

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order May 12, 2025 at 7:00pm.

PRESENT

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

ABSENT

Scott Wohlschlegel, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Mark Boylan, Anne Boylan, Clark Kreuter, Patrick Solomon, Nick Kreuter, David Bowen, Sally Berry, Chris Abraham, Tracey Howe, Gloria Harrington, Ginny Lalka, Cathy Fields, Jeremy Fields

Online: Stephanie & David Whittaker, Lisa Moore, Elizabeth Caprini, Jonathan Heiderich, Chuck Ryan

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. APPROVAL OF MINUTES

On a motion made by Councilman Strickland and seconded by Councilman Cowley, the April 14, 2025 minutes were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

Supr. Marshall said he wanted to read a Resolution of Sympathy for Al Woodhead, a former Town Supervisor, who passed away.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution No. 36-2025 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

**RESOLUTION NO. 36-2025
RESOLUTION OF SYMPATHY FOR
ALBERT WOODHEAD**

WHEREAS, this Town Board was saddened to learn of the death of Mr. Albert Woodhead, a former Town Supervisor representing the Town of South Bristol from 1982 through 1995; and

WHEREAS, during his tenure, Mr. Woodhead diligently served on several standing committees, including, but not limited to, Insurance, Planning & Research, Public Health and Public Works; and

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

WHEREAS Mr. Woodhead also served as Chairman of the General Administration, Insurance, Sheriff, and Health & Medical Committees; and

WHEREAS, Mr. Woodhead was elected to serve as Chairman of the Board of Supervisors from 1990-91; and

WHEREAS, Mr. Woodhead played a significant role in the construction of our Town Hall, now therefore be it

RESOLVED, that this Town Board, on behalf of its members, both past and present, mourns the death of Mr. Woodhead and extends its sincere sympathy to his family; and further

RESOLVED, that this Resolution be included in the minutes of this Board and a copy mailed to the Woodhead family.

III. PLEDGE OF ALLEGIANCE

IV. PRIVILEGE OF THE FLOOR

Nick Kreuter read his statement to the Board. My name is Nick Kreuter, and I am speaking on behalf of my father Clark Kreuter, owner of 5884 Seneca Point Road in Naples. My wife and I are part of the 3rd generation of my family that has been spending summer weekends enjoying our property on Canandaigua Lake that my family has owned for over 65 years.

I drove in for this meeting from Buffalo, my home residence, and I am speaking to you because I have concerns and questions regarding the topics that were brought up in the April Town Board meeting, specifically about repealing Chapter 157 – trailers, due to its ambiguity and more importantly potential changes to zoning code 170-64.

My understanding is that tonight's meeting will discuss repealing Chapter 157. I don't necessarily agree or disagree with the repeal of Chapter 157, but my understanding is that there is also going to be a committee formed to discuss potential changes to Zoning Code 170-64, Storage and Use of Recreational Vehicles. I am looking for some clarity as to what that committee will be evaluating and what factors they are taking into consideration when making any changes to the existing regulations. Many of us that have property on the lake are not permanent lake residents but still love to enjoy the lake and support the Town of South Bristol. Changes to existing codes that we have always complied with have the potential to have significant impacts on not only my family's property, but many others on the lake as well. I'm not sure if this new committee or plans for potential amendments to code are going to be discussed at this meeting, but if not, I would be grateful for the opportunity to discuss in more detail some of the events that have taken place and our concerns with changes to the existing code.

Thank you for your time tonight and thank you all for your hard work representing this Town Public Board.

Mark Boylan of 6164 Bopple Hill Road read his statement: I would like to address the Town of South Bristol Zoning Codes with respect to recreational vehicles (RVs), or campers. But first some brief background: My family has owned the property in the Town of South Bristol since 1978. The property is located at 6164 Bopple Hill Road. It contains several acres of land, which includes a house, a barn, vineyards, woods, fields and a lakefront. It is the latter, the lakefront, I wish to address in this document. Our lakefront neighbors to our immediate south, at 5884 Seneca Point Road, own an undeveloped lot, which they retained following their sale of the adjoining lot south of the undeveloped lot, 5886 Seneca Point Road which contains a house,

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

boathouse, cabana, docks, etc. Since the sale, they have installed on the waterfront of the undeveloped lot docks, boat hoists, a deck and stairs leading down to the deck from Seneca Point Road. It was my understanding from them that they intended in the near future to construct a house on their lot.

On May 6, 2024, I was down at our lakefront and noticed a major excavating/grading on our neighbor's lot. I immediately sent a text message to them, inquiring as to what was going on. Not hearing back after a reasonable time, I texted the neighbor on the other side of the undeveloped lot, at 5886 Seneca Point Road, asking him if he was aware of what exactly was going on. He replied as follows: *Yes. He's parking a big RV there. Got the town approval. Sleeps 8-10 people. No taxes! He told me he to got everybody on the street. Obviously has not spoken to you. It's gonna be year-round.*

I did hear back from our immediate neighbor later that day confirming in far less detail that I had already learned. Following the installation of the RV, it soon became evident that this was not to be an interim, short-term thing. In conversations with other neighbors – who likewise were not happy about the situation – we became concerned about the long-term negative impact upon our property values. This was confirmed in subsequent conversations with local real estate professionals. By early summer there were two on the property, the large RV referenced above, as well as a smaller pop-up camper (see attached photos). In early fall, we asked our attorneys to send a letter to the Town on our behalf, voicing our concerns and inquiring as to whether or not the large RV conformed with the Town's zoning Codes (see attached). We received a reply from the Town (see attached) stating that our neighbor had not applied for a permit for the RV until July 2024 – versus in April as he had informed our other neighbor – and that the town had declined to issue a permit – versus having our other neighbor having been told that a permit had been issued prior to the RV's installation. The letter from the Town further indicated that they planned to pursue the matter, and to meet with our neighbor to discuss the removal of the large RV. In early December, after six weeks, having not heard back from the Town, our attorneys sent a follow-up letter (see attached) requesting an update. To date, we have not yet received a reply.

I have reviewed all of the minutes from the Town Board meetings, the Zoning Board of Appeals meetings, and the Town Planning Board meetings dating back to April 2024. I have also reviewed the Town Zoning Codes, particularly Chapter 170, pertaining to Recreational Vehicles. I am not an attorney, but in my reading of the codes and all the minutes, it seems clear that the large RV does not conform to the Town's Zoning Codes – in more than one instance. The large RV has now been in place for at least 365 days, exceeding the 160-day limit as stated in the Town Zoning Codes. As long-time residents of South Bristol, all that my family and I ask is for the Town to enforce the Zoning Codes that it has established.

Chuck Ryan of Applewood Drive, ironically, found a letter that he presented to the Town Board a year ago tomorrow and everyone is aware of our situation, and I had spoken to a couple of Town Board members which I really appreciate them listening. The email I sent was basically I attached the letter I sent a year ago along with the C of O that was issued a year ago tomorrow, also. And that was 6 years that building permit was out until the C of O was issued. Most of those issues in the letter remain going into another summer season. I'd like the Town Board to please visit our property and implore the Board to do whatever it takes to provide a consistent process for the Code Enforcement Officers to protect the rights of neighbors adjoining multi-year construction projects. It also sounds like, listening to Mr. Boylan, maybe you need an overhaul

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

of the whole code instead of a piece-meal, reactive approach to a section here and a section there. I know you have it under study and appreciate your time, thank you.

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley read the Highway Report:

Following is a brief summary of events at the Town Highway Department in the last month.

- The guys have been busy over on Gulick Rd. cutting shoulders and cleaning ditches in preparation for paving there in mid -June.
- Busy mowing all the Town properties.
- Dave Romeiser and I cleaned up the fence line and all the brush in the Wilder Cemetery. Still have some fence repair to complete.
- Hauling stone for chip sealing this summer.
- The pipe (culvert) has been delivered for the Town Hall driveway project.

FINANCE

Supr. Marshall reported that the bond payment for the new Highway Barn is due this week. The payment will be \$60,000 will go towards principle and \$23,788.00 will go toward interest.

VI. OLD BUSINESS:

LOCAL LAW – REPEALING CHAPTER 157 - TRAILERS

Supr. Marshall said that you may have noticed at the top of the agenda there was a Public Hearing scheduled tonight for the local law and suggested to hold off on this action item. Supr. Marshall noted that he had attended the Planning Board meeting and the Planning Board wanted to have some conversation about the fact that we want to repeal Chapter 157 - Trailers and also talk about some of Chapter 170 – Zoning. What is discouraging is that we had hired MRB Group about 2 years ago to do a thorough review of our Code and it's kind of appalling at some of the things they missed and that we missed as well. There is no question, we need to do some homework.

COMMITTEE TO REVIEW CHAPTER 170

Supr. Marshall explained, with regards to Chapter 157, the reason we are looking at that is because Chapter 157 basically contradicts some of the things written in Chapter 170-64. This makes the Code very confusing to interpret. It is our opinion that Chapter 157 really pertains to trailer parks. Our Planning Board Chairman had recommended that the Chapter ought to be eliminated. There is a committee being put together that will be looking at this as well. The committee will consist of Planning Board Chair David Bowen, Town Board member Meg Fuller, Planning Board members Paul Miller and Dan Crowley. We are looking for one more Town Board member and a town resident to join the committee.

VII. NEW BUSINESS:

APPROVAL OF ASSESSOR TRAINING – 5 DAYS ITHACA, NY

Supr. Marshall said that the Assessor requested the opportunity to attend a 5-day seminar on Assessment Methodology and Techniques held in Ithaca. The reason this is before the Board is because it takes up most of her budget for the year; a cost of \$1,300.00.

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

On a motion made by Councilwoman Fuller and seconded by Councilman Cowley, the Assessor's Request was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

SIMCO – PAYROLL PROJECT UPDATE

Supr. Marshall explained that the Town hired Simco HR to take over the payroll service. It is an extensive program to implement; a six-week process to set up.

VIII. REPORTS: **ASSESSOR**

Supr. Marshall read the Assessor's Report:

- Thank you for the re-appointment of a six-year term.
- Star reports 1-3 were reviewed and updated to the file. Tentative Roll was finalized and timely submitted to the County for second drop and printing.
- 120 assessment change notices were mailed the second week of April to property owners with changes due to new construction (partial or complete), remodel, demolition, data correction, and split/merge of parcel. Mailing the notices early allows property owners time to call to discuss their questions and/or concerns prior to May 1. At that point the assessment roll is officially filed with the Town Clerk and legal requirements for changes to the roll begin. Legal mailing requirement is 10 days prior to grievance. Early mailing also allows more time for decisions and preparation to attend grievance if they choose.
- 2025 Certified Star Exemption values: Basic: 24,000 Enhanced: 66,880
- 4/15/25 attended a NYSAA webinar on tentative roll preparation.
- 5/1/25 the 2025 Tentative Assessment Roll was filed with the Town Clerk. Required legal notice stating the filing was placed in the Daily Messenger.
- By appointment only I will be available with the tentative assessment roll on the following dates: May 5 11am – 3pm; May 6 8am – 12pm, May 12 4pm-8pm and May 17 8am -12pm
- The Board of Assessment Review will meet by appointment to hear grievances on Tuesday May 27, 2025 from 4pm – 8pm.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the Assessor's Report for April 2025 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

CEO

Councilman Cowley read the CEO Report:

- 13 Building Permits, 7 other permits were issued in April;
- 30 total inspections were conducted, 2 inspections completed on old permits; 26 inspections by CEO; 3 Short-Term Rental inspections.
- Some of the site inspections resulted in three (3) Certificates of Compliance and three (3) Certificates of Occupancy.
- Two Short-Term Rental permits issued.
- 251.7 miles logged on CEO vehicle which includes inspections, training, meetings, and Assessor's use. The vehicle now has 27,307 miles.
- 82 phone calls were fielded by CEO; 37 phone calls by Deputy CEO.

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

On a motion made by Councilman Strickland and seconded by Councilwoman Fuller the CEO Report for April was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

TOWN CLERK/TAX COLLECTION

Supr. Marshall read the Town Clerk's Report for April 2025: Total collected for April, \$4,921.97, 16 Short-Term Rental Permits \$2,400.00, Resident User Passes \$750.00. The Town received \$4,827.39, the DEC received \$75.58 and NYS Ag & Markets received \$19.00.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland, the Town Clerk's Report for February 2025 were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

IX. ACCOUNTING: **SUPERVISOR'S REPORT**

Supr. Marshall read the Executive Summary: Bank accounts were reconciled as of April 30, 2025 there is \$4,138,895.61 in the bank. Receipts for the month totaled \$14,859.68 which includes interest earnings of \$10,787.66.

Expenditures through April on average should equal 33.32% of the annual budget; the General Fund is at 19.72% and the Highway Fund is at 31.19%.

On a motion made by Councilwoman Fuller and seconded by Councilman Cowley, the Supervisor's Report for April 2025 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

BUDGET AMENDMENT

Supr. Marshall explained that the Budget Line for Machinery, Contractual historically had a budget line of \$150,000.00 and the 2025 budget reflects the amount of \$50,000.00 which is a mistake. Fortunately, we have an excess of Unappropriated Fund Balance that we can draw from moving \$100,000.00 to the DA5130.4 Machinery, Contractual.

On a motion made by Councilman Strickland and seconded by Councilwoman Fuller, the Budget Amendment was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

Transfer From:	DA5999 Unexpended Fund Bal	\$100,000.00
Transfer To:	DA5130.4 Machinery, Contr	\$100,000.00

APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilwoman Fuller, Abstract of Vouchers, totaling \$48,048.94 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

Supr. Marshall asked if there was anything else to come before the Board?

Clerk Voss mentioned that postage is going from 0.73 to 0.78 in July so extra postage will be purchased prior to the increase for tax collection and the Town re-val.

Clerk Voss also mentioned the General Code estimate to publish 3 chapters in the Town Code for \$3,800.00 - \$3,965.00.

SOUTH BRISTOL TOWN BOARD MEETING

May 12, 2025

Supr. Marshall said to hold the estimate as there is more work to be done on Chapter 157 and Chapter 170.

Clerk Voss also mentioned that the commercial dehumidifier will be installed in the Town Hall basement on May 22nd.

EXECUTIVE SESSION

On a motion made by Councilman Strickland and seconded by Councilman Cowley, the Board moved into Executive Session to discussion with legal council and to discuss a specific employee's issues. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Cowley, Fuller and Strickland.

The Board went into Executive Session at 7:38pm.

The Board came out of Executive Session at 8:07pm with no action.

X. ADJOURN: 8:07pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk