



**TOWN OF BRISTOL
REGULAR MEETING
Sept 14, 2020**

PRESENT: Supervisor Robert A. Green, Jr., Councilman David Parsons, Councilman Frederick Stresing, Councilman Christopher Hart, Highway Superintendent Ronald Wilson, Town Clerk Karen Maczynski, Mr. William Kenyon, Atty., Code Officer Chris Jensen, Zoning Sec. Sandra Riker. Absent: Councilwoman Lauren Bolonda.

Informational water district meeting occurred prior to the Town Board meeting. MRB's Groups, Emily Palumbos, and Town of Canandaigua's HW Sup., Jim Fletcher, were present to update interested parties on the completed Income Survey outcome and status of USDA grant application process to obtain funding for the Day Road tank fix intended to address the water quality issue sited by the NYS Dept. of Health. The income survey was completed and will enable qualification for a USDA Federal funding contribution of 75% of cost of engineering report. Timeline as follows: engineering report: 2021 and the bidding process/implementation of the equipment: 2022. Ms. Palumbos discussed the path to obtaining grant money from the USDA to study, design, acquire and install equipment to correct a water quality issue, in Bristol Water District #1. Two grants, in succession, will be pursued by MRB Group. Grant #1 (Planning Grant), will fund the engineering analysis, completed by MRB Group, estimated at \$30,000, so as to prepare documentation for the second grant. Grant #1 is a matching grant and will use fund's in the water district's reserve fund. Grant #2, (USDA, Rural Development Grant) will pay for acquisition and installation of equipment to bring water quality to Federal Regulation standards, estimated at \$100,000.

Supervisor Green, Jr., opened the Public Hearing at 7:19 PM on Local Law #3-2020; To Override the Tax Levy Limit established in General Municipal Law 3-c. Meeting held via Zoom hybrid process; a format in accord with Executive Orders from the Governor's office of NYS. Statement by Supervisor Green as follows: *As current events (COVID-19) have placed requirements on crowd assemblies and restrictions on social distancing, we ask for the public's patience in meeting those requirements. The technology for such requirements presents a new technological format. We are adjusting to meeting the public needs while not placing our residents at risk.* The Town Clerk read the Legal Notice. Supervisor Green discussed the purpose of the override and risk of penalty imposed by NYS if the town budget exceeds the tax cap. Mr. Kenyon reviewed the audit process by the comptroller's office and stressed passing the law is precautionary. Hearing no persons request to speak, or comments from the board, Supr. Green closed the public hearing at 7:28 PM.

Supervisor Green called the regular meeting of the Town Board to order at 7:29 PM, followed by Pledge of Allegiance to the US flag. Town Board Meeting held via Zoom hybrid process; a format in accord with Executive Orders from the Governor's office of NYS.

- I. A motion was made by Councilman Parsons to accept the Aug. 10, 2020 board minutes, seconded by Councilman Hart and motion carried.
- II. Audit of the bills, budget transfer, Monthly Report of Supervisor:
A motion was made by Councilman Parsons, seconded by Councilman Stresing, and carried to pay the bills, and approve the Supervisor's reports for July 2020 & Aug 2020 and carried.

Abstract 9

General:	Vouchers 187-211	\$	9,726.83
Highway:	Vouchers 1176-1200	\$	50,785.62

- III. Monthly reports from:
 - A. **Highway:** Superintendent Ron Wilson presented his report Sept. 14, 2020 as follows:

**HIGHWAY REPORT
9/14/2020**

- 1) THE NYS DOT (CHIPs) money we had coming from CHIPs, Pave NY and Extreme winter recovery except for \$900 came back to us at 100%. I was informed at the Aug superintendents meeting that the next reimbursement will be 80% of what is claimed. We received \$161,008.38 back; putting an extra \$32,201.67 in our accounts than if we had waited.
- 2) Highway inventory almost complete. Just need to get some values on some of the older equipment.
- 3) We have it set with Green Renewable to grind the brush at the transfer station. We will provide the fuel and load the trucks to haul the mulch away. As payment for the grinding work.
- 4) South Hill banks that were cut back to widen the road is being hydro seeded by the County Highway at no cost to the Town. This due to a grant thru the County.
- 5) We are scheduled to wedge with Suitkote's paver this week Wed 9/16. Planning on doing Fisher Hill and maybe Toneison Rd depending on how much blacktop in needed on Fisher Hill. We should be ok to do both.
- 6) I have been talking with Josh from Livingston County about getting them to put down the lift if gravel on south hill. If he gets the approval from his higher ups. Was looking to see if there is a municipal agreement between Livingston and Ontario County's. If they can't we will use the dozer like we did on Green Rd.
- 7) This month we have spent a lot of time grading roads due to the rains we have had. Evert Rd was the dirt road we were going to oil and stone before Green Rd. that had no material to work with.
-Respectfully submitted Ronald Wilson

Board discussion followed. Councilman Hart asked condition of South Hill road widening and hydroseeding.

B. Planning Board & Zoning Board of Appeals and Code Office; Report from Mrs. Sandra Riker.

Planning, ZBA and Code Office Report 9/14/2020

Planning and Zoning Board Meeting:

Met on September 8th in a joint meeting to start discussion on updates to our current Solar Law and possible inclusion of a Battery Storage Law. This will continue next month.

Dr. Bruce Gilman presented us with the Inventory of Land Use and Land Cover that he and Terry Saxby have completed for the Town of Bristol.

The proposed Accessory Structure Law is included in your packets for this evening.

7869 State Rte 20A has a new tenant. The little school house will now be an office for a Real Estate Agent. This is the perfect fit for this building in the L-I District.

Thank you to all of you who expressed an interest in joining the New Ordinance Committee that will begin after General Code 360 is completed. Our plan is to meet once a month to review the current code and suggest changes to make our Code friendly to our residents and future residents.

Code Office-

New permits:

10

Closed: 1

Inspections: 3

Violations: 2

Ongoing: Baptist Hill

Covid-19 and Governor Cuomo-Governor has extended until October 4th the deadline for resuming normal meetings for Boards and public hearings.

General Code 360 continue to work on the legal analysis so we can submit to General Code for their review moving to completion.

Respectfully submitted,

Sandra Riker

Planning, Zoning, and Code Office Assistant

Discussion regarding proposed amendment to Accessory Structure local law 3-2011, by Town Board, Mr. Kenyon and Code Officer Chris Jensen. A public hearing is needed to amend the local law in October.

C. **Parks/Special Committee.** Park Commissioner's Report presented by Mr. Stevens as follows:

Park Commissioner's Report September 14, 2020

Update on the park grant.

Grant is still in effect until 12/21/2021

The Ontario County Highway put blacktop on the aprons to the entrance and exit to the park. I would like to have the highway department put down one load of blacktop on the track between the two driveways to the park. I believe this is necessary to prevent further deterioration to the existing track pavement and save money as repairs will cost more if the pavement deteriorates more. Plowing the track this winter will damage the track even more without the repair being done. Cost of 16 ton of blacktop is approximately \$1,200. I may be able to get reimbursed by the grant.

Old Business

Had to fix a broken window in the Barend Pavilion. Mallotte Custom Carpentry came within an hour to help replace the window. Got quotes from The Glass Doctor to replace all the windows (13) with tempered (\$5,720) or laminated (\$7,410) safety glass.

I have not gotten any more quotes to upgrade the windows.

Do we want to upgrade the windows and include that in the budget for next year, replace half of them one year and the remainder the next year? At present they meet code and have not been a problem until this year when one was broken.

New Business

The Honeoye boy's and girls' soccer have rented the soccer field for Tuesdays, Thursdays and Sunday evenings. A soccer group from Naples uses the field occasionally on Mondays and Wednesdays.

The Bristol Share market has made \$500.00 in 2020.

There are some scouts from Troop 55 in Bloomfield that are interested in a project for eagle scout. Suggestions for projects are welcome.

-Thomas Stevens Park Commissioner

Board discussion concerning blacktop on apron entrance & exit to the park. Motion by Councilman Parsons to blacktop, at a cost of \$1200, park exit/entrance, seconded by Councilman Stresing and carried.

Board discussion concerning replacing the windows in the Barend Pavilion with safety or tempered glass and using the grant to fund some portion of the replacement cost. Motion by Supervisor Green to replace windows with tempered/safety glass, seconded by Councilman Parsons and carried. Supervisor Green requested determining cost for replacing windows versus panes with laminated safety glass or tempered glass.

D. **Town Clerk report.** Mrs. Maczynski presented her report. Total disbursements were \$3,600.20 for the month of August 2020.

Motion by Councilmen Parsons to accept the monthly reports, seconded by Councilman Stresing and carried.

IV. Old Business

A. Supv, Green reviewed the need for the Tax Cap Override for 2021.

Councilman Hart offered a resolution and seconded by Councilman Parsons to local law to override the tax levy limit established in General Municipal Law section 3-c, a roll call vote was taken, as follows:

RESOLUTION

At a meeting of the Town Board of the Town of Bristol,
Ontario County, State of New York,
Held via Zoom/hybrid process at the Bristol Town Hall on the
14th day of September 2020.

WHEREAS, it appears to be in the best interests of the Town of Bristol that it consider adoption of Local Law #3 of 2020, to override the limit on the amount of real property taxes that may be levied by the Town of Bristol pursuant to General Municipal Law section 3-c,

WHEREAS, such a proposed Local Law was drafted and reviewed by the Town Board, and was the subject of a public hearing by this Board on September 14, 2020; and further

RESOLVED, that the Town Board of the Town of Bristol, County of Ontario, State of NY is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal law section 3-c,

NOW, THEREFORE, upon a motion by Supervisor Robert A. Green, Jr., seconded by Councilman David Parsons, it is

RESOLVED THAT, this Local Law, a copy of which is appended hereto, is hereby adopted and to be effective upon filing with the State of New York; and further

RESOLVED THAT, the Town Clerk and Town Attorney are directed to take such actions as maybe necessary to make said Local Law #3 of 2020, effective.

The question of adoption of the foregoing Resolution was put to a roll call voter as follows:

Supervisor Robert A. Green, Jr.	Yes
Councilman Chris Hart	Yes
Councilman Fred Stresing	Yes
Councilman David Parsons	Yes
Councilwoman Lauren Bolonda	absent

The Resolution was thereupon deemed duly adopted on September 14, 2020.

Karen Maczynski, Town Clerk

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 underling to indicate new matter.

Town of Bristol

Local Law No. 3 of the year 2020.

A **local law** to override the tax levy limit established in General Municipal Law section 3-c.

Be it enacted by the Town Board of the

Town of Bristol as follows:

Section 1. Legislative Intent. It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Bristol pursuant to General Municipal Law section 3-c and to allow the Town of Bristol to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined in General Municipal Law section 3-c.

Section 2. Authority. This local law is adopted pursuant to subdivision 5 of General Municipal Law section 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Override. The Town Board of the Town of Bristol, County of Ontario, State of New York is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law section 3-c.

Section 4. Severability. In the event any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm, corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Secretary of State.

V. New Business

- A. Historical Society has graciously offered to accept a smaller Town contribution next year in light of the budget pressure to hold the line on tax increases due to the diminished economy resulting from the pandemic. In 2020, the Historical Society received \$4,350 from the Town and in 2021 the amount will be \$3,000.
- B. October Town Board meeting will be held on Tuesday, Oct. 13, 2020 at 7:00 PM. The budget workshop will be Oct. 24, 2020 at 8:30 AM.
- C. Public Hearing – Councilman Hart offered a motion, seconded by Councilman Parsons to hold a Public Hearing on Oct 13, 2020, at 7:00 PM, for review of proposed revisions to local law #3 of 2011; Regulation for Accessory Buildings in the Town of Bristol, and motion carried.
- D. MRB Motion for Water District:

Councilman Parsons offered the following resolution and seconded by Councilman Hart, followed by a roll call vote;

RESOLUTION SEPT. 14, 2020

ACCEPTING MRB GROUP PROPOSAL FOR GRANT APPLICATION RELATING TO THE CANANDAIGUA BRISTOL WATER DISTRICT PROJECT AND AUTHORIZATION FOR CANANDAIGUA TOWN MANAGER TO EXECUTE CONTRACT

WHEREAS, in 2019, via Resolution No.10-15-2019, the Town Board of the Town of Bristol acknowledged the receipt of a violation from the NY State Department of Health relative to the service area for the Day Road water tank, part of the Bristol Water District No. 1; and

WHEREAS, the same resolution authorized an income survey for the service area to determine if the district would qualify for an income-based grant to help cover 75% of the approximately \$24,000 necessary to obtain a preliminary engineering report, the first step necessary to correct the problems with the water tank; and

WHEREAS, the income survey has been completed and does show the service area to be eligible for the income-based grant and MRB Group, Inc. has provided a proposal to the Town Manager of the Town of Canandaigua on September 9, 2020 for the preparation of the grant application at a cost of \$ 3000.00; and

WHEREAS, the Town of Canandaigua Water Superintendent, and the Town of Canandaigua Town Manager are recommending the Canandaigua and Bristol Town Boards accept this proposal as the first step in the long-term solution relating to the Department of Health notices associated with the Day Road water tank; and

WHEREAS, the Town Board of the Town of Bristol is aware that the Town Board of the Town of Canandaigua is expected to pass a resolution on September 28, 2020 authorizing the same and supporting this course of action to rectify the problems with the Day Road water tank; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Bristol hereby accepts the MRB Group proposal dated September 9, 2020 with a cost of \$ 3000.00 and authorizes the Town Manager of the Town of Canandaigua to execute a contract with MRB Group on behalf of the Town of Bristol for the preparation of a grant application to cover 75% of the cost of the preliminary engineering for plans associated with the Day Road water tank to be paid for through the Canandaigua Bristol Water District; and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to Emily Palumbos of MRB Group and to the Town of Canandaigua Town Manager.

The question of adoption of the foregoing Resolution was put to a roll call voter as follows:

Supervisor Robert A. Green, Jr.	Yes
Councilman Chris Hart	Yes
Councilman Fred Stresing	Yes
Councilman David Parsons	Yes
Councilwoman Lauren Bolonda	absent

The Resolution was thereupon deemed duly adopted on September 14, 2020.

VI. **Round Table** – Discussion regarding the new phone system and email.

VII. **Motion to Adjourn** by Councilman Hart and seconded by Councilman Stresing and carried 8:27 PM.

Respectfully submitted

Karen Maczynski
Town Clerk

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