

**WILMINGTON TOWN BOARD REGULAR MONTHLY MEETING
TUESDAY, JUNE 8, 2021
7:00 PM-COMMUNITY CENTER**

**Town Board Members Present: Supervisor-Roy Holzer
Councilman-Darin Forbes
Councilwoman-Dawn Stevens
Councilwoman-Rarilee Conway**

Councilwoman Paula McGreevy was absent

Public Present: Nancy Randall Town Clerk, Tim Follo -Newspaper Reporter, Doug Nemecc-Code Enforcement Officer, Tina Terry Preston, Cliff Holzer, Mark Holzer , Becky Rondeau, Michelle Preston, Tim Rowland, Sarah Braid, Matt McNamara, Josh Wilson, Chris Barnes, Bill Barnes, Doug Haney

Supervisor Roy Holzer opened the meeting at 7:00 P.M. with the first order of business being the approval of the minutes from the previous session.

MOTION-Rarilee Conway SECONDED-Darin Forbes ALL IN FAVOR

A presentation of the upcoming Wilmington Mountain Bike Festival on September 3-5, 2021 was offered by Josh Wilson and Matt McNamara. This gave the highlights of the event including registration, camping and parking and the expectation of volunteers to direct traffic.

RESOLUTION 28-21 WAS PRESENTED FOR APPROVAL OF THE EVENT

MOTION-Rarilee Conway SECONDED- Darin Forbes ALL IN FAVOR

A presentation of the Ride the River event on July 18, 2021 was offered by Doug Haney. They would like to move the event from the Hungry Trout to Lake Everest this year in order to enable more participation from the town's people. They are expecting 100 to 150 bike riders this year. All proceeds go to the AuSable River Association.

RESOLUTION 29-21 WAS PRESENTED FOR APPROVAL OF THE EVENT

MOTION- Darin Forbes SECONDED- Rarilee Conway ALL IN FAVOR

A lifeguard is still needed for the town beach this summer. Numerous ads have been placed in local newspapers and social media with no results. If a lifeguard cannot be found, the beach will have to be fenced off.

The short-term rental draft page #3 section #5, should be changed to read the phone should be on the wall or next to the door.

RESOLUTION 30-21 TO APPROVE THE SHORT-TERM RENTAL DRAFT

MOTION- Dawn Stevens

SECONDED- Rarilee Conway

ALL IN FAVOR

A presentation from Michelle Preston on the recent town events showed them to be successful. The Two-Fly Fishing Challenge was well attended Thursday and the Saturday events held at the KOA and catered by Rudy's were well attended. The Friday night movie was unsuccessful and it was determined that they would not do that again next year.

The Uphill Bike Race had 287 registered to attend. It will be held all in town next year.

SUPERVISORS REPORT FOR THE WILMINGTON TOWN BOARD 6/8/21

Here's my report for this month.

Town Board members received a proposal from JFP Enterprises for slab work to be completed on the Preston Festival Field. We sought out 3 different quotes to no avail. JFP Enterprises is a vetted approved Essex County contractor. Therefore, with Town Board resolution, we can proceed to hire.

RESOLUTION 31-21 TO HIRE JFP Enterprises Inc for a total of \$11,131.00 to pour a slab for the Preston Festival Field restrooms. The Town of Wilmington Highway Department will do site work. Moved by Darin Forbes second by Dawn Stevens and carried with all in favor. Plumbing lines in slab will be completed by town and volunteers.

Park Skating Pavilion. The Essex County Department of Public Works and Community Resources has been assisting us prepare grant applications for the Park Skating Pavilion. Our application will be due in July. Last month the board authorized a survey of the property. We are holding off with the survey for now. Currently we have over \$70,000 of Community Enhancement Funds that can be used for this project. Our application is stronger with more financial commitment from the town. If any board members have any questions, just let me know.

Our street light transformation to LED Lights is now complete. This past month alone it appears we saved just under \$1,000 on our bill. We will monitor this and look for more ways we can save on energy use and save tax dollars.

The State of New York and Essex County have designated June 19th as an official holiday for employees. The observance of Juneteenth as a Holiday for Wilmington Employees will need a resolution to follow our past practice of following Essex County for official holidays.

RESOLUTION 32-21 to make Juneteenth an official paid holiday for the town of Wilmington. Motion made by Dawn Stevens, seconded by Rarilee Conway and carried with all in favor.

Our Town Health Insurance carrier has notified us that we are looking at a 9 percent increase in health insurance costs this year. The town's portion for this increase is estimated to be around \$23,162. Total budget for health insurance is currently \$246,664.00 we will be meeting with our carrier later this month to look at options. I just wanted everyone in the loop.

Banners congratulating graduating High School Students from Wilmington are now up around our community. We have Wilmington students from Lake Placid, Au Sable and Keene Schools.

At the last meeting we discussed changing the minimum square footage requirement in regards to building structures as long as a building was constructed following New York State Fire & Building Codes and complied with lot

dimensions as provided in the Land Use Code. I would like a resolution to proceed with this change.

Resolution 33-21 by Dawn Stevens, seconded by Rarilee Conway and carried with all in favor to proceed with changing the square foot requirement. Further discussion included working on other parts of the Land Use Code and making other changes all at the same time.

Finally, we are getting quite a pile of brush at our landfill. We should start considering charging by the load to help cover costs to hire a wood chipping company. This is what North Elba does. In the past we have used the Volunteer Fire Department for training burns. However, it is getting harder to arrange coverage.

RESOLUTION 34-21 made by Darin Forbes, seconded by Rarilee Conway to begin charging \$15.00 a load for brush. Also, brush loads are limited to one trip per day, per town resident. Carried with all in favor. Resolution takes effect immediately.

Motion to approve all expenses and transfers by Darin Forbes and seconded by Dawn Stevens with all in favor.

Motion to adjourn at 8:20 PM by Dawn Stevens and seconded by Darin Forbes .

AFFIDAVIT

We, the undersigned, acting as a Board of Auditors of the Town of Wilmington, do hereby certify that the attached is a complete and true abstract of all accounts audited by the Board at its Regular Monthly Meeting held on June 8th, 2021. including the amount claimed and amount allowed thereof, and including bills audited from:

Name of Account		2021		2021		
	<u>From</u>		To		Amt	
General Fund	:	G292	:	G347	:	23101.43
					Amt	
Payrolls					:	27043.83
					Amt	
Social Security					:	1979.68
					Amt	
Health Insurance					:	10398.22
					Amt	
Other:					:	
					Amt	
Other:					:	
					Amt	
Other:					:	
					Amt	
					:	
					Amt	
					:	
Highway	<u>From</u>		To		Amt	
y	:	H153	:	H173	:	2904.35
					Amt	
Payrolls					:	17260.26
					Amt	
Social Security					:	1250.91
					Amt	
Health Insurance					:	7503.46
					Amt	
Other:					:	
					Amt	
Other:					:	
					Amt	
					:	
Water	<u>From</u>	W10	To		Amt	
	:	5	:	W133	:	17466.59
					Amt	
Payrolls					:	4007.85

Dated: June 8, 2021

Supervisor

Councilman

Councilman

Councilman

Councilman

Attest: _____ Town Clerk

RESPECTFULLY SUBMITTED Nancy P. Randall

NANCY P. RANDALL TOWN CLERK

TOWN BOARD WORK SESSION**TOWN OF WILMINGTON****WEDNESDAY JUNE 30, 2021****4:00 pm- COMMUNITY CENTER****TOWN BOARD MEMBERS PRESENT: SUPERVISOR-Roy Holzer****COUNCILWOMAN-Dawn Stevens****COUNCILWOMAN- Rarilee Conway****COUNCILWOMAN- Paula McGreevy****COUNCILMAN- Darin Forbes**

Also present: Nancy Randall-Town Clerk, Doug Nemec-Code Officer, Michelle Preston, Tim Follos, Allison McGahay, Esq.

The meeting was called to make further revisions, where deemed necessary, to the Town of Wilmington Land Use Code Regulations Pertaining to Short- Term Rentals. Several suggestions had been made by Allison McGahay, as attorney for the town, as to possible changes to the wording in some instances and the board went over them one by one to either approve or discard them. The following changes were agreed upon.

Beginning with Page 1, the reference to boarding houses; If the owner lives in an accessory building, there should be no application fee if they live there year round. If they live there only 6 months of the year, they should pay an application fee and be able to rent as much as they want for the remainder of the year. The existing sentence excluding owner occupied homes was removed.

Page 2 Section A should be changed to Permit is required. An owner shall obtain and be in possession of a valid revocable short-term rental permit whenever a dwelling is to be used for short-term rental purposes.

Under Section(1), should read; A short-term rental permit shall be obtained prior to using the unit as a short-term rental. No property may be used as a short-term rental without applying for and obtaining a short-term rental permit first.

Section(2), should read; A short-term rental permit shall be valid for two years from the date of issue, shall expire on the second anniversary date of the date the permit is issued, and must be renewed upon expiration as long as the unit is used as a short-term rental. Adding ; All information to the property must be updated at the time of renewal. A renewal application must be received, reviewed and approved before rentals may resume.

Section(5), should read; No permit shall be issued, nor re-issued, unless and until the property complies with the town of Wilmington Land Use Code, expressly including the terms of this section, and the New York State building Code and all fees and penalties, if any, have been paid.

Page 3, Section(7), Registration fee of \$200.00 (raised from \$100.00) plus (b) \$50.00 fee for each bed room/sleeping area. Section (c) When owners change, a new registration fee is due. If the owners put the property into an LLC, whose members are the same, a new fee is not required.

Page 4, section 5) should read; The property must have sufficient off-street parking, with reasonable access for emergency vehicles. Tenants and guests must park in off street parking spaces and not on the lawns of the property.

Page 5 ,Section (7), should read; 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. The owner of the property is liable for garbage removal.

Section(8) should have added; that all signage must be in compliance with the existing Land use Code.

Item 3) Section (b) should include that there should be no outside RV's , tents or camping on the property to count as additional sleeping space in excess of permit or additional structures.

Page 7, Section (1) regarding complaints; the wording should be added to the sentence; If the complaint is a safety concern, please send an email to the Codes Enforcement Office/ Building Inspector at codes@townofwilmington.org.

Section (3) The last sentence should read; A failure to contact the contact person or the failure of the contact person to respond to a complaint, will not excuse the owner/permit holder from a violation.

Page 8, Section (7) should have the word willful removed and add to the last sentence regarding attorney fees, the words; any related court costs.

Section (B) should be removed. Then section (C) becomes section B and should read; The Code Enforcement Officer or their designee may request that a homeowner allow an inspection of the short-term rental property to insure it complies with the provisions of the Land Use Code.

It was suggested that a quiet time might be added; such as 11:00 PM to 7:00 AM

A plan was introduced to change the parking area around Little Supermarket and Mountain Credit Union, to allow better access to both. The legal agreement of ownership would not change and maintenance would be required by each business. This change would require the removal of the fence behind the properties and the use of part of the town property along the side of the road (drag strip) to supply additional parking as well as better access to snow removal and cleanup.

The meeting adjourned at 5:20 PM