

SOUTH BRISTOL TOWN BOARD REGULAR MEETING
May 11, 2015

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order May 11, 2015 at 7:03pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

James Bachman, Councilman
Scott Wohlschlegel, Councilman
Robert Cone, Councilman

ABSENT

Barbara Welch, Supervisor

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Ashley Champion, Frank Sciremammano, Howie Jacobson, Laura Cook, Mark Tayrien, Kathy Spencer, Steve Metzger, Vicki Martin, Mark Compton, Karen Stephens, Stephen Cowley, Maryann Bachman, Jim Wight, Dan Marshall and Kevin Murphy, Larry & Kathy Leach

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone, Resolution No. 23-2015 was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

RESOLUTION NO. 23-2015

LOW INCOME DISABLED PERSONS TAX EXEMPTION

WHEREAS, the South Bristol Town Board held a public hearing on the adoption of an amended Low Income Disabled Persons Tax Exemption, and

WHEREAS, the South Bristol Town Board is desirous of amending the current Low Income Disabled Persons Tax Exemption adopted by the Town Board on April 14, 1998, therefore be it

RESOLVED, effective January 1, 2016 the South Bristol Town Board herein adopts the following Low Income Disabled Persons Tax Exemption for real property owned by a person with a disability as defined in Section 459-C of the Real Property Law whose income is limited by such disability and used as the legal principal residence of such person, shall be entitled to a partial exemption from taxation to the extent of 50% of assessed valuation. The maximum income of such person shall not exceed \$23,399.99.

<u>Annual Income</u>	<u>Exemption Amount</u>
\$15,000 or less	50%
\$15,000.01 to \$15,999.99	45%
\$16,000 to \$16,999.99	40%
\$17,000 to \$17,999.99	35%
\$18,000 to \$18,899.99	30%
\$18,900 to \$19,799.99	25%
\$19,800 to \$20,699.99	20%
\$20,700 to \$21,599.99	15%
\$21,600 to \$22,499.99	10%

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\$22,500 to \$23,399.99

5%

PRIVILEGE OF THE FLOOR

Michael Compton and Karen Stevens of 5 Star Bank explained the Lock-Box procedure for collecting property taxes for the Town.

CORRESPONDENCE RECEIVED

- Nomination of Denise VanDeroef for 2015 Seniors of the Year, Ontario Office of the Aging.
- Ontario County Public Works, County Road 33 Reconstruction Part I.
- NYS Dept. of Taxation and Finance, \$293.62 Refund of Sales Tax paid by Town of South Bristol.
- NYS Dept of Taxation & Finance, Certificate of Final Special Franchise Full Value

MONTHLY REPORTS

ASSESSOR

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone, the Assessor's report for April, 2015 was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Wohlschlegel and Cone. (15.05)

CEO

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone the CEO's report for April 2015 was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Wohlschlegel and Cone.

TOWN CLERK

On a motion made by Councilman Wohlschlegel and seconded by Councilman Bachman the Town Clerk's report for April 2015 was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Wohlschlegel and Cone. (26.11)

ENGINEERING REPORT

- **Mark Tayrien, Labella Associates**
 - **Comments/Flowchart of the PDD Process**
 - **Comments/Flowchart regarding SEQR Process**
 - **Discussion of draft EAF Parts 2 & 3**

Mr. Tayrien introduced Kathy Spencer, a SEQR and Planning professional, Steve Metzger, Engineer from LaBella Associates. Mr. Tayrien also introduced Frank Sciremammano and the Everwilde Team.

Mr. Sciremammano introduced the Everwilde Team, Laura Cook, principle, Ashley Champion, counsel and Howie Jacobson, PR.

Mr. Tayrien gave the Town Board a process overview handout and explained the SEQR, EIS and PD process. (38.30)

Councilman Bachman said at the request of the Town Engineer, the Board members will need to look over the paperwork in preparation for the next board meeting and be prepared to make some decisions and move forward.

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Mr. Tayrien asked if the Board had any questions? Councilman Cone asked about what the estimates of water usage and sewage usage? 40.27 Kathy Spencer answered 12,040 per day both for usage and waste generation. Mr. Sciramammano said the plan was prepared with the project under the assumption that they were hooking up to Bristol Harbor waterworks; it is the same amount of water and will be drawing from the lake.

Councilman Cone asked about the water intake and in relation to the boatslips; is there a distance? Mr. Sciremammano said they have not yet done that. The Dept. of Health and the DEC that determine an adequate distance.

Councilman Cone said the R-3 zoning with 47 acres the previous plan it didn't look like there was 3 acres of land for each of the sites they originally had. It looks like they were expecting a highly wishful side to begin with.

Mr. Sciremammano said he could clarify that. The original subdivision is filed and is an approved subdivision prior to that plan being designated R-3. Those lots are smaller; there are more homes there on the approved subdivision that could be built under R-3.

Councilman Cone said the subdivision would have been figuring some type of Dept. of Health approved septic system at the time it was originated.

Mr. Sciremammano said no originally that plan was to connect to Bristol Harbor and there were agreements in place which were submitted to the Town for sewer and water service.
43.11

Councilman Cone said 12,040 of water usage and waste water generated a day and configured for a 3-acre septic system and understands it has been Dept. of Health approved.

Mr. Sciremammano said not approved yet. We are out there right now gathering the data to verify that it will work and then we will submit detailed plans for approval.

Mr. Tayrien said a lot of conversations regarding these on-site systems took place at the Planning Board meetings that we just completed. The Planning Board report to the Town Board states, and also captured in the EAF, there are two remaining factors or points of information that need to be confirmed with respect to the proposal having an on-site septic systems. The native soils are of sufficient quality to accommodate that system. Our engineers reviewed it and the project sponsors worked on it and came to the conclusion of 95% certainty on that. The concept layouts have not established definitely that there was sufficient room on the site to accommodate those. The EAF we drafted calls this out and identifies those as two points of information that need to be confirmed. We need to go from 95% to 100% with the environmental review process.
45.50

Mr. Tayrien said if the board has any question to get them to him, Supr. Welch or Councilman Bachman before the next meeting so they can respond.

HIGHWAY SUPERINTENDENT

Supt. Wight had the paperwork for a potential new hire at the Highway Dept. Councilman Bachman and Supt. Wight talked amongst themselves (inaudible). Supt. Wight said he would also like to discuss about the permit process for drilling underneath town roads. The permit fee should be substantial, accompanied by an engineered plan and insurance. Supt. Wight said he has had several individuals on Seneca Point that have all ready gone under the road bed without notice. A resident on Stemple Hill Road has asked to run a waterline under the road.

Councilman Bachman asked about the new hire and if this needed to be done tonight. Supr. Wight said he is short-handed and would like this approved tonight. Councilman Cone said he was under the impression that we were just approving the salary and not the position.

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Councilman Bachman said the conversation with the Supr. the Town Board should weigh in on it.

Councilman Cone said the pay rate needs to be set; the union negotiations are ongoing. Supt. Wight said he is not sure about the union negotiations, and thinks the pay should be at a rate of 75% of the lowest paid highway employee and suggested \$15.00 per hour.

On a motion made by Councilman Cone hiring Nathan Miller, as MEO for the Town Highway Dept. for \$15.00 an hour pending discussion with past employer and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Wohlschlegel and Cone. 58.80

Supt. Wight said that Suite Kote was in today and mixed 500 ton of material to be utilized on Gulick Road replacing a total of 6 pipes. The Highway Dept. has been mowing a lot of grass.

Councilman Bachman asked about the impact to the town with the work being done on County Road 34? Supt. Wight explained that he is staging stone in areas around town to use this summer. Councilman Bachman said the County has a large staging area near Mosher Road asked if the County is going to repave a portion of Mosher Road? Supt. Wight said yes the highway dept. is going to resurface Mosher Road and the County will mark where we need to stop; well off the intersection.

Councilman Cone asked about the speed limit on Seneca Point Road and said he drove down there and it looks like it is not posted at all or 25 mph. Supt. Wight said it starts at the top of Bopple Hill Road all through Seneca Point Road to Hicks Road. At Hicks Road it jumps to 40 mph all the way to the golf course and at Coye Road it is 45 mph. Supt. Wight said he has ordered signs for Hicks Road, 40 mph and the curves will have signs with 30 mph caution.

Councilman Bachman asked if it is an enforceable speed limit? Supt. Wight said it is enforceable if it is a black and white sign. 1.08

Councilman Cone said he appreciated the report from Supt. Wight on the highway dept. costs. Supt. Wight said the cost of salt went up to \$47.16 per ton last winter season and a highway truck has the potential to put 70 tons of salt in the vehicles to go out for one trip.

LIASION REPORTS BUILDING & GROUNDS/CEMETERIES

Councilman Wohlschlegel said the Town Hall side doors have been replaced by Proctor Roofing. Councilman Wohlschlegel said he received an estimate for a split rail fence from Shamrock Farms for \$3,500.00. The NYS Fence estimate was several thousand more. The NYS Fence was a decorative aluminum type that looks like wrought iron estimate for \$16,500.00. The chainlink fence cost is \$6,800 and to remove existing fence is \$1,300.00. Councilman Wohlschlegel asked if we will be removing the fencing in place now?

Councilman Bachman said the Ontario County Workforce might be willing to come down and remove it. The Town would have to haul away the material.

Councilman Wohlschlegel said the split rail fence is the best option. Councilman Bachman said the Board needs to do is whether the funding of Coye Cemetery is appropriately used for that. We are also waiting for an update from the Code Enforcement Officer regarding the burm also.

HIGHWAY DEPARTMENT/IT

Councilman Bachman said QwicNet will be in to work on the new laptop for the Highway dept. The wireless transmitters were installed last week.

Councilman Bachman said he has been working on an issue with the Planning/Zoning office and their software and read a note from CEO Sommers. The program they are currently putting data into a DOS program. The permit tracking program is a DOS application from the early to mid 1980's; 10 operating systems old. The CEO has requested that we move toward a current technology whether it be Williamson Law or BAS. The cost for a new program is upwards of \$10,000 to replace the software. 1.24 Councilman Bachman said it is time for the Board to consider doing something in the near future.

Councilman Cone asked if the County is involved in this kind of program? Councilman Bachman said the County is involved with the Tax Collection software and assessment. Councilman Bachman said he will bring a proposal back to the Board to review and consideration.

PUBLIC SAFETY

Councilman Cone said that he reviewed the minutes of the last Planning Board meeting and commended the Planning Board on all their hard work with Everwilde. Councilman Cone asked Maryann Bachman if the Planning Board did a walk through of the Everwilde site? Mrs. Bachman answered that they were invited just as the Town Board was but other than that there was nothing formal.

Councilman Bachman said the watershed did a walk through last year.

Councilman Cone said he contacted Robert Freeman to ask if the Town Board can schedule a walk through with advanced notice for the public. Councilman Cone said he received an invitation from property bordering the project and would like to see this from all sides; from Coye Road, Seneca Point and from the waterfront. Councilman Cone asked Supt. Wight if there were any plans for guardrails along Coye and Seneca Point Roads?

Supt. Wight said that there is a potential for guardrails on Seneca Point Road where they are clear cutting.

Councilman Cone thought that the developer should pay for the guardrails and not the Town.

Supt. Wight said there is \$3,000 in the guiderail budget line and plans on using some of that for Seneca Point Road. 1.34

OLD BUSINESS

• SEQR Review/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 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.**

Councilman Bachman said Councilman Wohlschlegel completed the SEQR and forwarded them to the Board. Councilman Wohlschlegel agreed and said the Board needs to approve the SEQR. After it is approved, Supr. Welch will sign it.

On a motion made by Councilman Wohlschlegel to approve the SEQR review for the Logging/Local Timber Harvest Law and seconded by Councilman Bachman was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

(Insert Resolution & SEQR)

On a motion made by Councilman Wohlschlegel to approve the SEQR review for the Steep Slopes Law and seconded by Councilman Cone was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

(Insert Resolution & SEQR)

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,
ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. ____ OF 2015**

WHEREAS, the Town of South Bristol Town Board, hereinafter referred to as Town Board, has determined proposed Local Law No. ____ of 2015 to be a Type 1 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 Long Environmental Assessment Form prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

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 Voss, Town Clerk of the Town of South Bristol do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of South Bristol on _____, 2014, by the following vote:

Aye

Nay

SOUTH BRISTOL TOWN BOARD REGULAR MEETING
May 11, 2015

Barbara Welch _____
James Bachman _____
Robert Cone _____
Scott Wohlschlegel _____

Dated: _____, 2015

Judy Voss, Town Clerk

SEAL

1.42

NEW BUSINESS

- **Approve Letter to Scott McGee, Twisted Branch Trail Run**
 - **Ontario County Workforce Development**
 - **Work Experience Program**
 - **Youth Employment Program**

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone the letter from Scott McGee, Twisted Trail Run was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

Councilman Bachman said he is looking for a general approval of the agreement for the workforce performing work on Coye Cemetery, removing the fence or other activities the Town may have.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cone the Ontario County Workforce agreement was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

APPROVAL OF VOUCHERS

On a motion made by Councilman Cone to approve Abstract No. 5, Voucher # - for \$54,315.86 and seconded by Councilman Wohlschlegel was ACCEPTED. Voting AYE: 3. Voting NAY: 0. Voting AYE: Bachman, Cone and Wohlschlegel.

Supt. Wight reminded the Board that he would like the local law for drilling under town roads to be a top priority.

ADJOURN 8:55pm

Respectfully submitted:

Judy Voss
Town Clerk