

REGULAR MEETING

The Regular meeting of the South Bristol Town Board was called to order July 10, 2023 at 7:50 p.m.

PRESENT

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

ABSENT

Scott Wohlschlegel, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Nathan Hayes, Alison Meyers, William Sledge, Kevin Stahl, Meghan Fuller, Dan Fuller, Ginny Lalka, David Bowen, Lindsay Bolton, Steven Hickey, Joe Kohler, Sally Berry, Jeremy Schrader, Lisa Messineo, Tom Hawks, Shaun Ritchie, Gloria Harrington, Liz Dormer, Pat Dormer, Tom O'Rourke, Thomas Burgie, Sally Berry, Sabine Steinbrecher, Joe Kohler, Amy Merrill and Jill Gordon, et al
Online: Lori Flaherty, Amy Hickey, Catherine Battle, Serge Weiss, David Whittaker, et al

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

On a motion made by Councilman Strickland and seconded by Councilman Cowley, the minutes of the May 30, 2023, Special Town Board meeting minutes were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, the minutes of the June 12, 2023, Public Hearing– Short Term Rental Local Law and the June 12, 2023 Regular Meeting Minutes was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

IV. PRIVILEGE OF THE FLOOR

Nate Hayes, Director of Cummings Nature Center, and is here as once before looking for a Municipal Endorsement for grant through NYS. We are applying for a couple of grants for a Tree House Village project. Briefly, we are looking to build a series of connected platforms outside the backyard of the Nature Center. It will be wheelchair accessible, fully inclusive and will integrate all of our education programs at the Nature Center. We hope that this is economic driver, draw people into our local landscape. We have had an initial conversation with the Planning Board and the Code Enforcement office. This is merely a requirement for the grant.

Supr. Marshall asked how much will the project cost?

Mr. Hayes said \$1.4 million range for the total project. These grants will be pieces of that and we are funding privately as well.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, Resolution No. 33-2023 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

RESOLUTION No. 33-2023
TOWN OF SOUTH BRISTOL
MUNICIPAL ENDORSEMENT

WHEREAS, the Rochester Museum & Science Center's Cumming Nature Center is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located on 6472 Gulick Rd, a site located within the territorial jurisdiction of the Town of South Bristol; and

WHEREAS, as a requirement under the rules of this program, said not-for profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Board of South Bristol hereby does approve and endorse the application of the Rochester Museum & Science Center for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project known as Cumming Nature Center's Treehouse Village and located within this community.

DATE OF ADOPTION: July 10, 2023

CERTIFICATION OF TOWN CLERK

Seal

Joe Kohler of Bristol Harbor, thanked the Board for Privilege of the Floor. I bring a request from the people that live on County Road 12. Particularly the business owners, is there any way that the repair can be accelerated somehow?

Supr. Marshall said originally County Road 12 was going to be closed until October and recently was told it will be finished by Labor Day.

Mr. Kohler continued, questions relating to the fire suppression at Bristol Harbor. The hydrants that are locked are starting to rust. There is a major water vein break at Bristol Harbor this week; I'd like to know what progress is being made to get those hydrants opened.

Supr. Marshall said that we have had this conversation many times. On more than one occasion I've indicated to you that the Town can't do much about it. The Homeowner's Association should consider taking the Cooks to court.

Mr. Kohler, asked if he would support Concerned Citizens who might want to have an investigative reporter from Channel 10 to come down, stand with us and support us.

Supr. Marshall said he would have to think about that and discuss with counsel.

Mr. Kohler said he is concerned about a construction barge that has been under Building 5 now for several years and have it photo documented. It's rusting, it's a navigational hazard, I recall very vividly when the PGA pro, Mr. Ryan, from Oak Hill, was killed under my window. I heard the crashes. We've got more boats on the lake then ever, they are running at night, this thing is dangerous, it's rusting and it is bad. What can you do about it?

Supr. Marshall said he is not sure the Town can do anything about it.

Mr. Kohler said he would like to invite the Town Board to do a complete walk-through of Bristol Harbor Village, do you accept?

Supr. Marshall, no.

Mr. Kohler, do any of the Town Board members accept? Ok, you won't come to Bristol Harbor, I've got that. Next question.

Supr. Marshall, Joe, every time you come to a Town Board meeting you try to put us in a tough spot. We don't appreciate it. All these things that have gone on at Bristol Harbor are an issue that Bristol Harbor residents and Bristol Harbor Homeowner's Association should have to address. You keep coming to the Town expecting us to do that and it's not something that we have to do. You've got a Homeowner's Association, you've got a group of residents over there, take it on.

Mr. Kohler said we have an environmental hazard with some restrooms that are flowing sewage, that are blocked, we have water coming across our beach from what's in the County Planning document I've seen filed as a "Marina Sales Office" it is a deteriorating shack right next door to our elevator. There are open electricals, there's stuff oozing down, probably from the restrooms up above, I don't know, but it's not the run-off from the cliff. We have a water fountain there that since the new owners have taken over, it hasn't worked that has a number to call; call the number there is no answer.

Supr. Marshall asked why was he coming to us with this?

Mr. Kohler said because he is asking for help. In Woodville, as I continue to take photos, we have a building with some heavy iron and outside of this structure, oozing rust into the creek that flows into our Lake.

Supr. Marshall said to report it to the DEC.

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley read the Highway report:

The following is a brief summary of events at the Highway Department in the last month.

- Roadside mowing continues along with mowing of Town properties.
- New picnic tables are here for the Overlook.
- Hauling stone for Chip sealing
- Wedging and shiming complete on McGary and West Gulick Rd. in preparation for oil and stone.
- Lots of sweeping with the new broom after the heavy rains.
- Shoulder work on Seneca Pt.
- Starting to mow the fields at the Wilder barn.
- Usual summer equipment maintenance.

VI. OLD BUSINESS:

REVISION TO THE TOWN COMPREHENSIVE PLAN

Supr. Marshall noted that we have had several Public Hearings with regards to the revision to the Town Comprehensive Plan. What we have determined is the Town Comprehensive Plan did not include any discussion with regards to Short-Term Rentals. We included a paragraph with the assistance from committee member, David Bowen. This language was given to Councilman Scott Wohlschlegel who handled the original Comprehensive Plan and an additional paragraph or two was included that was the Town's position on Short-Term Rentals. We've had 2 Public Hearings, and now the Board needs to approve the revision to the Town's Comprehensive Plan.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, the revision to the South Bristol Comprehensive Plan was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

Maintain the Rural Character of the Town of South Bristol

The rural character of the Town of South Bristol is one of the most notable aspects of this community. Keeping it as is can only be achieved through community vigilance and proper zoning.

Action Plans

- Ensure that commercial and residential development are of a scale that is in harmony with the surrounding neighborhoods and that maintain the rural character of the Town
- Protect Canandaigua Lake and its watershed and continue to support the implementation of the Canandaigua Lake Watershed Management Plan.
- Identify important scenic vistas, forestlands/natural features, and the rural landscapes that define the Town's character to give direction to changes in the Town's Planning and Zoning Regulations.
- Continue to encourage the preservation of our open, unspoiled, and uncluttered spaces.
- Support agriculture and farming throughout the Town subject to the provisions of Article 25–AA of the NYS Ag and Markets Law. Also support applicable county agricultural and farmland protection plans as created under Article 25–AAA of the NYS Ag and Markets Law.
- Update existing land use regulations (zoning map, zoning code, subdivision regulations, etc.) as necessary to be consistent with the goals of this plan and maintain the rural character of the Town.
 - Identify provisions in these regulation that lead to development or redevelopment that are inconsistent with maintaining the rural character, historic resources, protection of open space and agricultural resources, and environmental quality.
 - Identify planning and zoning tool options for addressing identified inconsistencies.
- A Short-Term Rental Law was enacted in the Town of South Bristol to support the best uses for lands within the Township that would be in accordance with the Town of South Bristol Comprehensive Plan
 - Based on the study of short-term rental markets around the country and the input from public forums, a committee was formed in the Township to consider areas of concern with the existing law that were revealed during the permitting process of obtaining a permit for short-term rentals.
 - Consider the booming short-term rental market and its positive and negative impacts on the community.
 - Propose ways to streamline the application process
 - Determine if changes to the law would better serve the goals outlined in the Town's Comprehensive plan.
 - Research short-time rentals across the country to come with best methods of regulating short-time rentals within the Township of South Bristol.
 - Public forum meetings were held by the committee within the Township, where the committee outlined several short-term rental options for changing the law and to take suggestions from residents and owners about short-term rentals in the town and how to improve the law.
 - Owners who addressed the committee expressed they had no issue with reasonable regulations and wanted stronger enforcement to deal with problem renters and owners.

- All owners were vested in preserving the value of their investments and preventing degradation by a problem renter. All participants were interested in a law that allowed them to operate their rental profitably.
- The committee recognizes that there are positive impacts of short-term rentals, which include promotion of tourism, support of local businesses, trade, labor, service workers and increased local sales tax revenue.
- The committee also recognized that short-term rentals can negatively impact the town such as a decrease in availability of affordable housing, degradation of the water quality of Canandaigua Lake and associated watersheds, loss of rural character, peace and quiet that Town Residents treasure and wish to protect as noted in the Town of South Bristol's Comprehensive Plan Survey results from Town Residents.
- The committee re-drafted the short-term rental law so that it would not interfere with the goals of the residents of the Town of South Bristol, as set forth in the Comprehensive plan, namely enhancing the identity of the Town, maintaining the rural character of the Town, ensuring that future generations will desire to live in the town.
- Due to the negative impacts identified by the committee and keeping with and maintaining the rural character of the Town of South Bristol, it has been determined that the number of short-term rental permits shall be limited or capped with a number to be determined and documented in the short-term rental regulations.
- It is also recognized that the short-term rental law has a significant impact on the Town of South Bristol Code Enforcement office and associated staff, which hampers its ability to perform all the work tasks that fall within its jurisdiction.
- Supporting environmental stewardship, preserving and protecting scenic vistas and supporting local businesses and their development.

LOCAL LAW TO UPDATE THE SHORT-TERM RENTAL LAW

Supr. Marshall asked the Board for any additional discussion since the Public Hearing, any changes we need to think about or make?

Councilman Cowley said he would like to clarify the month inspection of fire extinguishers. Councilwoman Goodwin agreed, should be yearly.

Supr. Marshall noted that the Local Law requires a SEQR Review; this is an Administrative Action, nothing to do with any environmental concerns. Under State regulations determines this as a Type 1 action which was reviewed by the Town Attorney, Jeff Graff. Being a Type 1 Action requires no further review from this Board.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Resolution No. 35-2023 and the Type 1 Action SEQR was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

RESOLUTION 34-2023

**OF THE TOWN BOARD OF THE TOWN OF SOUTH BRISTOL,
ONTARIO COUNTY, NEW YORK,**

DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 3 OF 2023

WHEREAS, the Town of South Bristol Town Board, hereinafter referred to as Town Board, has determined proposed Local Law No. 3 of 2023 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Long Environmental Assessment Form prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Judy Voss, Town Clerk of the Town of South Bristol do hereby certify that the Town Board of the Town of South Bristol adopted the aforementioned resolution on July 10, 2023, by the following vote:

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

Dated: July 10, 2023

Judy Voss, Town Clerk

SEAL

Supr. Marshall introduced the Resolution of Adoption. Once the local law is filed with NYS Department of State, the moratorium will cease.

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Resolution No. 35-2023 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

RESOLUTION 35-2023

AUTHORIZING ADOPTION OF LOCAL LAW NO. 3 OF 2023

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 June 12, 2023 and July 10, 2023, at 7:00 p.m. at South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of South Bristol, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Amending the Zoning Law of the Town of South Bristol, Ontario County, New York State to Repeal Regulations dealing with Short-Term Rentals and Adopting a New Short-Term Rental Law as a Separate Chapter of the Code of the Town of South Bristol" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of South Bristol, on July 9, 2023 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on June 12, 2023 and July 10, 2023, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, Town of 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, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by

the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; 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. 3 of 2023, entitled ‘‘A Local Law Amending the Zoning Law of the Town of South Bristol, Ontario County, New York State to Repeal Regulations dealing with Short-Term Rentals and Adopting a New Short-Term Rental Law as a Separate Chapter of the Code of the Town of South Bristol’’, 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, to publish an abstract of this local law in the Town’s official newspaper and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Judy Voss, Town Clerk of the Town of South Bristol do hereby certify that the Town Board of the Town of South Bristol adopted the aforementioned resolution on July 10, 2023, by the following vote:

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

Dated: July 11, 2023

Judy Voss, Town Clerk

SEAL

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

(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. **3** of the year **2023**.

A Local Law Amending the Zoning Law of the Town of South Bristol, Ontario County, New York State to Repeal Regulations dealing with Short-Term Rentals and Adopting a New Short-Term Rental Law as a Separate Chapter of the Code of the Town of South Bristol

(Insert Title)

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

Town of **South Bristol** as follows:
Village

Section 1: Section 170-71 (Short-term rentals) of the Zoning Law of the Town of South Bristol, Ontario County, New York State, is hereby repealed in its entirety.

Section 2: The Code of the Town of South Bristol is hereby amended with the adoption of a new Chapter 141 to read as follows:

Chapter 141 Short-Term Rentals

§141-1. Legislative intent.

The purpose of this chapter is to control and regulate the use of property for short-term rentals within the Town. The provisions of this chapter are intended to mitigate the adverse effects and impacts of short-term rentals and to preserve and protect the health, character, safety and general welfare of the rural character of the Town of South Bristol, the peaceful, quiet enjoyment of residential neighborhoods by permanent residents of the Town where such neighborhoods exist, a permanent and long-term rental housing stock in the Town, the beauty and water quality of Canandaigua Lake and its watershed, and promote safe rental housing in the Town.

§141-2. Authority.

This chapter is adopted pursuant to:

- A. Section 10 of the New York State Municipal Home Rule Law, which empowers the Town of South Bristol Town Board to adopt laws relating to the government, protection, order, conduct, safety, health and well-being of person or property within the Town, and outside any village, to include the power to adopt local laws providing for the regulation or licensing of occupations or businesses which such power includes the power to adopt a local law regulating the use of buildings for short-term rentals; and
- B. Section 130 of New York State Town Law and, specifically, the police powers set forth therein in paragraph 3-a (to adopt housing code regulations), paragraph 11 (to adopt regulations preserving the peace, good order and safety), paragraph 15 (to adopt regulations promoting the public health, safety, morals and general welfare, including the protection and preservation of the property of the town and of its inhabitants) and paragraph 19 (to adopt regulations prohibiting trespass and preserving peace and good order).

§141-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADJACENT PROPERTY

- A. Other than as defined in paragraph (2) of this definition, this shall mean a property, parcel, lot or unit situated near or next to, adjoining, contiguous or abutting the subject

property, whether on the same side of the road, across the road or behind the subject property; and

B. When the subject property is a condominium unit that is a portion of a building containing condominium units on multiple floors with multiple condominium units on each floor, this shall mean any condominium unit on the same floor as the subject property and also any condominium unit adjoining directly above and below the subject property.

DWELLING UNIT

A building or portion thereof providing housekeeping facilities for a single family.

OWNER

Person(s) and/or entity(ies) that hold(s) legal title to the short-term rental property.

SHORT-TERM RENTAL

A. A dwelling unit or part thereof rented for compensation for lodging by individuals for a period of less than 30 days.

B. For the purpose of this chapter, the term "short-term rental" shall not include a bed-and-breakfast, boarding/lodging house, hotel or motel.

C. Presumption of dwelling unit as short-term rental property.

1. The presence of the following shall create a presumption that all or a part of a dwelling unit is being used as a short-term rental:

a. All or a part of the dwelling unit is offered for lease on a short-term rental website, including, but not limited to, Airbnb, HomeAway, VRBO and the like, for a period of less than 30 days; and/or

b. All or a part of the dwelling unit is offered for lease in any medium for a period of less than 30 days; and/or

c. Evidence that all or part of any property in the Town is in fact being offered for lease or occupied by non-owners for compensation for less than 30 days.

2. The foregoing presumptions may be rebutted by evidence presented to the Code Enforcement Officer that the dwelling unit is not a short-term rental.

D. Ongoing month-to-month tenancies are not short-term rentals.

§141-4. Required Short-Term Rental Permit.

A. An owner shall obtain a revocable short-term rental permit prior to any dwelling unit being used for short-term rental purposes. It shall be unlawful for any Owner of property in the Town of South Bristol to rent or offer to rent a dwelling unit for less than 30 days without a valid short-term rental permit issued by the Town of South Bristol.

B. Permits issued for short-term rentals shall be limited to a maximum of 110 within the Town. For purposes of this chapter, a suspended short-term rental permit shall still be considered issued but a revoked short-term rental permit or an expired short-term rental permit shall not be considered issued. In the event the issued permits total 110, the Town will maintain a waiting list on a first come-first served basis for those desiring a permit.

C. A short-term rental permit shall be valid for two years and must be renewed upon expiration as long as the unit is used as a short-term rental.

D. The short-term rental permit is not transferable to a new owner. Any new owner of property subject to a short-term rental permit who intends to rent on a short-term basis must file a new application in accordance with the terms of this chapter as if such property is not subject to a short-term rental permit.

E. No dwelling unit that was constructed as a single-family dwelling, two-family dwelling, multiple-family dwelling, dwelling with a business, or dwelling above a first-floor business, after the enactment of this chapter shall be eligible to apply for a short-term rental permit for two years after the issuance of the certificate of occupancy.

F. Notwithstanding the foregoing, those owners with short-term rental permits on the date this chapter takes effect shall be permitted to honor existing commitments and continue to make commitments for short-term rentals but must apply for renewal within 30 days of the expiration of their permit effective date, for all future short-term rental commitments. In the event such application is denied, all commitments must be canceled.

G. The issuance of a short-term rental permit to an owner hereunder is a privilege, not a right, and any permit issued is subject to revocation, suspension, or additional conditions during the two (2) year term.

§141-5. Short-term Rental Permit Application Requirements.

A. Applications for a short-term rental permit may be obtained on the town website under Town Government / Code Enforcement or at the Town of South Bristol Code Enforcement office. A completed application for a short-term rental permit or the renewal of a short-term rental permit shall be submitted to the Code Enforcement Officer, accompanied by payment of a nonrefundable permit fee as established by resolution the Town Board. Such fee may be modified from time to time by resolution of the Town Board. An application shall contain at least the following:

1. The signatures of all owners of the subject property, including any and all partners, members, shareholders, etc. of the ownership entity.

2. A copy of the current vesting deed showing how title to the subject property is currently held.

3. Written consent for the Code Enforcement Officer to enter the subject property and the short-term rental for purposes of conducting all inspections called for in this Chapter as part of the review of a short-term rental application, as part of ensuring compliance with the regulations, requirements and standards of this Chapter and as part of the investigation of a complaint alleging a violation of this Chapter or of a permit issued pursuant to this Chapter.

4. An acknowledgement of present and ongoing compliance with the short-term rental standards as defined in this chapter, including, but not limited to, the demonstration of adequate off-road parking spaces for the dwelling unit with proposed short-term rental.

5. A list of all the existing property owners of the short-term rental property including names, addresses, telephone numbers and email addresses. If owned by a limited liability company, a corporation, partnership, or other entity the names, addresses, telephone numbers and email addresses of the members, shareholders, officers, partners, and principals of such entities. If a manager or representative signs the application on behalf of such an entity, they shall provide written proof of their authority to act on behalf of the entity.

6. The name, address, telephone number and email address of any manager or management agency managing the property, as well as a contact person who shall be available immediately by phone 24 hours a day, 7 days a week, 365 days per year, and who shall be responsible and authorized to act on the owners' behalf to promptly remedy any violation of the standards outlined in this chapter or any emergency. The contact person may be an owner or an agent designated by the owner(s) to serve as the contact person, but shall respond when contacted within 15 to 30 minutes and shall be at the rental unit within sixty minutes at the request of tenants, the owner(s), the owners or occupants of an adjacent property, the Code Enforcement Officer or any other law enforcement officer, if needed.

7. An accurate, suitable floor plan of each floor of the rental unit measuring at least 8.5 inches by 11 inches, drawn to scale, and certified by the applicant. The floor plan need not be prepared by a professional but must include the following:

- a. The location of buildings and required parking.
- b. Basement: to include house utilities, all rooms including bedrooms, windows and exits.
- c. First floor: all rooms with exits, windows, bedrooms and any heating/cooling units.
- d. Second floor: all rooms including exits, windows, bedrooms and any heating/cooling units.
- e. Attic, if any: with all rooms including exits, windows, bedrooms and any heating/cooling units.
- f. Each floor plan shall depict the evacuation plan for that floor.

8. A statement that none of the owners of the subject property has had a short-term rental permit revoked within the previous year.

9. A list of each advertising website that is or will be used by the Owner, along with all identifiers.

B. All completed applications are subject to a floor plan review and approval by the Code Enforcement Officer. Upon approval of the application, the Code Enforcement Officer shall grant a short-term rental permit.

§141-6. Short-term Rental Standards.

All short-term rentals shall meet the following standards:

A. Property requirements.

1. All short-term rental units located within a structure shall comply with current New York State Building Codes.

2. Smoke and carbon monoxide detectors. There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.

3. Emergency evacuation procedures. Evacuation procedures must be posted in each sleeping room to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.

4. ABC fire extinguishers:

a. There shall be an ABC fire extinguisher on each floor and in the kitchen.

b. Fire extinguishers shall be inspected on a yearly basis by the permit holders.

5. The house number shall be located both at the road and on the dwelling unit so that the house number is clearly visible from both the road and the driveway. In the event the rental property is accessed via a shared or common driveway, the owner shall post signage directing tenants to the property.

6. Exterior doors shall be operational, and all passageways to exterior doors shall be clear and unobstructed.

7. Electrical systems shall be inspected by a third-party electrical inspector to ensure no defects or unsafe conditions exist and the owner(s) shall provide proof of that inspection prior to issuance of any short-term rental permit and renewal thereof.

8. All fireplaces shall comply with all applicable laws and regulations. Applicant shall provide proof that the chimney has been cleaned within the calendar year of the application and within the calendar year of any application for renewal.

9. The property containing the proposed short-term rental must have a minimum of one off-road parking space for every bedroom shown on the floor plan included with the application.

10. The maximum residential occupancy for each short-term rental unit shall not exceed two people per bedroom shown on the floor plan included with the application.

11. In the event that the property is served by an on-site wastewater treatment system, an inspection report issued by a certified septic inspector within 90 days of the application is required. An Owner, contact person, or manager shall be present for the inspection. The report shall state that the tank has been pumped at the time of inspection. The report shall also state the size of the tank(s), the size of the leach or absorption field or area, and the location and condition of all septic system components. All plumbing in the rental unit must be routed to the system. The report must state the on-site wastewater treatment system was adequately functioning at the time of the inspection. The maximum occupancy of the short-term rental unit shall be limited by the number of bedrooms allowed based on the size of the septic tank and leach or absorption area, as set forth in the regulations of the N.Y.S. Department of Health, Appendix 75-A of Title 10 of the New York Code of Rules and Regulations, as amended, and regulations and/or standards applicable to aerobic septic systems. A system failure during the term of a short-term rental permit shall be grounds for an immediate suspension. A new passing inspection report must be provided to lift the suspension and re-instate the short-term rental permit. A short-term rental permit may be conditioned on certain actions and safeguards by the owner during the two-year period of the short-term rental permit, such as periodic pumping of the septic tank or periodic inspections, if an inspection report states such actions are indicated or the Code Enforcement Officer receives or has received compelling evidence of issues with the existing system in the past, pre-dating the application. Parking on any portion of the leach or absorption area shall be prohibited. Notice of that parking prohibition and the location of the leach or absorption area shall be provided to tenants.

12. The rental unit shall be accessible by emergency medical and fire vehicles and fire equipment at all times during the term of the short-term rental permit.

13. If the rental unit is accessed by a shared or common driveway by way of an easement of record or other right of way, there shall be proof of an existing driveway agreement providing for clear maintenance and snowplowing obligations as between the short-term rental owner(s) and the neighbors sharing the driveway, in writing.

14. The Owner will provide a report indicating that the water service for the rental unit is potable and safe for drinking.

15. Any hot tub or spa shall be equipped with a lockable cover.

16. Any swimming pool on the premises shall be equipped with a pool alarm.

B. Insurance and registration standards: All applicants and permit holders must provide a current, in-force certificate of insurance for coverages appropriate for operating a short-term rental, including a commercial general liability or homeowners' policy with an additional short-term rental endorsement or rider. Such insurance must be in force throughout the term of the short-term rental permit.

C. Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with tight-fitting covers at all times to prevent leakage, spilling or odors.

D. Rental contract. All applicants and permit holders must have a rental contract, which includes the following policies/statements:

1. Maximum Property Occupancy. The same number of short-term rental tenants who may occupy the premises for residential purposes as specified on the permit shall also be specified in the contract.
2. Maximum on-site parking provided.
3. Good neighbor statement stating:
 - a. That the short-term rental is in a residential area in the Town of South Bristol and that tenants shall be courteous and respectful of the property and privacy rights of the residents of neighboring houses and properties;
 - b. A statement that tenants and guests must comply with the Noise Law of the Town of South Bristol as set forth in Chapter 113 of the Code of the Town of South Bristol;
 - c. All renters will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct;
 - d. A statement that littering is illegal;
 - e. A statement that all fires must be attended;
 - f. A statement that there shall be no use of, or trespass upon, lands of neighboring houses or properties for any purpose at any time;
 - g. That the use of fireworks and firecrackers of any kind are prohibited on the rental unit property; and
 - h. That no recreational vehicles, travel trailers, tents, or other temporary shelters shall be used in conjunction with a short-term rental unit to house guests, tenants, or other individuals on the premises.

§141-7.

Procedure upon filing application.

A. Short-term rental permit applications shall be filed with the Town of South Bristol Code Enforcement Officer with all supporting documentations and the nonrefundable permit fee. Only completed applications will be accepted by the Town's Code Enforcement Officer. The Code Enforcement Officer may decline to accept an application for consideration for any of the following reasons:

1. Application and documentation required by this chapter was not included or the full permit fee was not paid.

2. If the Town of South Bristol issued a short-term rental permit to any of the owners needing to sign the short-term rental permit application and any of such owners had a short-term rental permit revoked within the previous year.

B. Upon the Code Enforcement Officer's acceptance of the completed permit application, all documents and information required by this chapter and the application fee, the Code Enforcement Officer shall have 30 days to conduct a property inspection and floor and evacuation plan review to certify and approve that all short-term rental requirements have been met.

C. Upon completion of the inspection, floor plan, and evacuation plan review, the Town of South Bristol Code Enforcement Officer will approve, with or without conditions, or disapprove the short-term rental permit. The Code Enforcement Officer may, in their discretion, refer the application for review by a 3-person panel (made up of one member of the Town Board, one member of the Planning Board, and one resident of the Town of South Bristol appointed by the Town Supervisor), which will make the final determination on the application. In issuing a short-term rental permit, the Code Enforcement Officer, or the 3-person panel, if applicable, may impose such reasonable conditions and restrictions as are directly related to and incidental to the use of the property for short-term rentals so long as such conditions and restrictions are consistent with the requirements of this chapter and are imposed for the purpose of minimizing any adverse impact the short-term rental unit may have on the neighborhood or community, or are based on a history of adverse impacts on the neighborhood or community due to rental activity on the property prior to the current application for a permit.

D. Short-term rental permits issued pursuant to this chapter shall state the following:

1. The names, addresses and phone numbers of every person or entity that has an ownership interest in the short-term rental property and of a primary contact person who shall be available during the entire time the short-term rental property is being rented;

2. The maximum occupancy and vehicle limits of the short-term rental unit;

3. Identification of the number of and location of parking spaces available;

4. Any conditions imposed by the Code Enforcement Officer or the 3-person panel, if applicable.

E. The Town shall notify the owners of record of all adjacent properties by mail, at the address the Town Assessor has on file for each such adjacent property for the sending of property taxes, that a short-term rental permit has been issued to the permit holder(s). The adjacent property owners will be notified of the permit number, the phone number of the contact person(s) for the short-term rental property, and that they may obtain a copy of the short-term rental permit from the Town upon request. The adjacent property owners will be notified that they should promptly notify the Code Enforcement Officer, in writing, of any violations of the permit, this chapter, and the Town Code.

§141-8. Conformity and display of permit.

A. A short-term rental permit is subject to continued compliance with the requirements of these regulations.

B. Prior to any tenants coming onto the short-term rental property:

1. The current short-term rental permit shall be prominently displayed inside and near the front entrance of the short-term rental, along with a map of the property and notice that no trespassing is allowed on any neighboring or adjacent property at any time for any purpose, and a statement that the property is subject to the Noise Ordinance of the Town of South Bristol Town Code, Chapter 113, Sections 113-1 through 113-8.

2. A copy of the current list of short-term rental properties will be provided by the Code Enforcement Officer to the Fire Department having jurisdiction.

C. The owners of the short-term rental property must ensure that current and accurate information is provided to the Code Enforcement Officer and that they notify the Code Enforcement Officer immediately upon any change in the information displayed on the short-term rental permit. If, based on such changes, the Code Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the permit displayed inside and near the front entrance of the short-term rental with the amended permit and must immediately provide a copy of the amended permit to every adjacent property owner upon request as required in Subsection 141-7 (E) herein.

D. The short-term rental permit holder must conspicuously display the short-term rental permit number in all advertisements for the applicable short-term rental. The permit holder shall notify the Code Enforcement Officer of each and every advertising website used for the property and all identifiers. The permit holder must notify and update Code Enforcement when advertising websites are added or discontinued.

§141-9. Compliance, Hearings and Penalties.

A. Violations of this chapter or of any short-term rental permit issued pursuant to this chapter shall be subject to enforcement and penalties prescribed in this chapter, as amended.

B. In the event an adjacent property owner or other resident of the Town of South Bristol complains of an alleged violation of a permit or violation of this Chapter, they may contact the contact person designated on the permit or a law enforcement agency to assist in resolving the complaint, describe the problem from which the complaint arises, and

indicate the desired remedy. The contact person shall respond to the complaint within sixty minutes of receiving the complaint and remedy as soon as reasonably possible in any situation that is out of compliance with this Chapter or with the permit for the Short-term Rental Property. If the response is not satisfactory, the adjacent property owner or resident of the Town of South Bristol may file a complaint with the Code Enforcement Officer in writing and by filing the complaint in person, by mail, or by email. The complaint shall provide the pertinent information including the date, time, and nature of the alleged violation, as well as a statement that the complainant was unable to contact the contact person or did contact the contact person but the complaint was not adequately resolved.

C. If the Code Enforcement Officer witnesses or receives a written complaint of an alleged violation of this chapter, or the terms and conditions of any short-term rental permit issued pursuant to this chapter, the Code Enforcement Officer shall investigate the alleged violation. If the Code Enforcement Officer determines, after investigating any complaint, that there is evidence of a violation of the terms and conditions of a short-term rental permit or this chapter, the Code Enforcement Officer may take the following actions:

1. Issue a Notice of Violation – Order to Remedy to the Owner regarding any violation of the short-term rental permit or this chapter. The Owner shall take corrective action of any violations within 30 days. If remedial action satisfactory to the CEO has not been taken within 30 days, the permit will be revoked;

2. Attach reasonable conditions to the existing short-term rental permit;

3. Suspend the short-term rental permit. Notice of a suspension of a short-term rental permit shall be given by the CEO to the short-term rental permit holder(s) and any owners of adjacent properties, and filed with the Town Clerk;

4. Revoke the short-term rental permit. Notice of revocation of a short-term rental permit shall be given by the CEO to the short-term rental permit holder(s) and any owner(s) of adjacent properties, and filed with the Town Clerk. Should a permit be revoked, none of the Owners of the short-term rental unit may obtain a short-term rental permit sooner than one year after the date of revocation;

5. Issue an appearance ticket for South Bristol Town Court for any violation of the Short-Term Rental Permit or Short-Term Rental Law;

6. Emergency Suspension: Upon the discovery of an immediate health hazard to renters or the general public, the Town Code Enforcement Officer may suspend the Short-Term Rental Permit until the Owner can demonstrate the hazard has been remedied;

7. Any Short-Term Rental Permit shall be immediately subject to revocation upon the Town's discovery of inaccurate information provided in the application or attachments thereto or with any renewal as submitted by the Owner or the Owner's Agent, including the Owner's or Owner's Agent's failure to update information concerning the short-term rental units subject to the permit;

8. Any suspension or revocation of a short-term rental permit by the Code Enforcement Officer shall be communicated to the Owner(s) and their designated contact person by certified mail through the United States Postal Service addressed to the property of the owners and contact person on the short-term rental application;

9. Upon receipt of a notice of suspension or revocation of a short-term rental permit, an Owner shall have 30 days to request, in writing, a hearing before the South Bristol Zoning Board of Appeals. Such written request shall be mailed or delivered personally to the Code Enforcement Officer. Upon receipt of a request for a hearing, the Zoning Board of Appeals shall schedule a hearing within 45 days. The Zoning Board of Appeals shall provide a notice of hearing to the Owner(s) by first-class mail to the address(es) provided on the short-term rental application, no less than 10 days prior to the date of the hearing. At the conclusion of the hearing, the Zoning Board of Appeals shall determine if the terms of the short-term rental permit or the regulations contained in this chapter were violated; and, if it finds that there was a violation or violations, the Zoning Board of Appeals shall affirm or modify the suspension or revocation. If no violation is found, the Zoning Board of Appeals shall reverse the suspension or revocation and reinstate the short-term rental permit. In the event the permit is reinstated, the Zoning Board of Appeals, in its discretion, may attach additional conditions to the short-term rental permit. The first Owner(s) on the waiting list for a permit will not become eligible until the hearing is completed and the revocation is affirmed.

§141-10. Application for Renewal of Short-Term Rental Permit.

A. Application for renewal of the short-term rental permit is due 30 days prior to expiration and requires payment of the renewal fee of as established by the South Bristol Town Board for each authorized bedroom.

B. At the time of application for renewal, the landlord, owner, or designated agent, if applicable, must present the previous short-term rental permit and certify that they, the rental property and rental unit are in full compliance with the short-term rental permit currently held and the requirements of a short-term rental permit and the short-term rental law.

C. The property must have undergone an inspection performed by the Code Officer, and all violations must be remedied prior to renewal of a short-term rental permit for short-term rental.

D. In the event that the property is served by an on-site wastewater treatment system, an inspection report issued by a certified septic inspector that complies with §141-6 (A)(11) above is required with every other application for renewal, meaning a new inspection report is required every four (4) years.

E. Upon completion of the above items, the Code Enforcement Officer will issue a two-year short-term rental permit renewal.

F. If a renewal application is not received prior to the expiration of the existing short-term rental permit, the short-term rental permit shall be considered suspended. Any existing rental contracts beginning after the expiration date of the current short-term rental permit shall be cancelled by the Owner(s). Any continued rental of the short-term rental unit will constitute a violation of the short-term rental law and subject the owner to immediate revocation of the short-term rental permit by the Code Enforcement Officer.

§141-11. Grounds for suspension or revocation of short-term rental permit.

The Code Enforcement Officer may suspend or revoke a short-term rental permit based upon any of the following grounds:

- A. The applicant has falsified or failed to provide information in the application for a short-term rental permit, application for renewal of a short-term rental permit, registration of property, or registration of property owner.
- B. A short-term rental permit holder has violated the terms or conditions of the short-term rental permit issued.
- C. The applicant violated any provision of this chapter during the term of the short-term rental permit.
- D. The applicant or any tenant violated any provisions of the Code of the Town of South Bristol in relation to the property.
- E. The applicant or any tenant or guest violated any provision of the Penal Code of the State of New York, which violation occurred on, or pursuant to the occupancy of, the short-term rental unit.
- F. Any conduct on the premises which is unreasonable under the circumstances and which disturbs the health, safety, peace or comfort of the neighborhood, of adjoining neighbors, or which otherwise creates a public or private nuisance.
- G. There has been removal or disrepair of any safety devices, such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
- H. Trespassing on foot or in a vehicle on adjacent property by any short-term rental tenants or guests.
- I. An on-site wastewater treatment system is determined to be leaking, out of operation, or the capacity of the system has been exceeded by short-term rental tenants and their guests exceeding the permitted occupancy of the short-term rental unit.
- J. The Code Enforcement Officer receives evidence or witnesses that the parking and/or occupancy limitations of a short-term rental permit have been exceeded.
- K. An Owner rents a rental unit for less than 30 days when their short-term rental permit has expired, been suspended, or been revoked.
- L. A short-term rental permit has been suspended or is considered suspended for at least 60 days and the suspension has not been removed to reactivate the short-term rental permit.

M. The Code Enforcement Officer has been refused entry onto any part of the subject property or the short-term rental for purposes of conducting any inspections called for in this Chapter as part of the review of a short-term rental application, as part of ensuring compliance with the regulations, requirements and standards of this Chapter and as part of the investigation of a complaint alleging a violation of this Chapter or of a permit issued pursuant to this Chapter.

§141-12. Penalties and actions for violations.

A. A violation of this chapter or of any short-term rental permit issued pursuant to this chapter is hereby declared to be a criminal offense, punishable by a fine not exceeding \$250.00. Each day's continued violation shall constitute a separate additional violation.

B. If any building, structure, dwelling, dwelling unit, lot, parcel, recreational vehicle, or part thereof is used in violation of this chapter or of any short-term rental permit issued pursuant to this chapter, the Town, in addition to other remedies, penalties or enforcement measures, may institute any appropriate action or proceeding to enjoin, stop, restrain, correct or abate such violation.

C. Civil penalties. In addition to those penalties prescribed by state law, any person who violates any provision of this chapter or of any short-term rental permit issued pursuant to this chapter, shall be liable to a civil penalty, of not more than \$500, for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in an action instituted in the name of the Town.

D. Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in any other section of this chapter or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section or in any other section of this chapter, or in any other applicable law.

Section 3: 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 4: This local law shall take effect immediately upon filing with the Secretary of State.

(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. 3 of 2023 of the **Town of South Bristol** was duly passed by the South Bristol Town Board on July 10, 2023, 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.

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.

SOUTH BRISTOL TOWN BOARD MEETING

July 10, 2023

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 _____ 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 1, above.

Town Clerk

(Seal)

Date:

SOUTH BRISTOL TOWN BOARD MEETING

July 10, 2023

BRISTOL MOUNTAIN REQUEST FOR A SEWER RATE INCREASE

Supr. Marshall noted that the Board reviewed the information that was provided to us by Bristol Mountain with regards to the request for a sewer rate increase. The rate increase does not include any infrastructure improvements to the system; there has not been a rate increase since 1987. The Mountain itself consumes 65% of the system usage with the balance of it being attributed to North Star Village. The plan shows that they will implement the increase over a 3-year period. The Board did ask for more information regarding the expenses which was provided by the accounting firm, Mengel, Metzger & Barr.

Councilman Cowley asked the age of the water meters and basing the cost on water usage correct?

Dan Fuller of Bristol Mountain answered that all the water meters are looked at every year and will be calibrated. The individual water meters for the condos are the responsibility of the condo owners. Each individual condo is metered individually, and we also have a master meter at the waterworks. We are using those numbers to calculate the flow that would come back to the sewage treatment.

Councilman Cowley asked how old the master meter?

Mr. Fuller answered, probably 10 years old. The Department of Health comes in and monitors the operation of that plant.

Councilman Cowley noted that old meters are not accurate, newer is better, and asked how many meters are there?

Mr. Fuller said for each unit, 19, and then there is a water meter for the use of Bristol Mountain and all its facilities. There is a separate meter that goes for domestic water to the homeowners. There is a separate water meter for Lock, Stock & Barrel.

Councilman Cowley asked if the information is shared with North Star Village Board?

Mr. Fuller answered yes.

Councilman Cowley noted that they are increasing North Star Village from 30% to 35% total cost over 4 years. Water meter average goes up at the new buildings or elsewhere, still be 35% even if their usage goes up?

Mr. Fuller said we are for this year and will recalibrate after we get some reliable numbers after this year's flow.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin, the Bristol Mountain Sewer Corp. Rate Increase Request was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

VII. NEW BUSINESS:

CEO DANGEROUS STRUCTURE DISCUSSION

Supr. Marshall informed the Board that the discussion regarding a particular home that has been deemed dangerous has been tabled for now. Speaking with Code Enforcement and the Town Attorney today we've pulled that discussion for this evening. I

VIII. REPORTS:

ASSESSOR

Supr. Marshall read the Assessor's Report; the NYS certified our 2023 Equalization Rate at 85%. Supr. Marshall reported that while it was planned to do a Re-Val of the Town in 2024, we have elected to wait one more year on that.

SOUTH BRISTOL TOWN BOARD MEETING

July 10, 2023

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin the Assessor’s June Report was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

CEO

Councilman Cowley read the CEO Report for April.

On a motion made by Councilman Strickland and seconded by Councilwoman Goodwin the CEO’s report for June was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

Supr. Marshall noted that with the changes to the Short-Term Rental law, a new Town Fee Schedule will need to be approved. The Short-Term Rental Application Fee will be \$150.00 per occupant allowed.

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the South Bristol Town Fee Schedule was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

TOWN CLERK/TAX COLLECTION

Supr. Marshall read the Town Clerk’s reports.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the Town Clerk’s Reports for June 2023 were ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

IX. ACCOUNTING:
SUPERVISOR’S REPORT

Supr. Marshall read the Supervisor’s Report. As of June 30, 2023, the Town has \$4,009,843.49 in the bank. Revenues of \$87,889.00 from Ontario County for snow and ice removal; Mortgage tax \$52,745.00 which is almost 80% budgeted for the year; one more mortgage tax payment will be received in October. For the month of June we should be at 50% of the annual budget; the General Fund is at 42% and the Highway Fund is at 48%.

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the Supervisor’s Report for June 2023 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

BUDGET TRANSFERS

On a motion made by Councilman Strickland and seconded by Councilman Cowley the Budget Transfers dated July 10, 2023 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

GENERAL FUND			
Transfer From:	AA.1990.4	Contingency	\$1,557.00
Transfer To:	A1410.102		\$716.00
	A1450.4		500.00
	A1670.4		498.00
	A1910.4		1,003.00
	A7520.4		500.00
	A9045.8		41.00

SOUTH BRISTOL TOWN BOARD MEETING
July 10, 2023

A9045.8

13.00
\$1,557.00

APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the Abstract of Vouchers, totaling \$85,475.62 was ACCEPTED. Voting AYE: 4. Voting NAY: 0. Voting AYE: Marshall, Strickland, Goodwin and Cowley.

X. ADJOURN: 8:45 p.m.

Respectfully submitted:

Judy Voss
South Bristol Town Clerk