



**TOWN OF BRISTOL
REGULAR MEETING**
December 12, 2022 6:30 PM

PRESENT: Supervisor Robert A. Green, Jr., Council Members; Frederick Stresing, Christopher Hart, Lauren Bolonda, Patty Giordano, Town Clerk Karen Maczynski, Attorney Bill Kenyon.

Also, in attendance via Zoom; Highway Superintendent Ron Wilson, Planning Board Chairperson Karen Ellmore, Code Assistant Sandra Riker and Bristol residents, Mrs. Susan Kraft, Mr. Doug Kraft.

Meeting called to Order at 6:30PM, by Supervisor Green, Jr., followed by Pledge of Allegiance to the US Flag and a statement: *Effective Thursday, February 10, 2022, (per Governor Hochul's directive) employees and members of the public may enter Town facilities without wearing masks.*

Appointment

Supervisor Green, Jr. made a motion to appoint Ms. Patty Giordano, 7495 Tilton Road, to the Town Board to fill the open position until the next election cycle, seconded by Council Member Hart and carried unanimously.

Ms. Giordano took the oath of office and signed the Town's oath book.

Supervisor Green, Jr. declared his designation for Deputy Supervisor, Chris Hart. Council Member Hart graciously accepted.

Supervisor Green Jr., and Council Member Bolonda left the Town Hall and resumed the meeting via Zoom from their homes, (zoom board attendee's may not vote, per NYS law).

Public Hearings held both in person and via Zoom hybrid process, a format in accord with Executive Orders from the Governor's office of NYS.

6:39 PM Public Hearing for the Local Law #2 A Local Law Amending a Local Law entitled, "Senior Tax Exemption Local Law dated 2/7/1995" TO INCREASE THE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION

Deputy Supv. Hart opened the public hearing 6:39 PM called for the reading of the proposed law by the Town Clerk.

Deputy Supv. Hart asked for comment from the public and board. No comments were heard from the public. Council Member Stresing expressed the raising the limits was long overdue. Hear no further comments the public hearing was closed at 6:43 PM.

6:44 PM Public Hearing for the Local Law #3 A Local Law to Adopt Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled Persons with Limited Incomes

Deputy Supv. Hart opened public hearing at 6:44 PM and called for the reading of the proposed law by the Town Clerk. Council Member Hart asked for comment from the public and board. Town Attorney Mr. Kenyon discussed the careful attention paid by Assessor Kelly Ducar, the Town Clerk, and his office in preparing this new exemption and local law. Council Member Stresing and Giordano commented on the proposed local law being needed but is mutually exclusive with the senior exemption. Hear no further comments the public hearing was closed at 6:53PM.

6:54 PM - Regular Meeting of the Town Board
Deputy Supervisor Hart opened the regular meeting of the Town Board.

Privilege of the Floor

Deputy Supervisor Hart opened the Floor, but hearing no requests to speak, he closed the floor at 6:55PM.

- I. A motion was made by Council Member Stresing to accept the Nov 2022, board minutes, seconded by Council Member Giordano and motion carried.
- II. **Budget Transfer, Audit of the bills, Monthly Report of Supervisor:** Motion to pay the bills and accept the Supervisor's Monthly Report by Council Member Stresing and seconded by Council Member Giordano and carried.

Abstract # 12	
A Fund	\$ 23,201.62
DA Funds	\$ 42,596.06

III. **Monthly Reports**

A. Highway Report Superintendent Ron Wilson, December 2022

- 1) CHIPS refund Total of \$245,847.94 is due to be deposited 12/15/22.
- 2) The paperwork has also been submitted for \$50,000 Multi-Modal Grant. Due to some issues with the paperwork, we won't have the money by the first of the year, but we will get it.
- 3) We had the grader at Tom's Mechanical to finish getting the hydraulics fixed. When we got it back the hydraulics still acting up, we couldn't see putting any more money in to it.
- 4) We installed a driveway pipe and ditched on Case Rd.
- 5) We have been out a little plowing and the dirt's are still very soft. That's where the smaller trucks with sanders come in handy.
- 6) The snow equipment is on 10-wheel trucks. The 2020 F350 was taken to Perinton RV and had all the plow equipment removed and reinstalled on the 2022 F350.
- 7) The 2012 f550 dump body was in bad shape we finished cutting and patching the rust We got it ready to put the sander in it. Perinton RV said we could have the plow and sander installed now and pay for it in January. We took the F550 over and had the sander and plow equipment installed.
- 8) Still waiting to hear on the 42 in x 150 ft culvert on Elm Tree Rd I'm waiting on a date from them. I emailed to get an update. He replied. Still planning on getting it done this year.
- 9) Truck 9 was taking to regional International and had a new heater core installed.
- 10) I ordered 300 ton of Salt last month to finish up the remaining 2022 budget money. This month I ordered 500 ton to fill up the barn and charge the little bit left of the 2022 budget on abstract 13 and the rest on abstract 1 of 2023 budget.
- 11) 2020 F350 will be going to auction just after the 1st of the year. We finished dolling it up to get it ready for auctions International to come and take pics. he came on Dec 8 and took pics. We are also listing the old v plow, the glass window that was changed out with safety glass when boom mower was installed and the old heater out of the shop. All has been declared surplus. Hoping to get \$35 to \$40K out of the truck but not expecting much out of the rest.

Mr. Wilson discussed the V-plow and F350 Truck(car1) is scheduled to be auctioned in January. Also, Superintendent Wilson stated he is getting estimates on replacing or repairing the lights in the highway garage.

A. Planning Board & Zoning Board of Appeals and Code Office.

Code office assistant Mrs. Sandra Riker make her report. During November 12 new permits were issued and 16 inspections were done. Planning Board and ZBA did not have meetings in November.

Motion by Council Member Giordano to appoint Ms. Sara Reynolds, 7390 Wind Rush Dr, to the Planning Board for a term of 5 years, seconded by Council Member Stresing and carried unanimously. (01-01-2023 - 12-31-2027)

B. Park Commissioner's Report December 2022
Council Member Stresing gave the Park Report.

Park Commissioner's Report December 12, 2022

Update on the park grant.

Grant is still in effect until 12/21/2022.

A new plan needs to be developed for the future of the tennis courts.
I will be closing the Grant and looking for new funding to repair the tennis courts.

New Business

The Bristol Share Market is closed. The market netted \$400.00 in donations in 2022.
I ordered a handicap swing for the park. It costs \$1,542. Estimated shipping is Dec 19, 2022.
I developed a policy for use of the park tractor for the boards review. I will email the updated version soon.

Park Goals 2023

- 1) Seal the walking track
- 2) Install handicap swing, paint swing post, and add more playground mulch.
- 3) Bristol Fun Day 25th anniversary celebration! (Suggestions appreciated)
- 4) Update and repair the veteran memorial bricks
- 5) Add a grill to the Barend pavilion

-Thomas Stevens Park Commissioner

C. Town Clerk Report. Town Clerk Karen Maczynski presented her report. Total disbursements were \$2,376.25 for November 2022. Motion by Council Member Stresing to allow an insert with the tax bill mailing to direct taxpayers how to pay the tax online, seconded by Council Member Hart and carried.

Motion by Council Member Stresing to accept as a block the all-monthly reports, seconded by Council Member Giordano and motion carried.

IV. Old Business

A. 284 Review

Council Member Stresing discussed his review of the 284 Agreement with Superintendent Wilson. S. Hill Rd was estimated at \$268,299.00, actual spent: \$307,507.00. South Hill was the largest single expenditure on the 284 Agreement. Several roads were not completed due to expense of road material related to oil: Buckelew Rd, Egypt Rd, and Footer Rd. Roads completed as planned: Green, Pierpont, Stetson.

V. New Business

A. Local Law #2 of 2022.

RESOLUTION Local Law #2 of 2022

AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 2 OF 2022, A Local Law Amending a Local Law entitled, "Senior Tax Exemption Local Law dated 2/7/1995" TO INCREASE THE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION.

WHEREAS, a public hearing was duly held by Bristol Town Board on December 12, 2022, at 6:30 p.m. at the TOWN OF BRISTOL, TOWN HALL, 6740 County Road 32, Canandaigua, New York 14424, to hear all interested parties on a proposed Local Law No. 2 of 2022, entitled “**Senior Tax Exemption Local Law dated 2/7/1995**” **TO INCREASE THE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION**,

WHEREAS, notice of said public hearing was duly advertised and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing being duly held on December 12, 2022, at 6:30 p.m. at the Town of Bristol, Town Hall, and via Zoom, 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 Bristol, after due deliberation, finds it in the best interest of the Town of Bristol to adopt said Local Law.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bristol hereby adopts said Local Law No. 2 of 2022, entitled “**Senior Tax Exemption Local Law dated 2/7/1995**” **TO INCREASE THE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION** 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 hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said local law and to file the local law with the following New York State and Local Authorities; Secretary of State of New York, Ontario County Real Property Tax Office, New York State Department of Taxation and Finance Office of Real Property Tax Services, WA Harriman State Campus, Albany, NY 12227-0801.

The question of the adoption of the resolution was duly put to a roll call vote which resulted as follows:

Roll Call Vote:	Supervisor Green	absent
	Council Member Stresing	Yes
	Council Member Hart	Yes
	Council Member Giordano	Yes
	Council Member Bolonda	absent

Resolution was adopted.

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(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 Bristol
Village

Local Law No. **2** of the year **2022**

A. A Local Law Amending a Local Law entitled, “Senior Tax Exemption Local Law dated 2/7/1995” TO INCREASE THE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION

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

County
City
Town of Bristol
Village

as follows:

BE IT ENACTED, by the Town Board of the Town of Bristol, Ontario County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with §467 of the New York Real Property Tax Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 2 of 2022, To Amend the prior local law dated 2/7/1995 to Increase the Income Limits Relative to the Senior Citizen Tax Exemption.

Section III. Legislative Finding

The Town Board of the Town of Bristol finds and hereby determines that, because the Town values its senior citizens, in accordance with NY Real Property Tax Law, the income limits relative to the Senior Citizen Tax Exemption shall be increased as permitted by law.

Section IV. Amendment.

Local Law Amending a Local Law entitled, "Senior Tax Exemption Local Law dated 2/7/1995" shall be amended to read as follows:

Exemption granted; maximum income level; extent of exemption.

Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by married persons or by siblings, one of whom is 65 years of age or over, or real property owned by one or more persons, one of whom qualify under §467(1)(a) of the Real Property Tax Law, shall be exempt from taxation by any municipal corporation in which located, based upon the following graduated scale, with the maximum of 50% of the assessed valuation for persons whose combined incomes total less than or equal to \$15,500.00, up to a minimum of 20% of the assessed valuation for persons whose combined incomes total less than or equal to \$21,199.99. For the purposes of this section, "siblings" shall mean a brother or a sister, whether related through half-blood, whole blood, or adoption.

Annual Income	Percentage Assessed Valuation Exempt from Taxation
\$15,500.00 or Less	50%
\$15,500.01 to \$16,499.99	45%
\$16,500.00 to \$17,499.99	40%
\$17,500.00 to \$18,499.99	35%
\$18,500.00 to \$19,399.99	30%
\$19,400.00 to \$20,299.99	25%
\$20,300.00 to \$21,199.99	20%

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect with the 2023 assessment roll upon filing with the Secretary of State.

B. Local Law #3 of 2022.

RESOLUTION Local Law #3 of 2022

**AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 3 OF 2022, A Local Law to Adopt
Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled
Persons with Limited Incomes**

WHEREAS, a public hearing was duly held by Bristol Town Board on December 12, 2022, at 6:30 p.m. at the TOWN OF BRISTOL, TOWN HALL, 6740 County Road 32, Canandaigua, New York 14424, to hear all interested parties on a proposed Local Law No. 3 of 2022, entitled **A Local Law to Adopt Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled Persons with Limited Incomes**

WHEREAS, notice of said public hearing was duly advertised and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing being duly held on December 12, 2022, at 6:30 p.m. at the Town of Bristol, Town Hall, and via Zoom, 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 Bristol, after due deliberation, finds it in the best interest of the Town of Bristol to adopt said Local Law.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bristol hereby adopts said Local Law No. 3 of 2022, entitled; **A Local Law to Adopt Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled Persons with Limited Incomes**, 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 hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said local law and to file the local law with the following New York State and Local Authorities; Secretary of State of New York, Ontario County Real Property Tax Office, New York State Department of Taxation and Finance Office of Real Property Tax Services, WA Harriman State Campus, Albany, NY 12227-0801.

The question of the adoption of the resolution was duly put to a roll call vote which resulted as follows:

Roll Call Vote:	Supervisor Green	absent
	Council Member Stresing	Yes
	Council Member Hart	Yes
	Council Member Giordano	Yes
	Council Member Bolonda	absent

Resolution was adopted.

LOCAL LAW FILING

State

Division of Corporations, State Records and Uniform Commercial Code

One Commerce Plaza, 99 Washington Avenue

Albany, NY 12231-0001

New York State Department of

(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 Bristol

Village

Local Law No. **3** of the year **2022**

A. A Local Law to Adopt Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled Persons with Limited Incomes

Be it enacted by the **Town Board** of the Town of Bristol.

County

City

Town of Bristol

Village

as follows:

SECTION 1: Legislative Intent

The purpose of this Local Law is to grant a partial exemption from taxation to the assessed valuation of real property which is owned by certain persons with limited income who are physically disabled meeting the requirements set forth in §459-c of the Real Property Tax Law, to the extent as provided in the following schedule: · A.) Income of \$13,500 or less shall receive a 50% (Fifty percent) exemption from Town taxes providing the property is used exclusively for residential purposes.

SECTION 2: Partial Real Property Tax Exemption

Real property owned by persons physically disabled shall be exempt from town as set forth in Section 1 of this Local Law whereas the aforesaid Local Law is subject to the following conditions: · A.) The owner or all of the owners must file an application annually in the assessor’s office on forms prescribed by the State Board to be furnished by the assessor’s office on or before March 1st, the taxable status date, or such time as may be hereafter fixed by law. · B.) The income of the owner or the combined income of the owners must not exceed the amount as set forth in Section 1 of this Local Law for the income tax year immediately preceding the date of making application, or if no tax return is filed, the calendar year. · C.) Title to the property must be vested in the owner or one of the owners of the property for at least twelve (12) consecutive months prior to the date the application is filed. · D.) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

SECTION 3: Authorization

This tax exemption shall be subject to the conditions set forth in §459-c of the Real Property Tax Law.

SECTION 4:

This article is adopted pursuant to the authority of Real Property Tax Law §459-c. All definitions, terms and conditions of such statute are incorporated herein by reference and shall apply to this article.

- B. “Income tax year” shall have the meaning ascribed to it in §459-c of the New York State Real Property Tax Law. Where the title is vested in the owner or owners, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset, which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.

Exemption Granted/Limitations on Exemption

Real property owned by a person or persons with a disability, as defined in §459-c of the Real Property Tax 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 shown below of the assessed valuation thereof as determined by the owner’s or owners’ corresponding annual income. All owners must qualify for the exemption, that is all owners must be persons with disabilities, except if property is owned by married persons or by siblings, only one person must meet the disability definition as defined in §459-c of the Real Property Tax Law.

<u>Annual Income</u>		<u>Reduction</u>	
\$0	to	\$13,500.00	50%
\$13,500.01	to	\$14,499.99	45%
\$14,500.00	to	\$15,499.99	40%
\$15,500.00	to	\$16,499.99	35%
\$16,500.00	to	\$17,399.99	30%
\$17,400.00	to	\$18,299.99	25%
\$18,300.00	to	\$19,199.99	20%
\$19,200.00	to	\$20,099.99	15%
\$20,100.00	to	\$20,999.99	10%

\$21,000.00 to \$21,899.99 5%
\$21,900.00 or more 0%
This increase shall be effective with the 2023 assessment roll.

SECTION 5.

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 6. Effective Date

This local law shall take effect immediately on the 2023 assessment roll and upon filing with the Secretary of State.

C. Dog Control Contract with Ontario Co.

INTERMUNICIPAL AGREEMENT

Dog Control Services Agreement 2023

At a regular meeting of the Town Board of the Town of Bristol, held at the town hall in said town, County of Ontario and State of New York on December 12, 2022, and a quorum of the Board being present, the following resolution was offered by Council Member Hart and seconded by Council Member Stresing:

WHEREAS, the Town of Bristol, Town Board, has reviewed the Intermunicipal Agreement, with the County of Ontario for Dog Control Services; and

WHEREAS, The Town Board of Bristol finds it to be in the best interests of the Town and its citizens to adopt the Intermunicipal Agreement for the provision of Dog Control Services for 2023 and for a fee of \$ 6,239.00 paid annually on or before January 31st by the Town of Bristol;

NOW THEREFORE, BE IT RESOLVED, by the Town of Bristol, Ontario County, New York that the Supervisor of the Town of Bristol is hereby authorized to execute the Intermunicipal Service Agreement between Ontario County the Town of Bristol for the Provision of Dog Control Services; January 1, 2023 through December 31, 2023;

The question of the adoption of the resolution was duly put to a roll call vote which resulted as follows:

Supervisor Green, Jr.	absent
Council Member Stresing	Yes
Council Member Hart	Yes
Council Member Bolonda	absent
Council Member Giordano	Yes

The Resolution was thereupon deemed duly adopted on December 12, 2022.

D. Multi-Modal Capital Project Agreement 11/2022, Project Id D040775

Resolution put forth by Council Member Hart to accept and approve the Multi-Modal Capital Project Agreement 11/2022, Project Id D040775, that was sponsored by Assemblyman Gallahan's office, seconded by Council Member Stresing and all voting as follows: Councilmember Stresing -Yes, Council Member Hart – Yes, Council Member Giordano -Yes, Supervisor Green, Jr. -absent, Council Member Bolonda – Absent. Resolution passes.

E. Union Contract beginning 2023

Deputy Supervisor Hart discussed the highway department union accepted the contract offered by the Town, effective 01/01/2023-12/31/2026.

VI. Executive Session – Pending Litigation is topic for discussion with Council and Labor relations Sec 105.

Motion to enter executive session by Council Member Giordano, seconded by Council Member Stresing and carried at 7:35 PM.

Motion to exit executive session by Council Member Hart at 7:54 PM, seconded by Council Member Giordano and carried.

VII. **Bristol Vol. Fire Department**

Motion by Council Member Hart to approve Mr. Garret Johnson, 32 Church St., Honeoye, for Junior Membership in the Bristol Vol. Fire Dept., seconded by Council Member Stresing and carried, no opposed.

VIII. **Motion to Adjourn** by Council Member Stresing and seconded by Council Member Hart and carried 7:55PM.

Respectfully submitted,

Karen Maczynski
Town Clerk