

SOUTH BRISTOL TOWN BOARD MEETING

February 9, 2015

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order February 9, 2015 at 7:03pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

Barbara Welch, Supervisor
James Bachman, Councilman
Scott Wohlschlegel, Councilman
Robert Cone, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Peter Vars, Valary Muscarella, WJ Rodenhouse, Dan Fuller, Steve Fuller, Steve Cowley, John & Mary McAlpin, Steve Metzger, Patsy Gibb and Glen Thornton

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

PRIVILEGE OF THE FLOOR/COMMUNICATIONS RECEIVED

Steve Metzger, Labella Engineering, spoke regarding Bristol Sewerage Disposal Corporation Project and handed out a flowchart to the Board that included pertinent points of the Transportation Law and an opinion from the NYS Attorney's office. Mr. Metzger read:

- The sewer corporation is established by filing the certificate of incorporation as approved by the Town Board.
- The Town Board's approval of such a certificate necessitates prior satisfaction of a number of requirements.
- Requirements include various reviews and reports from an engineer, posting of bonds or guarantees, and a prior dept. of health approval.
- A sewage-works provision of services is limited to the area approved by the Town Board and described in the certificate of incorporation.
- Imposition and approval of rates is limited to inhabitants of the area served by the corporation pursuant to its certificate.
- Each corporation must petition for a sewer rate that is directly related to the cost of operating and maintaining its own sewer system for its own users in its approved area of operation.
- Only an amendment of the certificate of incorporation consented to by the Town Board can extend or modify the area served by the corporation to include territory outside the area originally designated.
- There is no authority for the municipal approval of a combined sewer rate for two sewage-works corporations.

Mr. Metzger continued with explaining the flowchart.

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On a motion made by Councilman Bachman authorizing the signature of the Memorandum of Understanding between Labella and the Town of South Bristol to provide engineering services related to potential modifications to Bristol Sewerage Disposal Corporation seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Peter Vars, of BME, the engineering firm that is working on the Coye Cemetery Project submitted plans to the Board and explained the report and survey. 35.00

43.00 Supr. Welch said that the Board had gotten an estimate for lighting in the Town Hall parking lot and requested that the Board approve BME to develop a lighting plan for \$1,200-\$1,400. The Town has been awarded a grant through the Unified Court System for the lighting and signage. 52.23

On a motion made by Councilman Wohlschlegel to hire BME Engineering for a lighting plan not to exceed \$1,400 and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

John McAlpin asked or the opportunity to speak. Mr. McAlpin noted that in the future if he wants to have any communication with the Town his lesson learned is that he will have to have an attorney in order to present a statement to the Town of information. Mr. McAlpin said he is very disappointed and ashamed of the Town. When the berm was being created (at Coye Cemetery) he was at the Town Hall about the debris being pushed against the fence and the concrete footer, tires, transmission parts were all being pushed against the fence. 1.00 Mr. McAlpin said it was a waste of his time to come to the Town and tell them this was taking place and nothing happened. Mr. McAlpin said he spoke with the Town Supervisor at that time who said he would speak with the property owner; nothing happened. Mr. McAlpin said the Board is wasting their time and money. When a resident steps forward and makes a comment Mr. McAlpin has learned that it needs to be done through an attorney. We came to the Town Code Enforcement Officer that they were burying debris, tires, transmissions and was told that it was a former junkyard and doesn't fall under their jurisdiction. Mr. McAlpin said he called the DEC and said he did a lot of leg-work on this and came back to the Town and received no support. The owner knew what they were doing; used a contractor that didn't care about the Town. If there is going to be an expense on this the owner to the north should bear the cost.

Glenn Thornton of Thornton Engineering represented Bristol Ski Valley, LLC, has submitted an updated application for the ski resort. Mr. Thornton said the application is for the rezoning of about 205 acres on West Hollow Road; the old Ski Valley ski slope and other property acquired by Bristol Ski Valley. The property in the back is zoned R-5 and the property on the road front is C-1. 1.10 We have applied to rezone the property to a Planned Development which would allow us to restore the ski slope, to provide some housing on site. These drawings were included in the packet submitted. Back in September there were a number of questions raised and the team pulled together a more comprehensive well thought out plan. This is the plan we are moving forward with and the proper way we feel to develop the site if our rezone application is approved. We have to restore the ski slope, renovating the infrastructure that is all ready in place. We feel very confident the hill can be restored and improved upon. We recognize that this hill has limitations and are trying to offer different activities that will make this a year-round functional recreational use. The housing lends some synergy to area to

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establish more of a community. We tried to provide as much information as we had available at this point and time for the Board to start the evaluation process. The lodge will be demolished and that area will be the second tier of parking; driveway improvements, hillside lighting, waste water treatment will all be addressed in phase one. Soon thereafter we want to develop a tubing area with a surface lift. Phase 3 will restore the aerial lift and create more cross country skiing and hiking; there will not be any camping or motorized equipment will be involved in this phase. In phase 4 would be a clustered subdivision up to 12 lots, one acre or ½ acre in size. Mr. Thornton noted that they submitted a revised long environmental assessment form along with an explanation of what we are doing here. 1.18

Supr. Welch said this is a more focused application than previously submitted and spoke with Ontario County Soil and Water which noted the impact of an existing wetland and believes that state permits will be required. In our Code, 170-20, Section C, questions 1-8 need to be very succinctly detailed answers and to get them as soon as possible. Supr. Welch said Mr. Vars of BME will be taking a more in-depth look at the application for the Town. 1.25

COMMUNICATIONS RECEIVED

- Honeoye Lake Watershed Task Force, 2014 Project Accomplishments, 2015 Project Plans and 5 year financial report
- Retirement Incentive, Memorandum of Agreement Between Town of South Bristol & Teamsters Local 118
- Unified Court System, Notification of a \$6,000 grant awarded to Town of South Bristol
- Mattie Bicknell, support of Town Board firework display regulation
- Troser Leasing, Inc., Application for Amendment to Zoning Law

On a motion made by Councilman Wohlschlegel to accept the \$6,000 grant awarded to the Town of South Bristol and seconded by Councilman Bachman was accepted. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

On a motion made by Councilman Bachman to authorize the purchase of the Town Hall signage by February 13th to save \$200 and light fixtures to be determined by the engineering review and associated electrical timers and services, seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone. 1.35

Supr. Welch mentioned a letter received regarding the fireworks. Councilman Bachman said he will read into the record:

At your last Town of South Bristol Board meeting there was discussion regarding fireworks. A statement was made that there had been a lot of negative response to the new policy, and no positive.

I wish to go on record in favor of the new Town Board regulations for fireworks, which adhere to and follow the New York State law, and commend you for protecting the Town, and us, as citizens, from possible liability if there were to be an accident.

I would also like to see the history, which you read into the record of the disputed application, available on the website so that the people can see the references to NYS law and have access to the facts events concerning the latest fireworks application.

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Thank you for your efforts, and those of the Town Board members in our behalf.

Mattie Bicknell

4 Spyglass Hill

Councilman Bachman read the timeline and

Penal Code changed in October 2009 to legalize ‘private’ fireworks displays.

Town Board approves Fireworks Display Permit Application in spring 2014 and provides copy of same to Bristol Mtn and Bristol Harbor.

Town Board approves amended Fireworks Display Permit Application in fall 2014 following discussions with area fire dept’s and Young Explosives. Again copy of amended application is furnished to both Bristol Mtn and Bristol Harbor.

Representative of Bristol Mtn. stops by Town Supervisor’s office in fall 2014 and indicates that their insurance carrier has difficulty with insurance requirements. Agreement reached that the Representative will send letter from Insurance Co. attorney articulating the area(s) of difficulty.

Representative of Bristol Mtn. comes to December 8, 2014 Board Meeting and states “that for over 30 years they have offered a fireworks display on New Year’s Eve and the new permit process doesn’t allow us to do that and it is difficult for BM to do that (provide insurance) because we don’t have an active role in the fireworks display. Supervisor reminds the Representative that BM had agreed to provide a letter from the insurance company’s attorney articulating the area(s) of difficulty.

Town Board calls Special Meeting @ 5:00 on December 18th to discuss topic. Research of Town records prior to this meeting confirms the fact that BMtn. has indeed received permits over several decades from the Town of South Bristol in spite of the fact the Town was not authorized by the state to do so prior to October 2009. Prior to the 2009 change in the NY State Penal Code Section 405 the town had issued 87 permits for private firework displays in spite of the fact that the State Penal Code was exclusively limited to Public displays.

Checked with both Town Attorney and Attorneys from the NY Association of Towns legal counsel – both confirm that the Town process meets the requirements of the State. Advise of town council:

1.) do not accept risk that the Town is not required to take. Penal Code Section 405.4 states: Bonds. Before granting and issuing a permit for a display of fireworks as herein provided, the permit authority shall require an adequate bond from the applicant therefore, unless it is a state park, county park, city, village or town, in a sum to be fixed by the permit authority, which, however, shall not be less than one million dollars, conditioned for the payment of all damages, which may be caused to a person or persons or to property, by reason of the display so permitted and arising from any acts of the permittee, his agents, employees, contractors or subcontractors. Such bond shall run to the state park, county park, city, village or town in which the permit is granted and issued and shall be for the use and benefit of any person or persons or any owner or owners of any property so injured or damaged, and such person or persons or such owner or owners are hereby authorized to maintain an action thereon, which right of action also shall accrue to the heirs, executors, administrators, successors or assigns of such person or persons or such owner or owners. The permit authority may accept, in lieu of such bond, an indemnity insurance policy with

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liability coverage and indemnity protection equivalent to the terms and conditions upon which such bond is predicated and for the purposes provided in this section.

2.) In the absence of insurance the taxpayers would have to bear the expenses for attorney fees and in the event of a successful claim against the town higher insurance premiums: "Municipal taxpayers are not akin to insurance policy holders. Policy holders make a voluntary choice to obtain insurance for which they agree to pay premiums. Taxpayers, by contrast, are mandated by government to pay taxes most would prefer not to pay. In addition, because insurance companies operate for profit, but municipalities do not, insurance companies have greater financial capacity to bear the costs of indemnification". Larez v.Holcomb, 16F.3d1513, 1524(9th Cir.1994).

On December 17th receive correspondence from Representative indicating the new application places a significant burden on BMtn – but does not articulate what that burden is and asks again to use the application it has always used in the past. There is a letter from an attorney in Buffalo who states he was asked to write this letter in support of BMtn's request to use the historical application. No letter from the insurance company's attorney.

Motion made and defeated by board to waive insurance requirement. Questions left to be resolved Is it insurable....State law requires it (Penal Code 405), and insurance agent contacted indicates that an Event Policy would cover state requirements: 1.) Have we set the standard too high – 1.) State requires applicant to provide a bond or insurance; and 2.) Other municipalities have same insurance requirements and have successfully issued permits. The June 2013 Shelter Island, NY Town Board Resolution reflects that insurance is obtained from the Event Sponsor (Monn), Property Owner (Sunset Motel) and Firework's Company (Gucci). Application for fireworks permit submitted on Dec. 19th utilizing a form other than the Town Board approved form. Applicant required to utilize the town's form rather than the one submitted. Town receives application on Dec. 23rd. Applicant advised that they need to submit a Certificate of Insurance for Liability coverage in an amount of \$1,000,000 and indemnity protection as required by the Penal Code and town permit application.

On Dec. 27th Applicant comes to year end meeting and presents letter from the insurance producer/risk management indicating they want to avoid stacking of policies and thatthey are comfortable with the Young Explosive policy. They offer (if requested) evidence of liability coverage but no indemnification protection as applicant is required to provide under the Penal Code. No letter from insurance company attorney.

December 29th evidence of liability coverage EXCLUDES Medical Expenses and does not provide indemnification protection is given to Town. Town Attorney consulted along with Board Members and Town agrees to provide applicant with option to provide Bond as set forth in the penal code.

The applicant provided no Bond nor Liability Insurance with indemnity protection as provided in the State regulations. No letter from the Insurance Company's attorney has been received to date.

Follow Up

On December 31 9:00AM; I contacted Joel Steele (South Bristol's insurance provider) and inquired if it was possible for Bristol Mountain obtain a liability policy for this evening. Joel replied that he would certainly try, but he would need to hear from the owner. At 9:30, I spoke with owner of Bristol Mountain and conveyed my conversation with Joel Steele and suggested that the owner follow up accordingly.

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January 2; I contacted Joel Steele for follow up regarding Bristol Mountain. The owner did call about 10:30 that morning and Joel tried for about an hour before being shut down by carriers wanting to go home for New Years. I asked Joel if he would continue to pursue insurability as the town board needs to know if there is a barrier for property owners.

January, early in the week of the 5th; I saw the owner of Bristol Mountain in a public setting. I thanked the owner for calling Joel Steele and that my understanding was, we simply ran out of time – in other words, we should have done this sooner. I conveyed that I would see this through to completion. The owner agreed that we should continue to work on this after things settle down.

January 21; Update from Joel Steele

Note that it took 3 weeks for the insurance carrier to make a determination - insurance is not an off the shelf commodity. Never through this process, was this insurance ever thought to be unobtainable. I make this point because I asked that question repeatedly.

See below- Just received this from one of my brokers. They will not provide a quote this far out. Joel

From: REDACTED

Subjectt: 20150120 TROSER MANAGEMENT INC TROSER MANAGEMENT INC

Joel:

I spoke with XXX here. He advised he would have a market but they do not quote this far out from the event. They would probably quote it around October seeing that this is a New Years event.

January 23; As follow up to Joel's communication on January 21st, I asked if the carrier would quote the March winter carnival.

Jim

I have approval to bind coverage for the winter festival for the fireworks display for Troser. Premium is \$1030 with taxes and fees.

Conclusion

A town's primary function is the protection of persons, property and the town itself. The town board spent a year working on and unanimously approved a responsible fireworks permit that centers on insurance and holding the town harmless in the issuance of these permits. There is no reason why a town should ever consider lowering the bar to accommodate or water down a permit for an activity because no one, and I mean no one, took the time understand the permit and its insurance requirement, especially in the face of unfounded personal and public opinions. It should also be noted that all of the comments about being uninsurable, stacking of policy's and double insurance requirements is unfounded and only served to complicate constructive dialog.

It's clear at this juncture that the town's fireworks permit is not restrictive or overreaching. The sole limiting factor was lack of planning relative to securing obtainable insurance, where a permit would have been issued.

The South Bristol Town Board should recognize that this contentious issue to needs to be considered resolved. Further, this board owes the town attorney an apology, for the allegations made relative to issuing bad advice and in the board's failure to unanimously reappoint Jeff Graff as town attorney.1.54

Councilman Cone read a letter from a resident asking it be read into the record:

To whom concerned:

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As a resident of South Bristol since a child, I am outraged related to an issue that is pending with the so called representatives of this community. Yes I am very upset that the town would even question an event that has brought so much enjoyment to thousands over the years. Every year Bristol Mountain has had a beautiful torch light parade followed by fireworks. Every year friends and family cannot wait to share in this event. Bristol mountain comes to life and for a moment all the sad moments of the year past disappear. Smiles and thoughts of a New Year are enhanced by an event that Dan Fuller has provided this community and for all that bring revenue into our community through Bristol Mountain Ski resort. Children are watching and are mesmerized. How can you think that one paper gives you the right to ruin so many others happiness? When I am asked where I live I am proud to say that I am across from Bristol Mountain. Most everyone knows where our community is. I cannot imagine whose idea it was to question whether this event should continue. Obviously those involved have not taken time to see Mr. Fullers- Bristol Mountain's wonderful community event. By eliminating an event that draws thousands to our community each year you are damaging our reputation. I have been following the many changes in this community since the new board has started. The board has more important issues than trying to take away the happy moments we as a community can enjoy. You need to learn to focus on board issues and try not destroy our community by taking away the beautiful moments that put us on the map. Do you remember the movie FOOTLOOSE and how the community folded when told they could not enjoy the fun things in life. It took a person to open their eyes to the damage they had created. I will be that person if needed. I will contact the paper and have already been spreading the word in the community. People are outraged and even say that this board must not want to be re-elected in the future. Do you want this reputation? Time to listen to the community and what it needs, not what you want. Laws are ok if they have a purpose that benefits the community.

By the way fire the people who feel this community needs a union. How do they think they can demand so much. Hello wake up guys! I never see your trucks. You all are trying to drain the community selfishly. Remember when you started this search to unionize, you start at ground zero. Hope your not sorry when you see your efforts backfire on you. Where do you think you live that will benefit from a union. You make it hard to respect you when you put our community into a bad position.

*Concerned and angry resident Shelley J. McIntyre Cone 5743 State Route 64
Canandaigua, NY 14424
2.00*

MONTHLY REPORTS TOWN CLERK

On a motion made by Councilman Wohlschlegel an seconded by Councilman Cone the Town Clerk's report for January 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

ASSESSOR

On a motion made by Councilman Cone and seconded by Councilman Bachman, the Assessors report for January 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

CEO

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On a motion made by Councilman Wohlschlegel and seconded by Councilman Bachman the CEO's report for January 2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

LIASION REPORTS BUILDING & GROUNDS/CEMETERIES

Councilman Wohlschlegel said the estimate from Valley Mechanical has been received and has asked another plumber for an additional estimate. Received from Constellation regarding the electric service at a cost of 0.058 per kilowatt. Proctor is working on the metal doors at the Town Hall.

Supr. Welch said she asked Proctor for an estimate to replace the cupola at the Town Hall.

HIGHWAY DEPARTMENT

Councilman Bachman had nothing to report.

IT

Councilman Bachman reported that the Town Hall phones were hacked last week. The access codes were weak and found our system and several attempts were made and were testing our phone system. A technician from Genesis came to the Town Hall to change the passwords. Councilman Bachman said a problem for the Town is everybody acts as an operator answering the phone. The Samsung phone system has the functionality to have an auto attendant configured into it and would be a service call to Genesis to set up. It is not a good use of our employees and elected officials to be answering the phone only to be transferred to another department; that way people can do their work. Councilman Bachman said it is something he would like to pursue; it is a service call for \$300-\$400.

Councilman Cone said he thought the Town all ready had a phone system set up for this. Councilman Bachman said if you call the Town Hall Monday morning the Town Clerk would answer and if the call is for the bookkeeper the call would be forwarded on. It is just a quick way to move the communications through and not bother people who are doing the work. Councilman Bachman said it would be his recommendation is to pursue auto-attendant for the phone system. 2.10

Clerk Voss said she didn't mind talking with the residents when they call and feel this is micro-managing the job. Councilman Bachman said there are others that feel differently.

On a motion made by Councilman Bachman that Genesis implement auto attendant for the Town Hall phones at a cost of \$100 per hour and seconded by Councilman Wohlschlegel was NOT ACCEPTED. Voting AYE: 2. Voting NAY: 2. Voting AYE: Welch and Bachman. Voting NAY: Cone and Wohlschlegel.

Councilman Bachman said that it is a long standing problem; you have an assessor and bookkeeper that should not be a phone operator; that is not their job. Councilman Bachman said when he calls the Town Hall nobody answers the phone.

Councilman Cone said he would rather have someone answer the phones.

Councilman Bachman said he was reviewing the abstracts and came across a voucher for shredding service of \$150.00 and said the Town has a commercial shredder and doesn't know why we don't use it. The bigger issue with Shred-It that material is left in a bin for months; why should we pay for it when we can shred it instead. The bigger question is personal or private

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documents that are in there; does the Town Board want documents sitting around whereas they should have been shredded. If you were into a lawsuit you are a subpoena away from the Sheriff come by and picking up that bag and taking it away. We should shred what we have and not have the service. It is an area to save some money.

Clerk Voss said the Town used the service 2 years ago; there is no personal information in there; there are vouchers, dog licenses. The bin in the storage room is locked holding one bag so there is no access. The Town does not own a commercial shredder; Shred-it has a commercial shredder in their truck which they do on site. Shredding documents one at a time when you have 5-6 boxes is not a good use of time. 2.24

Councilman Bachman said the new color printer has been installed.

PUBLIC SAFETY

Councilman Cone said he was contacted by the sign company for the roadside numbers and they have additional signage they want him to look at. There was a resident that was asking about signage on the lake; with the sheriff on the lake that is looking for an address the docks are not numbered. We do have the ability to promote that as an additional roadside signs. The signs would be a different color.

Councilman Bachman said the employees are not using the cone at the Transfer Station and asked if he knew about it. That is a potential accident waiting to happen.

Councilman Cone said he is looking into light with a triggering system similar to a carwash. The light would be like a stop light which will have sensors when vehicles can enter the building.

Councilman Bachman said Grainger has a free standing light with options. We are paying the Transfer Station employee to manage the entire facility and traffic flow.

Councilman Cone said that the employee gets a lot of complaints.

Councilman Bachman said he also receives complaints about residents almost being clipped by cars. Councilman Bachman said the pedestal light he was referring to only cost \$700-\$800; not a tremendous amount of money.

Councilman Cone said he would talk to the Highway Supt.

2.30

ACCOUNTING

Total expenditures of \$132,785.78

- **Budget Transfer from Contingency to Canandaigua Watershed Council \$5,238.00**
- **Town Fund \$39,935.21**
- **Highway Fund \$91,782.55**
- **“H” Fund \$ 609.00 (Lower Egypt Road)**
- **EG Fund \$ 459.02 (Refuse)**

Supr. Welch noted that there is not a Supervisor's Report for January. The Town bookkeeper and Linda LeMoyne have worked jointly on the auditing the accounts and at this point the next step will be to meet with the Town's accountant to review where we are and to obtain guidance on how they would like to see us proceed.

Councilman Cone said that the Board hasn't received a monthly Supervisor's report regularly for 2014. Supr. Welch said the last report was October 2014 and hasn't had a report for November, December and January.

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Councilman Cone requested some sort of Supervisor's report indicating that we are working on that. If we get a FOIL we need to give them something whether it is complete is immaterial; in the very least something that shows our current status.

Supr. Welch said she would work with the accountant on that.

Supr. Welch noted that the budget transfer from the Contingency Account to the Canandaigua Lake Watershed for \$5,328.00 and had given the documentation to the Board. When we built the 2015 budget, the Watershed had given us an amount of \$4,085.00 and the final amount is \$9,338.00. The primary reason for that difference is the Council approved going into a joint venture with Canandaigua Lake Watershed Association to work on, more vigoursly, invasive species containment. They are setting up kiosk at the northern end of the lake and educate the public on how these species are carried from place to place. That is the reason why the budget amount increased and asked for a motion for the budget transfer.

Councilman Wohlschlegel asked if it was more money than what was budgeted? Supr. Welch said the figure was gotten early on and the watershed council and watershed association committed a certain amount of money to run the invasive species project.

Supr. Welch said that in 2014 the Town paid \$8,800 and in 2013 was \$6,900.00. The Watershed Council's budget shows \$96,000 coming from the involved municipalities; most of their money comes from grants.

Councilman Wohlschlegel said it seems like money is flying out the door and said it doesn't sound right. Councilman Cone agreed. Councilman Wohlschlegel said he could not support payment to the watershed for the additional amount.

Supr. Welch said the Town is part of the watershed and she is a member of the council.

Councilman Cone asked where the money is going to come from. Supr. Welch said it comes from the Contingency Account which is used for unexpected expenses.

Councilman Cone said to go from \$4000 to \$9,328 is more than doubling the amount for the invasive species program? Supr. Welch said it is going from \$42,000 for the entire council to \$96,000 for the entire council; we all support these jointly between the municipalities in the watershed. The return to the Town far exceeds what it is they provide; support to the highway superintendent, they helped with Coye Cemetery hydrology and Lower Egypt Road and with FEMA events.

Councilman Bachman said the watershed is also lended a hand to Ski Valley and Everwilde. Supr. Welch agreed and said they are also helping with the work being done on Cliffside Drive.

On a motion made by Councilman Bachman to approve the budget transfer from the Contingency Fund to the Canandaigua Lake Watershed Council and seconded by Councilman Wohlschlegel was tabled until next month.

Councilman Cone said he needs more information about the figures that they gave us a couple of months ago and the difference of what they are asking now.

ABSTRACT

Supr. Welch explained that they now have a consolidated disbursement where we have a single checking account that all these funds will come through. The total disbursements or the month of January is \$132,785.78; the Town Fund is \$39,935.21, Highway Fund \$91,782.55, "H" Fund \$609.00 and EG Fund \$459.02. The "H" Fund is for Lower Egypt Road and the EG fund is the Transfer Station, refuse hauling; Voucher numbers 45, 47 through 94. Voucher #46 has been pulled and voided.

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On a motion made by Councilman Cone to approve the payment of Vouchers 45, 47-94 for \$127,547.78 and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

RESOLUTIONS PRESENTED BY SUPERVISOR

RESOLUTION 22-2015: AGED PERSONS TAX EXEMPTION

On a motion made by Councilman Wohlschlegel and seconded by Councilman Bachman Resolution No. 22-2015 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Resolution 22-2015: AGED Persons Tax Exemption

Whereas, the South Bristol Town Board held a public hearing on the adoption of an amended Low Income Senior Citizens Partial Tax Exemption, and

Whereas, the South Bristol Town Board is desirous of amending the current Low Income Senior Citizens Partial Tax Exemption adopted by the Town on January 1, 1995, therefore be it

Resolved, the South Bristol Town Board herein adopts the following Low Income Senior Citizens Partial Tax Exemption for qualified seniors age 65 or older which meet certain income qualifications as established by the New York State Board of Equalization and Assessment pursuant to Section 467 of the Real Property Tax Law effective January 1, 2016:

<u>Annual Income</u>	<u>Exemption Amount</u>
\$15,000 or less	50%
\$15,001 to \$16,000	45%
\$16,001 to \$17,000	40%
\$17,001 to \$18,000	35%
\$18,001 to \$18,900	30%
\$18,901 to \$19,800	25%
\$19,801 to \$20,700	20%
\$20,701 to \$21,600	15%
\$21,601 to \$22,500	10%
\$22,501 to \$23,400	5%

Resolved, that a certified copy of this resolution shall be filed with the Ontario County Real Property Tax Department and the town Assessor.

MOTIONS

- **Authorization to Accept \$6,000 Grant from Unified Court System**
- **Authorization to Purchase Town Hall Signage, Light Fixtures, Electric Timer and Electrical Services with grant monies from the Unified Court System and Town's General Fund.**
- **Appointment of BME Associates as Town Project Engineer for the Troser Leasing, Inc. Application for Amendment to Zoning Map**
- **Authorization to sign Labella's Memorandum of Understanding for Bristol Sewerage Disposal Corporation project**

Supr. Welch noted that the grant, the Town Hall signage and LaBella Memorandum of Understanding motions have all ready been taken care of.

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On a motion made by Councilman Bachman to appoint BME Associates as Town Project Engineer for the Troser Leasing Inc. application for amendment to zoning map and seconded by Councilman Cone was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

Supr. Welch noted that the last few pay periods, the paychecks have not been received on time; they are supposed to be here on Tuesday and released by Wednesday. This is a postal problem and contacted Paychex and was told that for \$11.00 per payroll they would express mail the payroll to us and wouldn't have that problem in the future. 2.54 Supr. Welch said she would like approval to modify the arrangement with Paychex to include next day delivery for \$11.00 per payroll processed.

Discussion.

On a motion made by Councilman Bachman to express mail payroll for \$11.00 per pay period and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 3. Voting NAY: 1. Voting AYE: Welch, Bachman and Wohlschlegel. Voting NAY: Cone.

OLD BUSINESS

- \$76,123 FEMA Recovery received
- Woodville Park
- Schedule Public Hearing for the following Local Laws
 1. A local law repealing Chapter 106 (Logging) of the code of the Town of South Bristol and adopting a new chapter 106 (Local Timber Harvest Law).
 2. A local law amending Chapter 61 (animals) of the code of the Town of South Bristol.
 3. A local law amending the zoning law requiring site plan review for all uses in the Lake Residential and the Steep Slopes Law of the Town of South Bristol. 3.01

On a motion made by Councilman Bachman and seconded by Councilman Wohlschlegel the Public Hearings for the Local Laws are scheduled for Monday, March 9, 2015 at 7:00pm was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

NEW BUSINESS

- Personnel
 1. March 27, 2015 Retirement Date for:
 - Gary R. Leach (40 years of service)
 - John O. Bluhm (20 years of service)
 2. Gary R. Leach request for Compensation for unused vacation time
 3. CEO request for 3 floating holidays and 16 hours of Personal Time Off

On a motion made by Supr. Welch to grant the request from Gary R. Leach compensation for unused vacation time and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

The Board agreed to table the CEO request.

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EXECUTIVE SESSION

- To discuss the work history of a particular person

On a motion made by Councilman Cone and seconded by Councilman Wohlschlegel the Board moved into Executive Session was ACCEPTED. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

The Board convened into Executive Session at 10:15pm.

The Board exited from the Executive Session at 10:30pm by a motion made by Councilman Cone and seconded by Councilman Wohlschlegel. Voting AYE: 4. Voting NAY: 0. Voting AYE: Welch, Bachman, Wohlschlegel and Cone.

ADJOURN 10:30PM

Respectfully submitted:

Judy Voss
Town Clerk