

*******DRAFT*******

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, April 4, 2024**, at the town hall.

Supervisor Hogue called the meeting to order at 6:00 p.m.

Roll Call – Present – Daniel S. Hogue, Jr., Supervisor
Karen Ellsweig, Councilperson
Steve Budofsky, Councilperson
Susan Parks-Landis, Councilperson
Vincent C. Galligan, Jr., Councilperson

Recording Secretary – Teresa Collins, Town Clerk
Troy Johnstone, Esq. – Attorney for the town
Others Present – Richard Robbins, Planning Board Chair

PUBLIC COMMENT- Joseph Lorino – Short term rentals

Is concerned that there is a limit to one rental per lot and no one adjacent to another. Can there be a variance on something in the future. Another issue is when one can't be a join/ next to another. One person can do something on one side of the property and the neighbor can't do the same thing on his property. He feels this is a legal issue in the future.

Richard Robbins – Short term rentals

In reference to the report, wanting to or suggesting establishing a new section in the Code for short term rentals. Richard just wanted to point out to the board the section exists in the code. It's part of the zoning code, 180.28, Short term residential rentals. Some of the items in the proposals are duplicates of what is already in our code in those sections. Drafting and adoption of additional sections, it seems to me, is where they should go so that the code is not in two separate places. A note of procedural perspective you've established 2 new permits with associated fees and accessory use permit and a short term operating permit application that would be in addition. To the existing short term residential rental permit that was established in the zoning code.

MINUTES – March 2024 regular board meeting Minutes are acknowledged receipt.

MOTION by Councilperson Landis, seconded by Councilperson Budofsky.
Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - #54-80 in the sum of \$12,064.80 as set forth in abstract #3 of 2024 were audited for payment. MOTION by Councilperson Budofsky, seconded by Councilperson Ellsweig to pay the General Fund Vouchers. Vote: 5 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - #17-23 in the sum of \$21,594.70 as set forth in abstract #2 of 2024 were reviewed. MOTION by Councilperson Landis, seconded by Councilperson Budofsky to accept the highway fund vouchers. Vote: 5 ayes - 0 nays. Motion carried.

ESCROW FUND VOUCHERS –in the sum of \$110.00 as set forth in abstract #2 of 2024 were reviewed. MOTION by Councilperson Landis, seconded by Councilperson Budofsky to accept the escrow fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

CORRESPONDENCE – None

UNFINISHED BUSINESS

EMS Contract- no updates, waiting for the county.

Short Term Rentals – Town of Forestburgh

Proposed Short Term Rental (STR) Regulations - April 2024, Final Draft

In order to operate as an STR the rental must be registered and approved for an STR in the Town of Forestburgh and County of Sullivan. Rentals cannot be booked without Town approval and registration with Sullivan County.

Proof of current homeowner’s insurance is required as a condition of STR permit issuance.

Application will be made to Town of Forestburgh Building Department with new Operating Permit Application (add new \$25 application fee). Proof of registration with Sullivan County must be provided with application.

Premise violations of any nature recorded in the Town of Forestburgh will render the application for a STR denied.

STR’s are limited to one (1) unit per lot, and cannot be adjacent to another approved STR. All STR’s in existence and in compliance with the Town Code (registered with Sullivan County) at the time of passage of regulations will be grandfathered and not subject to restrictions of this specific provision.

Once a complete STR Operating Permit Application is received, a safety and compliance inspection will be performed by the Town of Forestburgh Code Enforcement Officer (CEO).

Once approved for STR operation, an Accessory Use Permit (STR) will be issued with payment of annual approved fee. An inventory of approved STR’s will be maintained by the Town of Forestburgh.

Approved STR’s will be subject to an annual fee as determined by the Town Board and required to re-certify each year with an affidavit of compliance (new form) by the owner. Payment of the annual fee, approved re-certification, and proof of registration with Sullivan County will allow continuation of the approved STR.

The Town of Forestburgh establishes a cap of (TBD based on current number of STR’s in Town of Forestburgh). Applications received for new STR’s above the cap will establish a waiting list based on age of application.

Any violation found at a premise with a STR Accessory Use permit will result in suspension of the permit and rental until the violation is resolved with the Town of Forestburgh. Fines will be imposed for violations as established in XXXXXX. A second violation within 12 months of initial violation will result in revocation of the permit for a 12-month period.

STR's are limited to the approved owner and can not be transferred to another owner.

Any STR operating without a permit will be cited by the Town of Forestburgh CEO with violation of Town Code. Fines will be imposed, and the owner will be held responsible for compliance. Continuing non-compliance will result in legal prosecution and accumulating fines.

A placard bearing the following information will be prominently displayed in the approved STR in plain sight: Owner Name, Premise Street Address, Premise Contact Name and Phone Number in case of Issue (24/7), Town of Forestburgh Code Enforcement Information, and Emergency Contact Information. A prominent 911 street address sign will be displayed at street level for identification in case of emergency.

Follow up items:

- In reviewing with Glenn and determining scope, suggest the Town add a new chapter in code addressing Short Term Rentals
- Establish Town of Forestburgh Operating Permit Application (with \$25. Application fee)
- Establish Town of Forestburgh Accessory Use Permit (STR)
- Once the new Town Code chapter is approved, permits and forms established, determine the timeline for mailings and compliance with provisions. 60 days should be the target for application and compliance.
- Mail letter and email blast to all Town property owners of new STR regulations and fees, and send packet of information (application, inspection form, etc.) to all STR's currently registered in Sullivan County. The end of the 60-day window would signal the end of the compliance period and start enforcement of new chapter.
- Violations and fees... Town Code Article XI Violations and Enforcement (Page 95) strictly stipulate all parameters of compliance and enforcement of the new STR chapter when approved. These violations and fees should be reviewed for STR specific requirements.

Other considerations:

- Should the CEO investigate and enforce limits on number of guests and parking allowances? Historically it appears that the current STR industry self regulates this aspect of the business. Forestburgh does not present as a spring break type of vacation area. If confirmed complaints about number of guest or parking issues arise, we suggest addressing at a later point in time.
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Next Steps:

Request Town Attorney to create new provisions of Town Code to move forward with STR requirements, fees, and approvals for administration by Code Enforcement.

Supervisor Hogue asked the board to review the proposed Short Term Rental (STR) Regulations final draft and see what they wish to put in the local Law. Look into what amendment needs to be added 180.28 for the next meeting.

911 Numbering – Councilperson Ellsweig, received a previous policy that was rejected by the state. The policy will be reviewed by all parties (fire dept and town hall) and then a draft will be presented to the board for the next meeting.

Pool & Staffing – no updates.

NEW BUSINESS

Consultant for “town line solar project” subject to ORES fund – Supervisor Hogue waiting for responses from consultants to see if they are interested. Expiration 4/18/2024

REPORTS – BOARD MEMBER COMMENTS

SULLIVAN COUNTY STRAY DOG CONCERNS

Sullivan County has seen a substantial increase in stray and abandoned dogs over the last few years which has placed a strain on local shelters. Available kennel space has been hard to find and some Dog Control Officers from small towns with limited resources have had to face difficult circumstances when shelters say they don't have room for any more dogs. This creates issues of concern for the welfare of the dogs, limits DCO's ability to effectively serve their communities and presents various hazards to public safety.

DCO's from small towns who were interested in finding ways to address the problem approached the Sullivan County SPCA with a request to use a small accessory building on their property which was not operational. Sullivan County SPCA President John Piazza, SPCA Shelter Manager John Attard and SPCA Board members were receptive to the idea provided a contract could be designed to accommodate the emergency placement of dogs when shelter space is unavailable while not having a negative impact on cost of operation. The SPCA does not receive any annual public funding and depends on donations to run the shelter. A town contract with the SPCA was required to be in place prior to the approval of a secondary contract. There are only 5 kennel runs in the building but that would provide just enough kennel space for short term emergency placement.

I contacted the Chair of the Sullivan County Legislature, Nadia Rajs, and requested assistance in developing a vendor contract between the county and the SPCA which would in turn facilitate the development of a contract for those DCO's working on the project to use the accessory building. Last month the Sullivan County Legislature approved the design of a contract and an annual expenditure of \$12,000 to cover costs of operation. A secondary contract for the building to be used by these DCO's for emergency placement of stray and abandoned dogs has also been developed. All conditions stipulated in the original town contracts with the SPCA will remain in effect including all expenses identified in each contract to be reimbursed to the SPCA by the respective towns. There is no increase in spending associated with the town contracts.

Many thanks to Nadia Rajs and the Sullivan County Legislature, County Manager Josh Potosek and his staff, members the SPCA Board and shelter staff, my fellow Forestburgh board members for always being supportive of my efforts and of course the DCO's participating in this project for assisting in the accomplishment of our goals. This team effort is an example of how good things happen when county and local governments work together with the community to provide much needed services.

VACANCIES – We are currently still looking for a ZBA Secretary

Fire Department – There will be a Fundraiser for the Forestburgh fire Company on Friday May 17th at the Forestburgh Playhouse Tavern featuring the fantastic local band “Far Beyond Gone” Come and join us for cocktails, tasty nosh, and plenty of dancing.

\$15 cover charge. Doors open at 6:30 for dinner and drinks (not included in ticket price). The show starts at 8 pm.

Pancake breakfast at the forestburgh Fire Company on Sunday May 19th from 8 am to 11 am. Adults \$13 Children under 12 \$8.

Town of Forestburgh
Highway Department
1401 Sackett Lake Road, Forestburgh, NY 12777
Phone (845) 794-8069 – Fax (845) 794-0360
Email: forestburghhighwaydepartment@gmail.com

April 2024 – HIGHWAY REPORT

SPRING CLEAN-UP

Keep in mind the dates for spring clean- up May 9th, 10th and 11th times Thursday and Friday 7:00 am to 6:00 pm Saturday 7:00 am- 5:00 pm

Seasonal Roads

Seasonal roads will be opening around the 30th of April, Burns Rd will be open 1st of April where the only the top half will be closed due to maintenance

Roads

Will look at roads for potholes that need to be filled . We will continue to ditch roads and the asphalt plant should be opening this month for the material we are going to need

Maintenance

We will continue to do maintenance on the equipment after this winter season

Mowing

Will be getting ready to mow the town and clean up cemetery's

Thank You

Highway Superintendent

ADJOURNMENT EXECUTIVE SESSION – MOTION by Supervisor Hogue, to enter into executive session and invite Richard Robbins and Attorney Johnstone for purpose of litigation at 6.44 p.m.

No action taken.

ADJOURNMENT – MOTION By Councilperson Ellsweig to adjourn at 7:45 p.m.

Respectfully submitted,

Teresa Collins,
Town Clerk