TOWN OF BRISTOL
Special Town Board Meeting
02 January 2020
and
Public Hearing for a local law to opt out of Solar, Wind or other Energy Systems Tax Exemption

PRESENT: Supervisor Robert A. Green, Jr., Councilwoman Lauren Bolonda, Councilman David Parsons, Councilman Frederick Stresing, Councilman Chris Hart, Highway Superintendent Ronald Wilson, Town Clerk Karen Maczynski, Mr. William Kenyon, Atty.

Public Hearing for a local law to opt out of Solar, Wind or other Energy Systems Tax Exemption, Local Law No. 1 of 2020.
Supervisor Green opened the Public Hearing at 7:02 PM. The Town Clerk read the notice inviting all person's present to be heard.
Councilman Stresing discussed the impact the local law, opting out of the real property tax exemption, would have on small scale, or private residence solar generation. He stated he expressed a concern that the loss of the exemption would not be favorable to encouraging solar energy generation by residents of the town. He stated other Town residents shared his viewpoint. Supervisor Green discussed the following; NYS has removed *home rule* from town governance on the exemption issue, preventing the Town of Bristol from differentiating between large scale and small solar projects and the use of exemptions. Supervisor Green went on to review the need to take action due to the Town will be seeing additional large-scale solar projects soon and most school districts and counties have already opted out of this exemption. He stated the tax payer and the Town were best served, in this circumstance, by opting out of the exemption. Board discussion of the pending solar project on Footer Road.

Hearing no further comment, discussion or person's requesting to be heard, the public hearing was closed at 7:22 PM by Supervisor Green.

Supervisor Green called the Special Town Board Meeting to order at 7:23 PM, with the pledge to the flag.

I. Councilman Parsons put forth a resolution to opt out of the Solar, Wind or other Energy Systems Tax Exemption, through Local Law No. 1 of 2020, seconded by Councilwoman Bolonda. A roll call vote was as follows:
   Councilman Parsons – yes,
   Councilwoman Bolonda – yes,
   Councilman Hart – yes,
   Councilman Stresing – no,
   Supervisor Green – yes,

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TOWN OF BRISTOL
RESOLUTION 2020-001

AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 1 OF 2020, ENTITLED "A LOCAL LAW TO OPT OUT OF THE SOLAR, WIND OR CERTAIN OTHER ENERGY SYSTEMS TAX EXEMPTIONS UNDER REAL PROPERTY TAX LAW §487, AS MOST RECENTLY AMENDED BY CHAPTER 336 OF THE LAW OF 2017"

WHEREAS, a public hearing was duly held by Bristol Town Board on JANUARY 2, 2020 at 7:00 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. 1 of 2020, entitled "A Local Law To Opt Out of the Solar, 'Wind or certain other Energy Systems' Tax Exemptions Under Real Property Tax Law §487, as most recently amended by Chapter 336 of the Law of 2017".

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 January 2, 2020 at 7:00 p.m. at the Town of Bristol, Town Hall, 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. 1 of 2020, entitled "A Local Law No. 1 of 2020, entitled "A Local Law To Opt Out of the Solar, 'Wind or certain other Energy Systems' Tax Exemptions Under Real Property Tax Law §487, as most recently amended by Chapter 336 of the Law of 2017", 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, and the New York State Energy Research and Development Authority (NYSERDA), Atten: Legal Dept., 17 Columbia Circle, Albany, NY 12203-6399.

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

Roll Call Vote:	Supervisor Green	Yes
	Councilman Parsons	Yes
	Councilman Stresing	No
	Councilman Hart	Yes
	Councilwoman Bolonda	Yes

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STATE OF NEW YORK
COUNTY OF ONTARIO
TOWN OF BRISTOL

This is to certify that I, Karen Maczynski, Town Clerk of the Town of Bristol, in the said County of Ontario, have compared the foregoing copy of a resolution adopted by the Town Board of the Town of Bristol at their meeting on January 2, 2020, with the original now on file in this office, and the same is a correct and true transcript of of such original and the whole thereof.

In Witness Whereof, I have here hereunto set my hand and affixed the seal of the Town of Bristol.

_____

Karen Maczynski, Town Clerk

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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

Text of law should be given as amended. Do not include matter being eliminated and do not us italics or underling to indicate new matter.

County
City
Town of **Bristol**
Village

Local Law No. 1 of the year 2020.

A local law to Opt Out of the Solar, Wind or Certain Other Energy Systems Tax Exemptions Under Real Property Tax Law section 487, as most recently amended by Chapter 336 of the Laws of 2017.

Be it enacted by the Town Board of the

County
City
Town of Bristol as follows:
Village

Section 1: Pursuant to the provisions of subsection 8 of section 487 of the New York Real Property Tax Law, as amended, the Town of Bristol will hereafter provide no exemption under said section 487, as amended, with respect to any solar, wind, or other similar energy source or generation system as more fully defined in subsection 1 (a) – (p) inclusive of said Section 487 for any such system constructed subsequent to the effective date of this local law.

Section 2: Effective Date:

This Local Law shall be effective immediately upon its adoption and filing with the New York State Department of State. A copy of this local law shall be filed with the New York State Board of Equalization and Assessment and the office of the President of the New York State Energy Research and Development Authority.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2020 of the (County)(City)(Town)(Village) of BRISTOL was duly passed by the TOWN BOARD on JANUARY 02 2020, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)
I hereby certify that the local law annexed hereto, designated as local law No. of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20_____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Karen Maczynski

Clerk of the county legislative body, ~~City,~~ Town or ~~Village Clerk~~ or officer designated by local legislative body

(Seal)

Date: 02 January 2020

II. No budget transfers at this time.

III. Oath of Offices

The oath of offices was administered and recorded in the Oath of Office ledger in the Town Clerk's office, for the following offices/personnel; Supervisor Green, Councilman Chris Hart, HW Superintendent Ron Wilson and Town Clerk Karen Maczynski.

IV. Hwy Dept. **284 Plan** was presented by Hwy Superintendent Ron Wilson. Discussion of the 284 Plan. Councilman Parsons discussed the poor condition of Old Fisher Road, Ron agreed with the comments, and would include the road in future planning.

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AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

Town of Bristol
County of Ontario
2020

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the State for the maintenance and improvement of highways, shall be expended as follows:

1. MAINTENANCE. The sum of $ 352,286.00 may be expended for general repairs upon 49.45 miles of town highways including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for improvements of town highways:

   a) On the road known as GREEN RD commencing at BAPTIST HILL RD and leading to PEIRPONT a distance of 1 miles there shall be expended not over the sum of $ 27,275.
   Type WEDGING Width of traveled surface 24 feet
   Thickness .50 Subbase _____

   b) On the road known as FISHER HILL RD commencing at STATE ROUTE 64 and leading to CANANDAIGUA TOWNLINE a distance of 1.33 miles there shall be expended not over the sum of $ 36,275.
   Type WEDGING Width of traveled surface 24 feet
   Thickness .50 Subbase _____

   c) On the road known as TONEISON RD commencing at STATE ROUTE 20A and leading to TILTON RD a distance of .44 miles there shall be expended not over the sum of $ 12,000.
   Type WEDGING Width of traveled surface 20 feet
   Thickness .50 Subbase _____

   d) On the road known as STETSON RD commencing at BAPTIST HILL RD and leading to TOWNLINE a distance of .69 miles there shall be expended not over the sum of $ 18,820.
   Type WEDGING Width of traveled surface 20 feet
   Thickness .50 Subbase _____

   e) On the road known as GREEN/MCCLURG RD commencing at BUCKELEW RD and leading to RICHMOND TOWNLINE a distance of .60 miles there shall be expended not over the sum of $ 22,141.
   Type 2 SHOT OIL & STONE Width of traveled surface 24 feet
   Thickness 1SHOT 1'S & 1 SHOT 1A'S Subbase _____

f) On the road known as GREGG RD commencing at STATE ROUTE 20A and leading to JONES RD a distance of 1 miles there shall be expended not over the sum of $ 18,008 .

Type OIL & STONE Width of traveled surface 24 feet

Thickness _____ Subbase _____

g) On the road known as PEIRPONT commencing at GREEN RD and leading to RICHMOND TOWNLINE a distance of .51 miles there shall be expended not over the sum of $ 9,184 .

Type OIL & STONE Width of traveled surface 24 feet

Thickness _____ Subbase _____

h) On the road known as GULICK RD commencing at RICHMOND TOWNLINE and leading to SOUTH BRISTOL TOWNLINE a distance of 1 miles there shall be expended not over the sum of $ 18,008 .

Type OIL & STONE Width of traveled surface 20 feet

Thickness _____ Subbase _____

i) On the road known as SOUTH HILL RD commencing at CO RD 32 and leading to TOWNLINE a distance of 2.0 miles there shall be expended not over the sum of $ 75,290

Type WIDEN & LIFT Width of traveled surface 24 feet

Thickness _____ Subbase _____

TOTAL REPAIRS $226,201.08

Councilman Parsons put forth a resolution to adopt the 284 Plan, seconded by Councilwoman Bolonda. A roll call vote was as follows:

Councilman Parsons – yes,
Councilwoman Bolonda – yes,
Councilman Hart – yes,
Councilman Stresing – yes,
Supervisor Green – yes,

The 284 Plan was adopted.

V. Round Table – none

VI. Motion to Adjourn by Councilman Parsons and seconded by Councilman Stresing and carried at 8:10 PM.

Respectfully submitted,

Karen Maczynski
Town Clerk