

SOUTH BRISTOL TOWN BOARD MEETING

January 10, 2022

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order January 10, 2022 at 7:05pm.

PRESENT

Daniel Marshall, Supervisor
Stephen Cowley, Councilman
Scott Wohlschlegel, Councilman
Donna Goodwin, Councilwoman
Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Jim Wight, Kevin Stahl, Tracey Howe, Pat Dormer
Online: Lisa Moore, Alan Braun, Brooks Lyon

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. APPROVAL OF MINUTES

No minutes

III. PLEDGE OF ALLEGIANCE

IV. PRIVILEGE OF THE FLOOR

Pat Dormer of Phillips Road, said thank you for allowing me to speak. Do not know if this is the correct legislative body to bring up an issue that we have with the Short-Term Rental process, which is a different body, but a couple of items we encountered with the permit process. It seems that a lot of permits are being granted through the process, in fact, all the permits that have gone through the process have been granted. There has not been any “No’s” up to this point as far as we are aware which concerns folks that maybe it is a process that needs to allow a “no” to occur or if we are getting to a point where the percentage of properties that have Short-Term Rental permits granted to them is just going to continue to increase and increase and increase. Is this something that we would want to consider, a percent of properties within the Town to be allowed to have Short-Term Rentals Permits issued to them? Is this something that there should be a moratorium placed so the Short-Term Rental process could potentially be looked at again to see if there is some sort of an improvement to the language in there because you do want to have the permits available to folks to utilize their properties in a way that they want to. It seems like maybe there is something that can be done to help improve the process for those that got permits and also protect the Town from turning into a 100% Short-Term Rental properties township. A couple of other things that had come up is with the large number of permits being issued. Is this something that would need to be considered as a business? Is this getting to the point where it is something that should be thought of as a business for potential taxing situations?

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Councilman Cowley said that is all ready in place; the County is looking at changing the law.

Supr. Marshall said, I think he is saying that the Town should be looking at and treating them as a commercial function rather than a residential function.

Mr. Dormer agreed and thanked Supr. Marshall for clarifying that.

Supr. Marshall said that the County does have an effort underway for an Occupancy Tax that is collected by the County and in certain circumstances, bed and breakfasts, AirBnB, etc., aren't being required to pay that Occupancy Tax. It should be that everybody that is in the business should collect those taxes. That is at a County level.

Mr. Dormer said that the other item that came up is a general understanding that not all properties yet have permits for the uses in a short-term capacity. Is that something that there is a penalty for or a sanction and if there isn't maybe that something that should be considered. If it is considered, rather than going through the civil side of things maybe that is something to attach to a property tax bill so it is going to get collected rather than having no teeth in it because there is no real law.

Supr. Marshall noted that one of the Planning Board members went so far as to do a study on that and went through VRBO, AirBnB, any of the internet agencies that are providing information and found out that there is at least 18 in Town that have not complied.

Mr. Dormer said it sounds like this Board is aware of the situation we are in and the County is also.

Supr. Marshall said he was at that meeting and yes, there was also some discussion that there is really nothing written in our Code about anything that might adversely change the character of the neighborhood. That hasn't been included and something we have got to deal with yet; every time you write a law, within a year we find out that there are things that need to be fixed.

Mr. Dormer agreed and said, that hopefully that will be a clearer law to understand. That really should be the intent.

Supr. Marshall noted that the Short-Term Rental Law, basically requires that you comply with a list of all the things that somebody has to go and inspect, fire inspection, parking, etc. You are not going to get a permit if you don't meet all those requirements. If you do meet all of the requirements, it is pretty hard to say no; the way it is written right now. So that deserves some attention and we will take a look at that.

Mr. Dormer said that is appreciated, is there anything else the Board Members can think of or suggest for this particular situation that our Town is dealing with? The process in general, because some of them do affect the Town and I am only one person and it is nice to get another's perspective and insight because they may have been looking at this process much longer than I have.

Councilman Cowley mentioned that there are a lot of properties that are not complying; the reason we have the law is because of that one person, and that business, and we are working towards trying to get that guy to comply. If not, I'm willing to give a violation, shut him down.

Supr. Marshall said the intent of the Short-Term Rental Law has always been for the protection of the neighbors; that's always the reason we've done it. The argument being noise, parking, septic systems, all those things. Anything that causes discomfort for the next door neighbor who has dutifully paid their taxes and wants to live a nice quiet country life to have 40 people show up next door and party til two in the morning, that shouldn't be allowed. That is

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what we are trying to address. Now in your particular case, if there are issues, you report it and 2 times it gets reported and they are shut down for 2 years.

Mr. Dormer agreed, it is just that the character of the neighborhood within that that first paragraph of the permit that seems to have lost its way through the process.

Supr. Marshall said that one is going to be a little difficult, because it's my opinion that it is going to change the neighborhood versus yours; that is going to be tough.

Mr. Dormer thanked the Board.

Kevin Stahl of Bristol Harbor said he would like to address the Board tonight about the problems in the Bristol Harbor Village. I've only been there a year but I can see that some of the problems we are up against might be because of some bad decision making on previous Association Board members. But, I think the main reason we are in the situation we are is you have a couple of individuals that are illegally doing things that they shouldn't be doing according to rules with the Village. Why did I bring it to the Board? Because I feel long term, down the road, it might be our problem right now but I think it is going to be the Town's problem in the future. If the Association gets pushed out of the way somehow and now it is your problem. I look at it as the Association, the Village, is in your Town. It is 20% or better of your residents, taxpayers are in that Town. I always felt by looking at it that it was an asset to this Town and community. I think it is not going to be an asset the way things are going, in the future. I am asking the Board if they would do a little, be in the background, do some investigating and try to come up with a defensive plan when it comes to a point where something has got to give.

Councilman Cowley asked defensive or offensive?

Mr. Stahl said you are defense.

Councilman Cowley asked proactive or reactive?

Mr. Stahl said proactive, if you would reach out to your neighborhood towns, especially Ontario County, if they ever had this situation before, how did they handle it? I'm looking for more ideas I guess, right now the Association is trying to fight it legally, but even if we do have all the proper documentation to prove it everything, but even if we win, how do you enforce it? I believe they can keep you in courts until your money runs out anyhow. I'm looking for another way, another angle and to me it is a numbers game. If you have the Town and the County and some of the other entities in the Finger Lakes community wanting the Village to exist you have a large number of people now maybe that would put a little leverage I guess. I think if the whole community wanted that Village to exist; we don't approve of what's going on, I don't know, maybe some of the wealth around the lake would jump in too. But I just think for the Association to go up against what they are up against I don't see it looking like a very good situation; I'd like to see a large group and I don't know if that is something the Board would be interested in doing or not. Just bringing it up just so you guys can think about it. I don't know, you've got a situation now, Dan brought up last week on the DEC giving citations against something with the sewage system; so that hasn't been taken care of, we malfunction and dump sewage in the Lake is that going to get the Town involved? I'm just bringing it up anyhow and let you guys think about it, more heads involved, two heads are better than one; if we could come up with something that maybe we aren't looking at.

Supr. Marshall said we understand, and I know you are relatively new at Bristol Harbor and you probably walked into something that you weren't quite expecting. I think that if you polled this Board you would find out that probably 5 out of 5 of us are so fed up with Bristol Harbor that we just as soon chop it off and slide it into the other side of the lake but it is just, the

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issues over there; and they are glad they are not in our place and I don't know what you are supposed to do. That is the reaction I get from other entities, if you will. As to the water and sewer, you've got an issue with the Association over there is one thing, and the people that own the water and sewer is something totally different. As long as they want to own the water and sewer, it's going to be kind of tough for something like that to get taken over. We are going to talk about a little later, I had a conversation with our attorney who in turn, just coincidentally got a phone call from their attorney wanting us to basically help effect another rate increase to repair all the things that apparently need to be repaired. And at the same time while they are having that conversation our attorney asked, what if the town would take it over? There was nothing, total silence, they didn't even want to talk about it. I don't know where it stands.

Councilman Strickland said we understand your pain; it is more than irresponsible for what is going on there. We have talked about beating your heads against the wall, we've done it, we have reached out and gone past what the Board would normally do to see if we could help.

Supr. Marshall said the sewer, we can't speak to the water, which is overseen by the Public Service Commission, but at least with the sewer, if they got up and walked away, there is no choice, the Town takes it over. Basically, what they wanted us (the Town) to do was to choose an engineering firm that we liked and let them do the design so we couldn't argue about the cost of the project because it was design that came up with the numbers. Our reaction to that was, no, we are not in the business of doing that kind of thing. We would expect you to go out and get 3 bids to get the lowest price and then we will talk.

Councilman Wohlschlegel said it has been a No-Win situation too, we have been sued by the owners and sued by the Association all for the same reason. I've been involved in this before Dan came back, with Barbara Welch; it has worn me thin. I think it ought to become its own village within the township or something.

V. COMMITTEE REPORTS: **HIGHWAY**

Councilman Cowley read the Highway report:

Another year gone by. Not much to report this time of year. It's snowing and we are plowing. We just ordered in some more salt. Working on projects in the shop. Got some pallet racking to store stuff on in the mezzanine. Thank you all for your time. I will not be at the meeting this evening due to Covid quarantine.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Highway Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

VI. NEW BUSINESS: **PLANNING BOARD APPOINTMENT**

Supr. Marshall said we have 3 vacancies on the Planning Board and have received some applications from several residents and have a request to appoint Kevin Stahl as a member of the Planning Board.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin to appoint Kevin Stahl as Planning Board Member was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

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APPROVE MAXFIELD HOSE FIRE CONTRACT

Supr. Marshall introduced the Naples Fire Contract for \$104,368.00 for Board approval.

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley the Naples Fire Contract was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

APPROVE RFQ DISTRIBUTION ON CODE REVIEW

Supr. Marshall asked for Board permission to write a Request for Quote to send out to various engineering firms for the purpose of reviewing our Town Code. We have talked about this for 3 or 4 months now, MRB has been suggested, LaBella and others. This would entail a thorough investigation of our current Town Code; what can be done to make improvements upon the event that violations occur and putting some teeth to it. That is in particular what we want to do. We've had an initial estimate of around \$30,000 that was put in the Budget for this year. This is important as the Town has had a couple of violations we have been dealing with, the Hays property and our attorneys are stating that some of our issue is the way our Town Code is written.

On a motion made by Councilman Cowley and seconded by Councilman Strickland the RFQ was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

LOCAL LAW TO ALLOW OVERRIDE OF 2% TAX CAP

Supr. Marshall noted that every year the Board does a local law to give the Town permission to override the 2% Tax Cap. This is done as a protective measure so that if we inadvertently exceed the 2% Tax Cap in our budget process we won't be penalized. It is possible that the way things are going you may have to override the 2% Tax Cap at some time. For the last 5-10 years we have done this law every year and have not exceeded the 2% tax cap. This covers the 2023 Budget. We need to schedule a Public Hearing for the February meeting.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, Resolution No. 25-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

RESOLUTION #25-2022

INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

WHEREAS, the Town Board of the Town of South Bristol, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, the Town Board of the Town of South Bristol has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of South Bristol to proceed in accordance with the Code of the Town of South Bristol and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on February 14, 2022, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York; and be it further

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RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of South Bristol sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of South Bristol for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Judy Voss, Town Clerk of the Town of South Bristol do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of South Bristol on January 10, 2022, by the following vote:

	Aye	Nay
Daniel Q. Marshall	<u> x </u>	<u> </u>
Scott Wohlschlegel	<u> x </u>	<u> </u>
Donna Goodwin	<u> x </u>	<u> </u>
Stephen Cowley	<u> x </u>	<u> </u>
James Strickland	<u> x </u>	<u> </u>

Dated: January 10, 2022

Judy Voss, Town Clerk

SEAL

OLD BUSINESS
PUBLIC HEARING

Supr. Marshall opened the Public Hearing at 7:38pm.

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of South Bristol on the 10 day of January, 2022, at 7:00 p.m., at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York, regarding the adoption of a Local Law entitled "A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes". This local law would amend the real property tax exemption provisions relative to real property owned by individuals age 65 or over whose income is under the stated limits, as permitted by § 467 of the Real Property Tax Law, and relative to real property owned by persons with a disability, as permitted by § 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.

Any resident of the Town of South Bristol shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of South Bristol, New York.

This by Resolution of the Town Board of the Town of South Bristol.

Judy Voss, Town Clerk

Supr. Marshall noted that this will be increasing the amounts for limited incomes for Town Residents. The Assessor has indicated that this will affect 6 or 7 properties in Town. The Public is invited to discuss, question or debate the local law.

Supr. Marshall closed the Public Hearing at 7:41pm

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On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel Resolution #26-2022 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

RESOLUTION NO. 26-2022

AUTHORIZING ADOPTION OF LOCAL LAW NO. 2 OF 2022

WHEREAS, a resolution was duly adopted by the Town Board of the Town of South Bristol for a public hearing to be held by said Town Board on January 10, 2022, at 7:00 p.m. at South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York, to hear all interested parties on a proposed Local Law entitled "A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on December 27, 2021 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on January 10, 2022, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York, 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 South Bristol, after due deliberation, finds it in the best interest of the Town of South Bristol to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of South Bristol hereby adopts said Local Law No. 2 of 2022, entitled, "A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and 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 she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of South Bristol, and to give due notice of the adoption of said local law to the Secretary of State of New York and to provide a copy of this local law to the Director of the Ontario County Real Property Tax Service Agency and to the Assessor for the Town of South Bristol.

I, Judy Voss, South Bristol Town Clerk, certify that the Town Board of the Town of South Bristol adopted the aforementioned resolution on January 10, 2022, by the following vote:

	Aye	Nay
Daniel Q. Marshall	<u> x </u>	<u> </u>
Scott Wohlschlegel	<u> x </u>	<u> </u>
Donna Goodwin	<u> x </u>	<u> </u>
Stephen Cowley	<u> x </u>	<u> </u>
James Strickland	<u> x </u>	<u> </u>

Dated: January 10, 2022

Judy Voss, Town Clerk

SEAL

LOCAL LAW #2-2022

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code

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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 South Bristol

Village

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

A Local Law Amending Chapter 153 of the Code of the Town of South Bristol Relative to the Exemptions for Senior Citizens and for Disabled Persons with Limited Incomes

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

County

City

Town of South Bristol

as follows:

Village

Section 1. §153-6 of Chapter 153 of the Code of the Town of South Bristol is hereby repealed and a new §153-6 is inserted in its place to read as follows:

§153-6. Exemption Granted/Limitations on Exemption

Pursuant to § 467 of the New York State Real Property Tax Law, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, shall be exempt from Town of South Bristol taxes to the extent shown below of the assessed valuation thereof as determined by the owner's or owners' corresponding annual income:

<u>Annual Income</u>			<u>Reduction</u>
\$0	to	\$19,300.00	50%
\$19,300.01	to	\$20,299.99	45%
\$20,300.00	to	\$21,299.99	40%
\$21,300.00	to	\$22,299.99	35%
\$22,300.00	to	\$23,199.99	30%
\$23,200.00	to	\$24,099.99	25%
\$24,100.00	to	\$24,999.99	20%
\$25,000.00	to	\$25,899.99	15%
\$25,900.00	to	\$26,799.99	10%
\$26,800.00	to	\$27,699.99	5%
\$27,700.00		or more	0%

This increase shall be effective with the 2022 assessment roll.

Section 2. Paragraph A of §153-7 of Chapter 153 of the Code of the Town of South Bristol is hereby repealed and a new paragraph A is inserted in its place to read as follows:

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If the income of the owner or the combined income of the owners of the property for the income tax year ("income tax year" shall have the meaning ascribed to it in § 467 of the New York State Real Property Tax Law) is equal to or exceeds the Annual Income amount set forth in §153-6 hereof showing a 0% Reduction. Where the title is vested in either the husband or the wife, 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.

Section 3. §153-15 of Chapter 153 of the Code of the Town of South Bristol is hereby repealed and a new §153-15 is inserted in its place to read as follows:

§153-15. Exemption Granted/Limitations on Exemption

Real property owned by a person 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:

<u>Annual Income</u>		<u>Reduction</u>	
\$0	to	\$19,300.00	50%
\$19,300.01	to	\$20,299.99	45%
\$20,300.00	to	\$21,299.99	40%
\$21,300.00	to	\$22,299.99	35%
\$22,300.00	to	\$23,199.99	30%
\$23,200.00	to	\$24,099.99	25%
\$24,100.00	to	\$24,999.99	20%
\$25,000.00	to	\$25,899.99	15%
\$25,900.00	to	\$26,799.99	10%
\$26,800.00	to	\$27,699.99	5%
\$27,700.00	or more		0%

This increase shall be effective with the 2022 assessment roll.

SECTION 2. 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 3. This local law shall take effect immediately upon filing with the Secretary of State.

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(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. 2 of 2022 of the **Town of South Bristol** was duly passed by the South Bristol Town Board on January 10, 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

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)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20__ in accordance with 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)(repassed after disapproval) by the _____ on _____, 20__. 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)(repassed after disapproval) by the _____ on _____, 20__. Such local 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.

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 2005 of the City of _____ 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.)

¹ 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.

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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 1, above.

Clerk of the Town
(Seal)

Date: _____

Supr. Marshall said before moving forward with the agenda he wanted to talk a few minutes about the situation for Webster property on Route 64. The gentleman has been dragging his feet for about 10 months about getting a permit required for Short-Term Rentals and the problem has now been compounded by the fact that the bridge to the property over Mud Creek was damaged considerably from the flooding we had in the late fall. Supposedly Mr. Webster is going to attend the Planning Board meeting on January 19th and is looking for approval of his Short-Term Rental permit. It is our opinion that we cannot allow that yet until that bridge gets repaired; a situation that needs to be addressed. It is my thinking that we should be suggesting to our Code Enforcement Officer that he issue a stop work order to cease and desist renting the property, he is still renting although he doesn't have his Short-Term Rental, until he gets the Short-Term Rental Permit, and he cannot get the permit until the bridge is repaired. That should not be our problem. It was suggested by the Planning Board Chairman that this Board can do a resolution requiring Webster to stop and our attorney said, no that is not the way to do it. There is only one person that has the authority to tell him to stop and that is our Code Enforcement Officer. I've had a conversation with the Code Enforcement Officer and we probably cannot mandate that he repair the bridge, he certainly ought to know what our opinion is. This guy has been fooling around with us for way too long; now the interesting thing is today we received a set of prints from Ramsey Construction and LaBella Associates as to how they are going to repair the bridge.

Councilwoman Goodwin and Councilman Strickland both agreed, he cannot rent until approval of the permit.

Clerk Voss said it was about emergency vehicles getting across the bridge too.

Supr. Marshall said he will have a conversation with the Code Enforcement Officer to do what he thinks best.

Councilman Strickland asked if we had any fines in place for this?

Supr. Marshall said no, the only fine is that it will prevent him from making any money.

SOUTH BRISTOL TOWN BOARD MEETING

January 10, 2022

III. REPORTS:
ASSESSOR

No Report.

CEO

Councilman Cowley read the CEO Report.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the December 2021 CEO Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

TOWN CLERK/TAX COLLECTION

Supr. Marshall read the Town Clerk's report.

On a motion made by Councilman Wohlschlegel and seconded by Councilman Cowley the December 2021 Town Clerk's Report was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

IX. ACCOUNTING:
SUPERVISOR'S REPORT

Supr. Marshall read the report; balance in the bank is \$3,254,385.00 and receipts for December were \$445,000.00 which included the 3rd quarter mortgage tax, \$71,756.00 which was 3 times higher than what was budgeted. Year-to-date expenses compare the annual budget, the Town has spent 75.35% of our General Fund budget and 77% of our Highway Budget and that means funds will go back into the General Fund which is good news.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin Cowley the Supervisor's Reports were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

APPROVAL OF VOUCHERS

On a motion made by Councilwoman Goodwin and seconded by Councilman Wohlschlegel, Abstract of Vouchers, totaling \$83,097.55 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Strickland and Cowley.

XI. ADJOURN: 7:51pm

Respectfully submitted:

Judy Voss
South Bristol Town Clerk