

SOUTH BRISTOL TOWN BOARD MEETING
March 8, 2010

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order March 8, 2010 at 7:00pm at the Town Hall, 6500 W Gannett Hill Rd., Naples NY 14512.

PRESENT

Daniel Marshall, Supervisor
Barbara Welch, Councilwoman
Gary Muxworthy, Councilman
Mark Storm, Councilman

ABSENT

Hermann Arndt, Councilman

RECORDING SECRETARY

Judy Hanley, Town Clerk

OTHERS

Jack Bartlett, Jim Schartzter, Sybil Dutcher, Jim Wight, Brooks Lyon,
Ellen Monagan, John Hallunen, Devon Cornish, John Holtz, Liam Holtz

TOWN BOARD MINUTES

On a motion made by Councilman Storm and seconded by Councilman Muxworthy the minutes of the February 8, 2010 Town Board meeting were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

PRIVILEGE OF THE FLOOR

John Holtz of County Road 33 and the South Bristol Historian provided the Board with a report. Mr. Holtz noted that he has 2010 goals, which included clean up and lay out of walking paths with the help of the Highway Dept and various volunteer groups. The Wilder Mill located on County Road 34 is the site of the Town father's, Gamaliel Wilder, mill. The owner of the property where 1790 mill site is is not opposed to the Town taking it over as a means of preserving the site. The goal would be to establish an interpretive trail with signage. Supr. Marshall asked if some remnants of the mill still on the property? Mr. Holtz agreed the foundation is there. Mr. Holtz noted that he has been trying to get an archeologist or group to study the site to let us know exactly what we have and how to preserve it. Mr. Holtz spoke with Preston Pierce, the Ontario County Historian and he has information regarding an amateur group that is highly respected to look at the mill.

Mr. Holtz also thought it was never too early to plan a good party and the Town's 175th anniversary is coming up in 2013. Mr. Holtz would like to come up with a booklet, a historically themed keepsake for the celebration. Supr. Marshall also noted that it gives us plenty of time to budget for it.

CEO REPORT

On a motion of Councilwoman Welch and seconded by Councilman Storm the CEO's report for February 2010 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

ASSESSOR'S REPORT

Assessor Schartzler reported that the exemption deadline has passed. Working on the Tentative Roll. Will be attending a seminar next month on Commercial data collection.

LIAISON REPORTS

HIGHWAY – Supt. Wight noted that equipment was sold through an auction that netted \$3,800.00. There are 3 pieces of equipment on auction currently; the auction is online. Two pallets of cold patch have been ordered for pothole repair. Supt. Wight noted that he would be attending Advocacy Day in Albany on Tuesday, March 9th to secure the CHIPS money.

Supr. Marshall asked Supt. Wight if he ever addressed the letter he received regarding Seneca Point Road. Supt. Wight noted that he did address it and looks forward to meeting with Bristol Harbour Association.

Supr. Marshall noted that the Highway employees have contacted the Union that they don't care to be represented and that should be the end of that issue.

BUILDINGS & GROUNDS/CEMETERIES – Councilman Muxworthy noted had nothing to report.

PERSONNEL & COMMUNITY RELATIONS/POLICY – Councilwoman Welch noted that Bookkeeper Dunn is finished with re-working the Employee's Handbook that had many typos. Councilwoman Welch noted that she, Bkpr. Dunn and Councilman Arndt would sit down and go over handbook.

ENVIRONMENTAL - Supr. Marshall had nothing to report.

OLD BUSINESS

NEW BUSINESS

RESOLUTION #21-2010

APPOINTING JANET ENGLERT TO B.A.R.

Supr. Marshall noted that last month they had discussed filling the position for the Board of Assessment Review. Janet Englert of County Road 12 noted that she is interested in the position. Ms. Englert is a C.P.A. and will be a good addition to the B.A.R.

On a motion made by councilwoman Welch and seconded by Councilman Storm to accept Resolution #21-2010, Appointing Janet Englert to the Board of Assessment Review was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

Resolution No. 21-2010

WHEREAS, A vacancy exists on the town's Board of Assessment Review, and

WHEREAS, Janet Englert has agreed to become a member of the Board of Assessment Review, now therefore be it

RESOLVED, That this Town Board appoint Janet Englert, residing at 6603 County Road 12, Naples, NY 14512, to the Board of Assessment Review for a term of 5 years, beginning October 1, 2009.

RESOLVED, That this resolution be made a part of the minutes of this Board.

COYE CEMETERY REQUEST

Supr. Marshall noted that Clerk Hanley received a request from a family to have space made available in Coye Cemetery. Supr. Marshall noted that there isn't any space available in the cemetery, except two plots that were deemed unusable because of bedrock close to the surface. The family was looking for someplace to inter some ashes. The caretaker was

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concerned about the spaces because that area is now used for truck turnaround. Supr. Marshall noted that the Town has a new cemetery available for their request. Supr. Marshall noted that unless anyone is adverse to this, that Clerk Hanley answer their request and tell them that space is not available and offer Founder's Cemetery as an alternative. The Board agreed. Councilwoman Welch asked if there is something in the Cemetery's by-laws that refer to closing the cemetery. Supr. Marshall noted that the cemetery isn't "full"; all the plots have been sold but not used yet.

Supt. Wight noted that the Highway Dept. plans on working on Wilder Cemetery and clean up the site.

STEEP SLOPES LAW – REFERRED BY PLANNING BOARD

Supr. Marshall noted that the final draft of the Town of South Bristol's Regulations of Disturbance of Steep Slopes from the Planning Board dated February 18th. Supr. Marshall noted that the Planning Board has worked on these regulations for the last two years and told the Board to read through thoroughly. Supr. Marshall noted that he has sent the draft to Kristen Hughes of the Ontario County Planning Dept. for his input; to individuals that have been working with the Planning Board all along: Phelps Green, Guy Rogers and Bill Grove. This will be discussed at length at the next Town Board meeting. Councilwoman Welch asked what the timeline is with regards to the regulations? Supr. Marshall noted, theoretically, the Town Board will review the regulations in April and give it a thumbs-up and tell the Planning Board to move forward at which time the Town Board would have a public hearing. The SEQR review would need to be completed and it would also have to go before County Planning. Supr. Marshall noted that June would be the earliest and the latest would be September.

**AGREEMENT FOR SERVICES
CANANDAIGUA WATERSHED COMMISSION**

Supr. Marshall noted that there is a contract in front of the Board tonight between the Town and the Watershed commission. This is not the same as the Watershed Council. The Commission is a group of Towns that draw water from Canandaigua Lake, Palmyra, Newark, City of Canandaigua and Gorham. Supr. Marshall noted that George Barden is an employee of the Watershed commission and the Town can employ his services to act as a consultant to any of the Towns in the watershed council through the agreement. The agreement here is for Board approval and signature. Councilwoman Welch asked who, within the Town, would be authorized to contract with the Commission once it is signed by the Board? Supr. Marshall noted that would have to be decided amongst the Board. Councilwoman Welch agreed and would like to specify that. Assessor Schartzter noted that the Planning Board and CEO Center are able to consult the Commission and that cost would be passed on to the applicant. They all ready have authority, which is in the Town Code. Supr. Marshall agreed and noted that it is in the Code where we have to ability to hire an engineer for a project and pass that cost to the developer. Councilwoman Welch asked if it specifically addresses in the Code that the Town Board has given authority to certain individuals to make those arrangements? Supr. Marshall noted that by virtue of this being in the Code, the Town Board did all ready approve this. Councilwoman Welch noted that she would like to see it spelled out in the contract with the Commission. Supr. Marshall noted that any application that is filled it, the application should state on there that the Town has the right to hire consultants. Assessor Schartzter noted that the language is in the building permit and the Planning Board application. Councilman Muxworthy noted that the contract also states that the Town will indemnify and hold harmless the

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Commission that is giving the advice. Supr. Marshall noted that he would ask for clarification from the Canandaigua Watershed on these issues.

OTHER BUSINESS
TOWN CLERK'S REPORT

On a motion made by Councilman Storm and seconded by Councilman Muxworthy to approve the February 2010 Town Clerk's Report was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

Clerk Hanley noted that there will be a Red Cross Blood Drive at the South Bristol Town Hall on March 22nd from 2-7pm.

SUPERVISOR'S REPORT

On a motion made by Councilman Muxworthy and seconded by Councilman Storm the Supervisor's report for February 2010 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

Supr. Marshall noted that the NYSDOT has been in contact with him regarding the culvert replacement on Route 64 in front of the Town Hall and Town Barns. This project will be next year, with work being done in June or July of 2011. The DOT noted that they had wanted to close Route 64 for 2 weeks during the replacement. Supr. Marshall noted that he objected to that and the DOT responded with an incentive contract that could get the downtime to one week. Supr. Marshall noted that he still objected to the closure, but there was nothing the DOT could do.

Supr. Marshall also noted that County Road 34 will be rehabilitated this summer by the County. That job will start in the late spring and should be done by September. The County is holding an informational meeting this Wednesday evening for the residents of County Road 34 here at the Town Hall.

ACCOUNTING
AUDIT GENERAL FUND

On a motion made by Councilman Muxworthy and seconded by Councilman Storm to pay the General Fund bills, Abstract #3, Voucher numbers 54-91, totaling \$11,562.86 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

AUDIT HIGHWAY FUND

On a motion made by Councilwoman Welch and seconded by Councilman Muxworthy to pay the Highway Fund bills, Abstract #3, Voucher numbers 26-39, totaling \$13,670.22 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Welch, Muxworthy and Storm.

Supr. Marshall asked if there was anything else to come before the Board. Councilwoman Welch asked about the discussion the Board had last month regarding Marcellus Shale drilling and inviting Mr. Clayton Adams from Congressman Eric Massa's office to discuss this. Supr. Marshall noted that he is assuming that Mr. Adams is now unemployed. Councilwoman Welch noted that there is a professor at Cornell University that has been in the area giving talks regarding the drilling that could be contacted. Supr. Marshall agreed.

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ADJOURN 7:54 PM

Respectfully submitted:

Judy Hanley
Town Clerk