      </u>
James Bachman	<u>x</u>	<u>      </u>

Dated: January 14, 2013

\_\_\_\_\_  
Judy Hanley, Town Clerk

SEAL

SOUTH BRISTOL TOWN BOARD MEETING  
January 14, 2013

SCHEDULE A  
(RESOLUTION NO. 25-2013)

Aspen Dr.  
Beechtree Dr.  
Bills Rd.  
Blackberry Dr.  
Bopple Hill Rd.  
Cedar Dr.  
Cold Springs Rd.  
Cooks Point Dr.  
County Rd. 12  
County Rd. 33  
County Rd. 34  
Coye Point Dr.  
Eagles Nest Dr.  
Fribolin Rd.  
Gannett Hill Park Dr.  
Granger Point Dr.  
Gulick Rd.  
Hackberry Dr.  
Hawks Rd.  
Hemlock Dr.  
Hickory Dr.  
Hicks Rd.  
Longs Point Dr.  
Longview Dr.  
Mcgary Rd.  
Middlebrook Rd.  
Monks Rd.  
Mountain Side Dr.  
New York State Rte. 21  
New York State Rte. 64  
North Mcgary Rd.  
Northstar Dr.  
Oakley Rd.  
Old Post Rd.  
Phillips Rd.  
Pine Bank Dr.  
Pinewood Ln.  
Porter Rd.  
Powell Hill Rd.  
Sassafras Dr.  
School House Rd.  
Seneca Point Rd.

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South Gannett Hill  
Rd.  
South Hill Rd.  
South Mcgary Rd.  
Stemple Hill Rd.  
Stid Hill Rd.  
Sugarberry Dr.  
Sumac Dr.  
Sycamore Dr.  
Torrence Rd.  
Walton Point Dr.  
West Gannett Hill Rd.

**LOCAL LAW #2013  
RESOLUTION NO. 26-2013  
ADOPTION OF LOCAL LAW #2-2013  
CHAPTER 146 SOLID WASTE & RECYCLING CODE**

Supr. Marshall noted that the Local Law amends Chapter 146, Solid Waste & Recycling Code for the Town of South Bristol. SEQR is not required on this. The Board has the resolution before them approving the local law.

On a motion made by Councilman Arndt and seconded by Councilman Bachman, Resolution NO. 26-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 26-2013  
ADOPTION OF LOCAL LAW #2-2013  
CHAPTER 146 SOLID WASTE & RECYCLING CODE  
RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW**

**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 January 14, 2013, 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 to Amend Chapter 146 (Solid Waste and Recycling) of the Code 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 January 6, 2013 and other notices required to be given by law were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on January 14, 2013, 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**, 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.

SOUTH BRISTOL TOWN BOARD MEETING

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**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of South Bristol hereby adopts said Local Law No. 2 of 2013, entitled "A Local Law to Amend Chapter 146 (Solid Waste and Recycling) of the Code 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, and to give due notice of the adoption of said local law to the Secretary of State of New York, and be it further

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	x _____	_____
Barbara Welch	x _____	_____
Herman Arndt	x _____	_____
Mark Storm	x _____	_____
James Bachman	x _____	_____

Dated: January 15, 2013

\_\_\_\_\_  
Judy Hanley, Town Clerk

SEAL

**FILING LOCAL LAW**

New York State Department of State  
41 State Street, Albany, NY 12231

---

**(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. **2** of the year **2013**

**A Local Law to Amend Chapter 146 (Solid Waste and Recycling) of the Code 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: The definitions of "Director" and "Recyclable, Reusable or Other Components" contained in Section 146-2 of Chapter 146 (Solid Waste and Recycling) of the Code of the Town of South Bristol are hereby amended so that they are hereafter defined as follows:

**DIRECTOR** – The person whom the Town Board appoints to oversee, direct and manage Solid Waste and Recycling with the Town.

**RECYCLABLE, REUSABLE OR OTHER COMPONENTS** – Paper, glass, metals, plastics, garden and yard waste and such other elements of solid waste as may be designated by the Director at least thirty (30) days prior to the effective date of said designation and published

## SOUTH BRISTOL TOWN BOARD MEETING

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once in the official newspaper(s) of the Town of South Bristol, and further provided that such material is not hazardous and can be reasonably separated from the solid water stream and held for material recycling or reuse value.

Section 2: Section 146-2 of Chapter 146 (Solid Waste and Recycling) of the Code of the Town of South Bristol is hereby amended by adding the following definitions:

OWNER – A person, corporation, limited liability company, partnership or other legal entity owning real property within the Town of South Bristol.

RESIDENT – A person who physically lives and resides in the Town of South Bristol, regardless of whether such person owns or rents such residence.

TRANSFER AND RECYCLING FACILITY – A facility that the Town of South Bristol owns and operates for the purpose of collecting Solid Waste, Yard Waste and Recyclable, Reusable or Other Components.

Section 3. Chapter 146 (Solid Waste and Recycling) of the Code of the Town of South Bristol is hereby amended by adding a new section 146-7.1 to read as follows:

§ 146-7.1. Transfer and recycling facility operations.

A. The Director shall oversee, direct and manage the operation of the Transfer and Recycling Facility to include the personnel, hours of operations, rules and regulation of intake of Solid Waste, Yard Waste and Recyclable, Reusable or Other Components, and proper transfer to an authorized and approved Solid Waste Management Facility, all subject to Town Board approval. The Director, and/or his agents and employees, shall have the discretion and authority to refuse acceptance of any Solid Waste, Yard Waste or Recyclable, Reusable or Other Components to the Transfer and Recycling Facility.

B. The Transfer and Recycling Facility shall be for the exclusive use by Residents and Owners, as such terms are defined in this chapter.

C. A Resident is permitted to convey, deposit, discard, dump or dispose of any Solid Waste, Yard Waste or Recyclable, Reusable or Other Components that is generated only from the real property within the Town of South Bristol that such Resident claims as his or her residence.

D. An Owner is permitted to convey, deposit, discard, dump or dispose of any Solid Waste, Yard Waste or Recyclable, Reusable or Other Components that is generated only from such real property in the Town of South Bristol that such Owner owns.

E. It shall be unlawful for any person, corporation, limited liability company, partnership or other legal entity, other than a Resident or Owner, as defined in this chapter, to utilize the Transfer and Recycling Facility for the conveyance, depositing, discarding, dumping or disposal of any Solid Waste, Yard Waste or Recyclable, Reusable or Other Components.

F. It shall be unlawful for a Resident or Owner, as defined in this chapter, to utilize the Transfer and Recycling Facility for the conveyance, depositing, discarding, dumping or disposal of any Solid Waste, Yard Waste or Recyclable, Reusable or Other Components other than as permitted by this Chapter.

Section 4: Section 146-10 of Chapter 146 (Solid Waste and Recycling) of the Code of the Town of South Bristol is hereby amended to read as follows:

§ 146-10. Penalties for offenses.

1. Any person, corporation, limited liability company, partnership or other legal entity who or which shall violate any of the provisions of this Chapter shall be guilty of a violation.
2. The penalties upon a conviction of violating any of the provisions of this Chapter shall be a fine not exceeding \$250, except for corporations which shall be subject to a fine not

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exceeding \$500, and imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment.

3. The Town Board may also maintain a civil action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with the terms and provisions of this Chapter, to restrain by injunction the violation of this Chapter and/or to seek civil damages for the violation of terms and provisions of this Chapter. Any person, corporation, limited liability company, partnership or other legal entity found to have violated any term or provision of this Chapter in a civil proceeding shall be subject to a civil fine not exceeding \$1,000 per occurrence.

Section 5: Chapter 146 (Solid Waste and Recycling) of the Code of the Town of South Bristol is hereby amended by adding a new section 146-10.1 to read as follows:

§ 146-10.1. Enforcement.

The Director or the Town of South Bristol Code Enforcement Officer is permitted to issue appearance tickets regarding violations of this Chapter and to take any other action necessary to prosecute a violation of this Chapter or otherwise enforce this Chapter.

Section 6: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 7: Effective Date

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. 2 of 2013 of the Town of South Bristol was duly passed by the South Bristol Town Board on January 14, 2013, 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 Officer<sup>2</sup>.)

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.)

<sup>2</sup> 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

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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 \_\_\_\_\_ 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.

\_\_\_\_\_  
Town Clerk

(Seal)

Date: \_\_\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ONTARIO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

---

Attorney to the Town  
Town of South Bristol  
Date: \_\_\_\_\_

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**RESOLUTION NO. 27-2013  
ADOPTION OF LOCAL LAW #3-2013 AMENDING  
CHAPTER 19 “CODE OF ETHICS”**

Supr. Marshall noted that the next Resolution adopts a local law that will name the Ontario County Board of Ethics as the Town’s Board of Ethics.

On a motion made by Councilwoman Welch and seconded by Councilman Bachman, Resolution No. 27-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW #3-2013**

**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 January 14, 2013, 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 to Amend Chapter 146 (Solid Waste and Recycling) of the Code 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 January 6, 2013 and other notices required to be given by law were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on January 14, 2013, 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**, 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. 3 of 2013, entitled “A Local Law to Amend Chapter 146 (Solid Waste and Recycling) of the Code 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, and to give due notice of the adoption of said local law to the Secretary of State of New York, and be it further

I, Judy Hanley, 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 14, 2013, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	x _____	_____
Barbara Welch	x _____	_____
Herman Arndt	x _____	_____
Mark Storm	x _____	_____
James Bachman	x _____	_____

SOUTH BRISTOL TOWN BOARD MEETING

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Dated: January 14, 2013

SEAL

\_\_\_\_\_  
Judy Hanley, Town Clerk

**LOCAL LAW #3-2013**

***FILING LOCAL LAW***

New York State Department of State  
41 State Street, Albany, NY 12231

**(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. **3** of the year **2013**

**A Local Law to Amend Chapter 19 (Code of Ethics) of the Code 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: Sections 19.6 and 19.7 of Chapter 19 (Code of Ethics) of the Code of the Town of South Bristol are hereby deleted in their entirety

Section 2: A new Section 19.6 is hereby inserted into Chapter 19 (Code of Ethics) of the Code of the Town of South Bristol to read as follows:

§19.6 County Board of Ethics

The Ontario County Board of Ethics shall render advisory opinions to officers and employees of the Town of South Bristol in accordance with the Code of Ethics herein and with respect to Article 18 of the New York State General Municipal Law, as amended. Such advisory opinions shall be rendered pursuant to the written request of an officer or employee of the Town under such rules and regulations as the Ontario County Board of Ethics may prescribe and shall have the advise of counsel employed by the Ontario County Board of Ethics, of if none, the County Attorney.

Section 3. Sections 19.8, 19.9 and 19.10 of Chapter 19 (Code of Ethics) of the Code of the Town of South Bristol are hereby renumbered to be 19.7, 19.8 and 19.9

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 of this local law or in its application to the person, individual, firm or

SOUTH BRISTOL TOWN BOARD MEETING

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corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

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 3 of 2013 of the Town of South Bristol was duly passed by the South Bristol Town Board on January 14, 2013, 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 Officer<sup>3</sup>.)

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.

<sup>3</sup> 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

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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.

Town Clerk

(Seal)

Date: \_\_\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ONTARIO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Attorney to the Town

Town of South Bristol

Date: \_\_\_\_\_

**NEW BUSINESS**

**MUTUAL AID AGREEMENT – ONTARIO COUNTY**

Supr. Marshall noted that the agreement with the County extends an existing agreement but now have determined that we need to ask for a Certificate of Insurance from the County naming the Town. Councilwoman Welch agreed and said that Joel Steele’s comment states that this agreement, an agreement for mutual aid and shared services arrangement with our Highway Dept. The section says “*the Town shall be able to provide upon request updated insurance certificates to cover the extension period.*” Councilwoman Welch noted that they are mentioning certificates in plural because we cannot issue a 5-year certificate; our policy is only for a year. Councilwoman Welch continued, saying that Mr. Steele had thought the language wasn’t that clear but was acceptable and indicated that it would not be an additional cost to the Town to add the County as an additional insured. Councilwoman Welch noted that Mr. Steele also indicated that the County should also add the Town as an additional insured; it is a mutual contract so both parties should have that. Councilwoman Welch said to send the contracts back to the County. Supr. Marshall said he would ask the DPW director to clarify.

Councilwoman Welch noted that the Town also works in the same capacity with other Towns and that Mr. Steele had said that we may want to consider being the additional insured with those we work with, villages and Towns. Supr. Marshall noted that the mutual aid between towns has been going on forever and will look into the history to see how it was handled. The

## SOUTH BRISTOL TOWN BOARD MEETING

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Town has never been asked for certificate of insurances from other towns and will ask the DPW commissioner. Councilwoman Welch agreed.

Supr. Marshall noted that no action was taken on.

### **CREATION OF LABORER – RECYCLING CENTER**

Supr. Marshall noted that we have received the position classification from the County for the Laborer for the Transfer Station and received a letter back stating “we are enclosing a copy of the classification certification, No. 96-2012, which classifies the position of Laborer for the Town of South Bristol. It is now necessary for this position to be created by the Town Board.”

On a motion made by Councilman Bachman to create a classification position for the Town of South Bristol and seconded by Councilman Storm was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

### **OTHER BUSINESS TOWN CLERK’S REPORT**

On a motion made by Councilwoman Welch to approve the Town Clerk’s report for December 2012 and the Town Clerk’s 2012 Annual Report and seconded by Councilman Arndt was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

### **SUPERVISOR’S REPORT**

Supr. Marshall noted that there is not a Supervisor’s Report tonight; the month and year need to be closed out. There will be 2 Supervisor’s Reports next month.

### **OTHER BUSINESS**

Supr. Marshall asked Clerk Hanley if there was any other business before the Board. Clerk Hanley noted that Mr. Wiltse wanted to have a moment of the Board’s time.

Mr. Wiltse was glad to have a moratorium that is extended for 6 months, but thinks it is inevitable that NYS is going to get hydrofracking; economic factors being what they are. Mr. Wiltse doesn’t want any hydrofracking in our Town and would rather not have it in the Finger Lakes. We do control what goes on in our town and has seen indications that Home Rule has been effective in other places to prevent it and is hoping that our esteemed Board is working on some sort of approach like that so when the moratorium expires and we are ready to hop on the Home Rule or something that prevents it coming to South Bristol.

Supr. Marshall said that the Planning Board is currently at work on the Moratorium project and they requested the 6 month extension. You may be interested in attending one of their meetings as well.

Mr. Wiltse asked if the Town Board is optimistic that the Planning Board will have something in place that will be acted on? Supr. Marshall said he is optimistic and explained that the Town Board is the ultimate Board and the Town Board appoints the Planning Board to work on these things for us. There is a Comprehensive Plan that was created that guides development of what goes; as an example the Comprehensive Plan states that the residents of the Town want to maintain its rural character. The function of hydrofracking would not be conducive to the Town’s Comprehensive Plan. The retirement requirement is for the employee to track their hours for 3 months and the Board

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Clerk Hanley noted that each time someone is re-elected who is enrolled in the NYS retirement program, a resolution needs to be passed by the Town Board for the Standard Work Day. The employee is required to submit a 90-day timesheet for hours worked.

On a motion made by Councilwoman Welch and seconded by Councilman Bachman Resolution No. 27-2013 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

**RESOLUTION NO. 27-2013  
STANDARD WORK DAY REPORTING RESOLUTION  
RS 2471-A**

**BE IT RESOLVED**, that the Town of South Bristol hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee's Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body: Town Clerk, Judy Hanley, Term begins/ends: 1/1/12 – 12/31/15. Days/Month 13.78.

Clerk Hanley asked if the fire contracts will be signed tonight? Supr. Marshall noted that we are obligated to pay the fire districts and can do so without a contract. Councilwoman Welch agreed and said that the additional named insured should be added to the contracts.

**ACCOUNTING  
GENERAL FUND**

Supr. Marshall noted that tonight's General Fund Abstract includes a Voucher No. 9 for the Honeoye Lake Watershed and would like to pull that voucher. Supr. Marshall noted that he did not budget for this because the Honeoye Lake Watershed did not submit anything during the budget process.

On a motion made by Councilman Bachman and seconded by Councilman Storm to pay the General Fund bills, Abstract #1, Voucher numbers 1-28, totaling \$58,771.04 except Voucher #9 to the Honeoye Lake Watershed for \$1,180.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Councilman Arndt asked about Voucher #8 for Glenn Miller Safe & Lock for \$3,455.00. There was supposed to be supporting information. Clerk Hanley noted that the supporting information is attached to the Voucher. Supt. Wight noted that the automatic door closers are expensive; the door closer the Highway dept. installed at the Town Hall cost \$200.00.

**HIGHWAY FUND**

On a motion made by Councilwoman Welch and seconded by Councilman Storm to pay the Highway Fund bills, Abstract #1 Voucher numbers 1-15, totaling \$91,729.94 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Supr. Marshall noted that the Highway Abstract includes payment for a lot of salt and fuel. Supt. Wight noted that during the week of Christmas and the storm, the Highway Dept. averaged 600 miles per truck.

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**FIRE DISTRICT ABSTRACT**

On a motion made by Councilman Storm and seconded by Councilman Arndt to pay the 4 Fire District Abstracts for \$192,134.15 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Supr. Marshall listed the Fire District expenses:

Naples Fire Dept. \$115,784.00

Richmond Fire Dept. \$22,869.00

Cheshire Fire Dept. \$49,325.15

Bristol Volunteer \$4,156.00

Supr. Marshall asked for anything else to come before the Town Board? Clerk Hanley noted that the Procurement Policy will need to be updated at the next Town Board meeting.

Councilman Arndt noted that last month he had a letter regarding the loan for Bristol Sewerage Corp. The issue is if there are surpurpolous funds in the fund that pays for fixing the sewer plant. Councilman Arndt is suggesting to use the money to go toward the loan. The reason Councilman Arndt is suggesting this is because of the findings that went into the motion to restructure that loan:

Finding #3: Restructuring the loan amounts to \$450k for the fixed portion at 5% with the balance going to the variable portion at 3.25% allows the flexibility of paying down the variable loan without penalty, as funds are available in the account through future tap-in fees and an increased user base.

Councilman Arndt continued, noting at that point and time the loan was paid down \$11,000.00. Now, there is \$20,000.00 in that same fund; more than they need to pay their annual bills and would like a motion to pay the \$20,000.00 towards the loan which will shorten the duration of the loan. This is all renegotiable in 5 years and the last review shortened the loan by 2 years and doesn't know the effect of this yet because future tap in fees, etc., going against the variable portion.

Supr. Marshall asked if the other option was putting the money into reserve?

Councilman Arndt answered no that would be going against the findings that created the motion.

On a motion made by Councilman Arndt to take the \$20,000.00 in the fund be used against the variable portion of the loan obligation and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Welch, Arndt, Storm and Bachman.

Councilman Arndt noted that he has not gotten the general accounting for the year from Bristol Harbor and will follow up on that. Councilman Bachman noted that he did speak with the office and understand their obligation.

Supt. Wight noted that MobilTech is working on updating and installing new radios at the Highway Dept. We may need to have to purchase one or two units.

**ADJOURN 8:33 PM**

Respectfully submitted:



SOUTH BRISTOL TOWN BOARD MEETING  
January 14, 2013

Judy Hanley  
Town Clerk