



TOWN OF BRISTOL
REGULAR MEETING
October 15, 2019

PRESENT: Supervisor Robert A. Green, Jr, Councilwoman Lauren Bolonda, Councilman Jeffrey Bliss, Councilman David Parsons, Councilman Fred Stresing, Highway Superintendent Ron Wilson, Town Clerk Karen Maczynski, Mr. Edward Russ Kenyon, Atty.

The Supervisor called the Public Hearing to order at 7:00 PM followed by the pledge to the flag.

Public Hearing – Tax Cap Override for 2020

Supervisor Green opened the Public Hearing at 7:04 PM, regarding the Town’s plan to override the 2% Tax Cap for the 2020 Town Budget. Supervisor Green discussed the tentative 2020 budget is \$4 below the tax cap, but as the total is so close to the 2% limit, it is in the town’s best interest to pass a local law to override the tax cap as NYS fines towns who violate the 2% rule. Hearing no comment from the public or board members the Public Hearing was closed at 7:06 PM.

The Supervisor called the regular board meeting to order at 7:07 PM.

Privilege of the floor:

Boy Scout, Ted Cooney, age 14, from Honeoye Troop # 521, addressed the board and requested permission to pursue an Eagle Scout Project at Levi Corser Park. Scout Cooney outlined the proposed project as follows: design and construction of 2 horseshoe pits and 2 benches to be placed near the tennis courts, as designated by Park Commissioner Tom Stevens. Mr. Steven’s stated he contacted the Town’s insurance carrier and obtained design specifications for the proposed project. Scout Cooney estimated his expenses for the project to be \$675. Councilman Parson moved the town will authorize the Scout project to proceed, second by Councilman Bliss, motion carried. Donations for the project to be made directly to Boy Scout Troop #521 of Honeoye.

Privilege of floor was closed at 7:25 PM.

- I. A motion was made by Councilman Bliss to accept the Sept 9, 2019 board minutes, second by Councilwoman Bolonda and motion carried.
- II. Audit of the bills, budget transfer, monthly report:
A motion was made by Councilman Parsons seconded by Councilman Bliss, and carried to pay the bills(abstract10), Supervisor’s report delayed until November.

Abstract 10

General:	Vouchers 248-275	\$ 42,019.46
Highway:	Vouchers 1225-1251	\$ 25,709.47

III. Monthly reports from:

- A. Highway: HW Superintendent Ron Wilson presented his report. Councilman Bliss discussed Green Road needs to be graded. Mr. Wilson acknowledged the condition of Green Road and stated it would be the next road to be graded on the schedule. Discussion regarding the road side boom mower condition. Mr. Wilson said the mower & tractor needed to be replaced. He estimated the a new road side boom mower would be \$100,000. Mr. Wilson discussed the polishing of Truck 5’s chrome has not happened and replacement of the chrome was now being pursued with the insurance company’s approval. Discussion regarding CHIPS money and paving. Mr. Wilson reviewed the October paving schedule; Gregg, Gulick and Green Roads. Following completion of paving, Mr. Wilson requested authorization from the Board to pay Lehigh Hansen Inc., ahead of the next board meeting, to meet timing, to apply for state reimbursement for paving expense with NYS Consolidated Local Street and Highway Improvement Program (CHIPS). Councilman Bliss motioned to authorize payment for paving material from Lehigh Hansen, before the next board meeting, provided, paving was completed; to meet CHIPS reimbursement timing requirements and not to exceed \$160,000.00, seconded by Councilman Stresing and carried. Supervisor Green discussed the need to maintain the truck logs by the drivers and reviewed the state bid requirements for

purchasing tires. Councilman Parson's requested Mr. Wilson update the 284 Agreement for the next board meeting.

- B. Planning Board & Zoning Board of Appeals and Code Office: No report this month.
- C. Parks/Special committee. Park Commissioner, Mr. Tom Stevens presented his report. Discussion concerning concrete work on 2 pavilions and possibly using the Highway Dept. to pour concrete. Mr. Steven's said the park has received over \$1000 in donations in Wayne Houseman's memory. Mr. Steven's requested the board accept a park bench in memory of Mr. Houseman from the Houseman family. Motion by Councilman Parsons to accept the donation from the Houseman family and rename the east pavilion *The Houseman*, after Wayne Houseman, seconded by Councilwoman Bolonda and carried.
- D. Town Clerk, Mrs. Karen Maczynski, presented her report; Total Disbursements for the Month of August were \$5,433.78. Town Clerk office hours have been extended to 6 PM on Wednesday evenings to better serve the community.

Councilman Bliss motioned to accept all reports and seconded by Councilwoman Bolonda, and motion carried.

III. Old Business:

Tax Cap Law override for 2020. Motion by Councilman Bliss to implement the law, prepared by Town Attorney William Kenyon, to override the real property tax levy limit to implement the Town of Bristol's proposed budget for 2020, seconded by Councilwoman Bolonda followed by roll call vote; Councilman Bliss; yea, Councilman Parsons; yea, Supervisor Green; yea, Councilman Stresing; yea, and Councilwoman Bolonda; yea, and motion was approved.

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. 1 of the year 2019.

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 2020 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 2020 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. Income survey for town of Bristol residents in water district #1.

Councilman Bliss offered for following resolution authorizing the Canandaigua Town Manager to execute a contract to conduct an income survey of residents in the water district with a not to exceed \$3000 and seconded by Councilman Stresing, with a roll call vote by the Town Clerk; Councilman Bliss; yea, Councilman Parsons; yea, Supervisor Green; yea, Councilman Stresing; yea, and Councilwoman Bolonda; yea, and resolution was approved.

**TOWN OF BRISTOL
RESOLUTION NO. 10 - 15 - 2019**

**ACKNOWLEDGEMENT OF CANANDAIGUA BRISTOL WATER DISTRICT NO.1
NOTICE OF VIOLATION, AUTHORIZATION FOR TOWN MANAGER OF
CANANDAIGUA TO EXECUTE CONTRACT FOR INCOME SURVEY**

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 Town Board and the Town of Canandaigua Town Board have been notified the NYS Department of Health has issued a violation relative to the Canandaigua Bristol Water District, specifically that area serviced by the Day Road Water Tank; and

WHEREAS, the Town of Canandaigua Water Superintendent, Town of Canandaigua Town Manager, and a representative from MRB Group presented to the Town Board of the Town of Bristol on September 9, 2019 options relating to next steps to address the short term and longer-term options to address the violation for the Canandaigua Bristol Water District; and

WHEREAS, the Town of Canandaigua Water Superintendent, and the Town of Canandaigua Town Manager discussed the same options with the Town Board of the Town of Canandaigua on September 6, 2019; and

WHEREAS, the NYS Department of Health has advised the Canandaigua Bristol Water District of the need for increased flushing until a more permanent solution can be identified relative to the service area of the Day Road Water Tank in the Town of Bristol; and

WHEREAS, the Town of Canandaigua Water Superintendent working with the Town's Engineering Firm (MRB Group) has identified the cost of a preliminary engineering report to address the long-term solution would be a cost of approximately \$25,000 - \$30,000; and

WHEREAS, the Town of Canandaigua Water Superintendent working with the Town's Engineering Firm (MRB Group) has identified the cost of the construction of the longer-term solution to be a cost of approximately \$175,000 - \$200,000; and

WHEREAS, a grant opportunity exists based on qualifying income analysis for grant money to help pay for the preliminary engineering report; and

NOW THEREFORE BE IT RESOLVED, the Town Boards of the Town of Canandaigua and the Town of Bristol hereby acknowledge the violation notice from the NYS Department of Health to the Canandaigua Bristol Water District, and the Town of Bristol; and

BE IT FURTHER RESOLVED, the Town Boards of the Town of Canandaigua and the Town of Bristol hereby provide notice the municipalities are taking the first step to address the violation to authorize an income survey of the project area at a cost not to exceed \$3,000.00 to be paid for by unrestricted fund balance of the Canandaigua Bristol Water District; and

BE IT FURTHER RESOLVED, pending a successful outcome of the income survey the Town Boards of the Town of Canandaigua and the Town of Bristol will consider making a grant application to pay the cost associated with the preliminary engineering report estimated to be as much as \$30,000.00; and

BE IT FURTHER RESOLVED, pending a successful grant award and completion the preliminary engineering report the Town Boards of the Town of Canandaigua and the Town of Bristol will consider a possible grant application associated with construction costs to address the longer term solutions associated with the service area of the Day Road Water Tank in the Town of Bristol; and

BE IT FINALLY RESOLVED, the Town Boards of the Town of Canandaigua and the Town of Bristol hereby authorize the Town Manager of the Town of Canandaigua to execute a contract for an income survey to begin the process identified in this resolution at a cost not to exceed \$3,000 to be paid for through unrestricted fund balance from the Canandaigua Bristol Water District.

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- B. Ontario County Snow and Ice Contract 10/01/2019-09/30/2020, reimbursement rate is \$5800.00 per mile. Councilman Parsons put forth a motion for Supervisor Green to sign the contract, seconded by Councilman Stresing and carried.
 - C. Annual meeting Canandaigua Bristol Water District meeting No.1 at the Canandaigua Town Hall Monday Oct 21, 2019 at 5PM. Supervisor Green invited all interested board members and residents to attend. Supervisor Green will be in attendance.
 - D. Fire Dept. Application of Scott Petrino. Councilman Bliss put forth a motion to approve Scott Petrino for membership in the Bristol Volunteer Fire Dept. and seconded by Councilwoman Bolonda and carried.
 - E. Code Office Contract for 2020. Supervisor Green discussed the contract with Town of Canandaigua for code enforcement for the Town of Bristol. The current contract has worked well for the town and Supervisor Green recommended renewing the contract for next year; the contracted price would be the same as 2019 or \$18,000.00. Motion by Councilwoman Bolonda to renew the contract and seconded by Councilman Parsons and carried.
 - F. Pre-Approval of Travel expense. Supervisor Green discussed the need to be cognizant of the NYS Comptrollers rules regarding travel expense authorization. Supervisor Green discussed he will be approving all travel expense ahead of the board approval particularly in short notice situations for necessary travel. Motion by Councilman Stresing for the Town Supervisor to approve all travel expenses, seconded by Councilman Parsons and carried.

VI. Round Table – none

VII. Motion to Adjourn by Councilwoman Bolonda and seconded by Councilman Bliss and carried at 8:14 PM.

Respectfully submitted,

Karen Maczynski
Town Clerk