



**TOWN OF BRISTOL  
REGULAR MEETING**  
January 10, 2022 7:00 PM

PRESENT: Supervisor Robert A. Green, Jr., Council Members; Frederick Stresing, Christopher Hart, Lauren Bolonda, Town Clerk Karen Maczynski, Attorney Russ Kenyon, Zoning Sec. Mrs. Sandra Riker, Park Commissioner Tom Stevens, Highway Superintendent Ron Wilson, Assessor Kelly Ducar.

Also, in attendance:

Mr. AJ Magnan, Mr. John Krebbeks, Mr. Chris Herrgesell, Ms. Nichola Wahlers. Ms. Kristen Mellema, Mr. Scott Grove, Ms. Jenny Loewenstein, Mr. Rob Richardson, Ontario Co. Sheriff Deputy Meek.

Preceding the Regular Board meeting a Presentation; Genesee Regional Planning Council, representatives; Mr. Rob Richardson and Ms. Jenny Loewenstein reviewed available town projects under NYSEERDA’s Clean Energy Communities including Community Choice Aggregation Program, and the Electric Vehicle Charging Station Program, as well as Energy Star reporting program.

**Regular Meeting of the Town Board** held via Zoom hybrid process; a format in accord with Executive Orders from the Governor’s office of NYS. Meeting called to Order at 7:11 PM, by Supervisor Green Jr., followed by Pledge of Allegiance to the US Flag and a statement: *We ask that anyone that is not fully vaccinated (COVID 19) please wear a mask during the Board meeting. Anyone exhibiting COVID symptoms, regardless of vaccination status, refrain from attending. You can join us via Zoom. Thank you.*

**Privilege of the Floor:** Supervisor Green, Jr. opened the floor at 7:12 PM. Bristol resident, Mr. AJ Magnan read a statement regarding the 2020 Presidential Election. Mr. Magnan reviewed the importance of recognizing United States President Joseph Biden. He discussed the importance of all elected officials acknowledging President Biden’s authority as President of the United States of America. Privilege of the floor was closed by Supervisor Green at 7:15 PM.

- I. A motion was made by Council Member Hart to accept the December 2021, board minutes with correction, seconded by Council Member Bolonda and motion carried.
- II. Audit of the bills, Monthly Report of Supervisor:

**Abstracts 13 and 1**

<b>A General Fund:</b>	<b>\$ 145,302.50</b>
<b>DA Highway:</b>	<b>\$ 86,294.53</b>
<b>SF Fund</b>	<b>\$ 220,000.00</b>

**Motion to pay the bills and accept the Supervisor’s report by Council Member Hart and seconded by Council Member Bolonda and carried.**

**III. Monthly Reports**

**A. Highway:** Superintendent Ron Wilson was absent; his report Jan 2022 as follows:

**HIGHWAY JANUARY REPORT**

- 1) We added a 12-inch culvert into the bottom catch basin on Vincent hill end at the Rt 64. The homeowner is having work done to get the water that is coming down the hill that runs down the driveway and into the road below the gutter system and direct the water into the catch basin.
- 2) We installed a new driveway culvert on Kear Rd.

- 3) Egypt Rd is set. We removed the temporary signage and installed the permanent safety signage.
- 4) Log jam on east side of the concrete culvert/ bridge on Rt 64 by the Acorn Inn. The state looked at it with Bob Green and said it was off their right of way. With the landowner's permission we could grab the logs out with the excavator in a few minutes and save a lot of problems later. I'm looking for approval from the Board to pull them out.
- 5) I ordered 700 ton of salt. We had enough to get us thru to the first of the year. We haven't had any major snow, but we have had a lot of nuisance snow we have needed salt.
- 6) We are running the Boom mower around town trimming back the brush along the roadsides.
- 7) New 10-wheel truck needs to be ordered we are looking to buy the Western star chassis with the Viking equipment.

*-Respectfully submitted Ronald Wilson*

Board discussion concerning, item 4 - log jam and downstream bridge. **Motion by Supervisor Green, Jr. to authorize the Superintendent Wilson to remove the logs, seconded by Council Member Bolonda and carried.** Supervisor Green discussed his conversations with NYS DOT concerning these issues. Council Member Stresing expressed concern the Town was setting a precedent by addressing issues that were outside of the normal town road responsibilities. Attorney Kenyon discussed reviewing on a case-by-case basis is a safe methodology for handling similar matters by a municipality. Supervisor Green requested Superintendent Wilson contact Mr. Bill Butts and/or Mr. Greg Trost of the NYS DOT, to review the log jam situation.

#### **10 WHEELER TRUCK**

Town of Bristol, Highwayman, Mr. Chris Herrgesell, presented the proposed specification for a new 10 wheeled truck with a likely delivery timeframe of 2023. Mr. Herrgesell discussed the issues with the past two truck purchases (with pictures) and proposed a different truck be selected on NYS bid. Proposal is a 2023 Western Star 49X – Set Forward with RH Spring Build-Up, Cummins X15 Engine 525 HP 1850 LB/FT – Allison 4500RDS Transmission and a Viking Body for a total price: \$263,521.42 on State Bid.

Board discussion concerning the need for a truck and the concern with lead-time.

**Motion by Council Member Stresing to authorize the purchase a new Western Star 10 Wheeled Truck as outlined in the proposal by Tracy Road Co. for \$263,521.42, seconded by Council Member Hart and carried.**

#### **B. Planning Board & Zoning Board of Appeals and Code Office; Mrs. Sandra Riker. Planning, ZBA and Code Office Report January 10, 2022**

**Planning Board Meeting met on December 3<sup>rd</sup> and reviewed a Site Plan for 4551 State Rt 64 and after the review from MRB Group have asked the applicant & his Engineer to respond to their comments and return after more action has been addressed.**

**The Board made a motion to correct the proposed change to Article Eleven regarding side yard setbacks in the A-C district to reflect 25' instead of 50' as published in Ecode 360-BR4013. They also made a motion to correct the definition of Qualified Abandon be changed to reflect the current NYS Highway Law Section 205 b & d removing the sentence saying the Qualified Abandoned Road can be gated.**

Planning Board did not meet in January as the December application has not finished the response to MRB's comments, will probably be back in February.

**Zoning Board of Appeals- met on December 21<sup>st</sup> and reviewed the draft short term rental ordinance and would like the Ordinance Committee make some revisions and submit again for review. Still waiting for a reply from Bill Kenyon regarding the proposed BESS**

**(Battery Energy Storage System) law. Agreed with the PB regarding changes to be made in General Code 360.**

**General Code-276 hits, top 3 agricultural, #of homes allowed on 1 parcel, and erosion control plans. The all time high for the year goes to Short-Term Rental at 28 hits.**

**Code Office- CEO Report: new permits-4  
inspections-6  
completions-1**

**Donna Beretta and I have been working on the Energy Star Program yearly report.**

Webpage- iC9 Design transfer in progress and will be getting an update in the beginning of February.

Ordinance Committee – did not meet in December but will be meeting in January to work on the short-term rental changes suggested by the PB and ZBA.

**Possible new projects; Rob Richardson from the GFLRPC to do a presentation this evening via Zoom -Clean Energy Communities-2.0.**

Respectfully submitted,

*Sandra Riker*

Planning Board, ZBA Secretary &  
Code Office Assistant

### **C. Park Commissioner's Report; Mr. Tom Stevens January 2022 Report Update on the park grant.**

Grant is still in effect until 12/21/2021

I have applied for an extension of one year. Sent the request by certified mail.

I have not received a reply.

I sent by certified mail the request for payment for the track paving.

The amount requested is \$20,917.25

I received a reply, and they are processing payment on January 14, 2022.

The check is in the mail. This payment should be credited to the Bristol Parks Reserve Fund to continue the Park Grant work. The tennis courts/pickle ball courts are the next project. Hopefully this will close the Grant #9111 in 2022 therefore making it easier to get grants in the future.

### **New Business**

Bristol Fun Day June 12, 2022

I would like to form a committee to begin meeting and thinking how to make Bristol Fun Day Happen in 2022 and beyond. Times they are a changing.

I have obtained a quote for a Tractor for the park. It is 25HP with a loader, snow plow (attaches to the loader frame) and a 60-inch mower. This quote is \$23,540.39. for a John Deere 2025R. The state bid discount is 18%. I still want to demo this model, and one size larger, and get at least one more quote from the state bid contracts. The next larger size may be \$6-7,000 more?

I would like to get the highway department to clean out the drainage ditch for the park drain. The owner of the land should be contacted before work begins. I think on a cold day like today there would be limited damage to the park lawn or track. The center gully is now higher than the drain.

I will be contacting soil and water for assistance in evaluating Center Gully. There are blockages and accumulating debris in the stream bed. Where is all this debris coming from? Is there a way to slow it down or prevent upstream erosion?

*Park Commissioner  
-Tom Stevens*

Supervisor Green discussed the need for a tractor to be procured for use at the town parks. Board discussion concerning center gully and drainage. Superintendent Wilson stated he will work with Commissioner Stevens on cleaning out the drainage ditch for the park drain.

**D. Town Clerk Report.** Mrs. Maczynski presented her report. Total disbursements were \$1667.00 for December 2021. Town and County Tax collection is well underway.

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Town of Bristol Board Minutes - 10JAN2022 Corrected

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

**IV. Old Business**

- A. Organizational Meeting is complete and approved. Discussion by Supervisor Green, Jr.
- B. Addition of 3 Out of District users to public water line on County Rd 32.  
Supervisor Green reviewed his discussion with the Town of Canandaigua concerning the installation of a ‘pit’ to allow for hook-up *out of district* users. The cost of hook-up would be assumed by the new *out of district* users.

**RESOLUTION 01.10.2022**  
**AUTHORIZATION: OUT OF DISTRICT USER ASSOCIATED TO**  
**CANANDAIGUA BRISTOL WATER DISTRICT NO.1**

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 January 10, 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**, in 2006 the Town Board of the Town of Bristol and the Town Board of the Town of Canandaigua entered into an agreement to operate the Bristol Water District No.1 as part of the Canandaigua Bristol Water District; and

**WHEREAS**, the Canandaigua Bristol Water District consists of approximately 95 units in the Town of Canandaigua, and approximately 229 units in the Town of Bristol; and

**WHEREAS**, the Town of Bristol has agreed to allow (2) OUT OF DISTRICT USERS to the Bristol Water District No. 1; 6552 County Road 32, Canandaigua, NY 14424; owner: Barbara A. Krebbeks Rev. Trust, and 4336 Kear Road, Canandaigua, NY 14424; owner: Mark Alan & Colletta Francese,

**WHEREAS**, the Town of Bristol authorizes two (2) out of district users; associated with Bristol Water District No. 1, who will bear all costs of; operations & maintenance fees, quarterly water usage fees and all costs associated with the installation of equipment for connection to public water infrastructure; all fees to be collected by the Town of Canandaigua,

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Bristol authorizes TWO (2) OUT OF DISTRICT USERS; 6552 County Road 32, Canandaigua, NY 14424; owner: Barbara A. Krebbeks Rev. Trust, and 4336 Kear Road, Canandaigua, NY 14424; owner: Mark Alan & Colletta Francese, to the Bristol Water District No. 1.

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

Supervisor Green, Jr.	Yes
Council Member Bolonda	Yes
Council Member Stresing	Yes
Council Member Hart	Yes
Council Member Parsons	Absent

The Resolution was thereupon deemed duly adopted on January 10, 2022.

**V. New Business**

- A. Review of past year by Supervisor Green, Jr.
- B. Court Clerk – payment schedule. Motion by Council Member Stresing to change the payment schedule for the Court Clerk position to an annual salary of \$8000. paid bi-weekly effective immediately, seconded by Council Member Hart and carried.

## VI. Round Table

- A. Town of Bristol Assessor, Kelly Ducar, reviewed the income threshold (for senior citizens and individuals with disabilities) exemption in the Town of Bristol is a gross income maximum of \$15,200. and Ontario County's threshold is \$21,200. Ms. Ducar reviewed Governor Hochul executive order concerning these exemptions. Motion by Council Member Hart and seconded by Council Member Bolonda as follows:

### **TOWN BOARD RESOLUTION JANUARY 10, 2022**

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 January 10, 2022 and a quorum of the Board being present, the following resolution was offered by Council Member Hart and seconded by Council Member Bolonda:

**WHEREAS**, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Bristol to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

**WHEREAS**, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

**WHEREAS**, pursuant to said Executive Order, the Town Board of the Town of Bristol wishes to adopt such Resolution directing the Town Assessor of the Town of Bristol to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Bristol the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

**NOW THEREFORE, BE IT RESOLVED**, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Bristol hereby directs the Town Assessor of the Town of Bristol to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;
2. The Town Assessor may, in her sole discretion, require a renewal application to be timely filed with her office if she has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, she shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application.

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

Supervisor Green, Jr.	Yes
Council Member Stresing	Yes
Council Member Hart	Yes
Council Member Bolonda	Yes
Council Member Parsons	Absent

The Resolution was thereupon deemed duly adopted on January 10, 2022.

B. Council Member Stresing spoke acknowledging and endorsing Mr. Magnan's earlier remarks regarding support of free and fair elections and the smooth transition of power following elections. Board discussion and consensus concerning support of free and fair elections.

VII. **Executive Session-** Brief Session – Sec 105 sub f.

Review of personnel issue and or employment.

Motion by to enter executive session by Councilman Hart at 8:34 PM and seconded by Councilman Stresing and carried.

Motion to exit executive session by Councilman Stresing and Councilman Hart at 8:36 PM.

Motion by Councilman Stresing to approve the following individuals for membership in the Bristol Volunteer Fire Department; Mr. Ethan Stoddard, Mr. Tyler Bruder, and Ms. Dannlea Rodrigues, seconded by Councilman Hart and carried

VIII. **Motion to Adjourn** by Council Member Hart and seconded by Council Member Bolonda and carried 8:37 PM.

Respectfully submitted

Karen Maczynski  
Town Clerk