

Village of Millbrook Board of Trustees
Wednesday, 12/13/2023 - 6 PM
Millbrook Firehouse, 20 Front Street, Millbrook NY,12545

1. **Roll Call:** Mayor Collopy, Deputy Mayor Doro, Trustee Herzog, Trustee Murphy, Fire Department (FD) Chief Boscardin, Matt Rochfort (FD President), Scott Osborn (VRI), OIC Witt, Attorney MacDonald, and Clerk Witt
2. **Open meeting – 6:00 PM with Pledge of Allegiance.**
3. **Administrative Business:**

Minutes Approval: *Motion* made by Deputy Mayor Doro to approve the minutes of November, seconded by Trustee Contino and all were in favor.

Voucher Approval: *Motion* made by Trustee Herzog to accept the Voucher fund totals as presented, seconded by Trustee Murphy and all were in favor (attached).
4. **Department Reports:**
 - a. **Fire & Rescue** – Chief Boscardin Read from attached report. *Motion* made by Mayor Collopy to approve the seven new volunteer Fire Department members, seconded by Trustee Murphy and all were in favor. Updates on the grant for the HVAC system at the Firehouse will be given in the January meeting. Chief Boscardin said they will be needing to replace the 21-year-old apparatus truck- cost will be close to a million dollars. The trade in value for the older truck is around \$50,000.00. The FD will start collecting donations towards the purchase as well as using the funds in the reserve account. The Assistant Chief's vehicle will be delivered mid-December.
 - b. **Police** – OIC Witt read from attached monthly report. Mayor Collopy announced a \$10,000 grant had been awarded to the Police Department and he would like suggestions on how to spend it. When the Village applied for the grant the plan was to purchase a second speed sign and it has since been deemed unnecessary. Ongoing project- Lexipol training for updating the police policies.
 - c. **Highway** – PWS Collocola read highlights from the attached monthly report. He also reported there are some houses where the sump pumps are deluging the roads and may potentially cause icing hazards. Mayor Collopy asked for PWS Collocola to make a list and we will send out letters to the property owners.
 - d. **Water & Sewer** – S. Osborn: read from attached monthly reports. Mayor Collopy said Delaware will prepare a Phase 1 and Phase 2 plan for the Wastewater Treatment Plant (WWTP)- including the progress of the WIIA Grant. Mayor Collopy said due to some financial shortfalls in the Water Fund, he is proposing adding a meter fee to every water user and plans to bring a resolution to the January meeting.
BAN # 1- Resolution 2023-014 \$200K Water Treatment Plant (WTP) – Attached- In a Roll Call Vote – 5 Ayes 0 Nays. BAN #2- Resolution 2023-015 \$550K WTP- Attached- In a Roll Call Vote – 5 Ayes 0 Nays.
 - e. **Treasurer & Building Dept** – Clerk Witt: read from attached reports.
5. **New Business: TOW Hospitality Overlay:** The Town of Washington (TOW) asked the Village Board to look at their proposal for their Hospitality Overlay. The Village Board had comments concerning potential requests to tap into the water and/or sewer. Mayor Collopy will reach out to the Town Board to let them know that 43-45 Halcyon Rd, had been pre-approved for a hookup to the sewer system only for single-family residents, per the memo from Delaware Engineering, dated 10/28/2022. Multi-family or commercial uses of that parcel are not pre-approved for hookup.

Gym Lease with TOW: Has been tabled until the TOW comes back with a contract revision or a decision about renewing.
6. **Old Business: Short Term Rental (STR) Code:** Resolution 2023-016- Introducing Local Law no. 5 of 2023 Amending Chapter 230 of the Village Code Entitled “Zoning” to Establish Rules and Regulations for Short-Term Rentals- *Motion* made by Deputy Mayor to accept the resolution as presented, seconded by Trustee Herzog- Roll Call Vote 5 Ayes 0 Nays. Public Hearing on the Local Law will be in the January meeting.

Speed Limit Reduction- V&T Code: Resolution No. 2023-017 -Introducing Local Law No. 4 of 2023 Amending Chapter 220 of the Village Code Entitled “Vehicles and Traffic” to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour- *Motion* made by Mayor Collopy to accept the resolution as presented with the correction of Franklin Ave remaining as is- until the State makes a decision, seconded by Trustee Herzog

- Roll Call Vote 5 Ayes 0 Nays. Public Hearing on the Local Law will be in the January meeting. Attorney MacDonald to make corrections in the Local Law.

7. Public Comments- No additional comments.

8. Board Member Updates

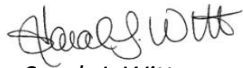
9. Executive Session: *Motion* made by Mayor Collopy to enter into Executive Session at 8:05 PM to discuss personnel matters, seconded by Deputy Mayor Doro and all were in favor. *Motion* to re-enter the meeting was made at 9:00 PM by Mayor Collopy, seconded by Trustee Contino and all were in favor. The Board did not take any votes during the executive session.

10. Next board meeting: Annual Re-Org Meeting- January 3, 2024, at 6PM- Village Hall.

Regular Business Meeting- January 10, 2024, at 6 PM- Firehouse.

11. Adjournment: *Motion* to adjourn at 9:05 PM was made by Mayor Collopy seconded by Deputy Mayor Doro and all were in favor.

Respectfully submitted by Village Clerk


Sarah J. Witt

2023-014 BOND ANTICIPATION NOTE RESOLUTION, dated December 13, 2023,

Authorizing the issuance of a \$200,000.00 Bond Anticipation Renewal Note of the Village of Millbrook pursuant to the Local Finance Law, for the purpose of financing the “Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook.”

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on May 22, 2018, adopted a resolution effective as of June 22, 2018, authorizing the issuance of serial bonds in the amount of \$1,500,000.00 for the purpose of financing the Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 17, 2018, adopted a resolution authorizing the issuance of a bond anticipation note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 17, 2019, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 10, 2020, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2020, adopted a resolution authorizing the issuance of a bond anticipation note, in anticipation of the sale of the aforesaid bonds, in the amount of \$200,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2021, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2021, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$200,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 14, 2022, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 14, 2022, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$200,000.00 and other matters in connection therewith, and

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Millbrook as follows:

Section 1. The Village of Millbrook shall issue a Bond Anticipation Renewal Note in the principal amount of \$200,000.00 pursuant to the Local Finance Law in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of serial bonds authorized by the Bond Resolution of the Village of Millbrook dated May 22, 2018.

Section 2. The specific object or purpose for which the obligations are to be issued is financing the Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook.

Section 3. As required by the Local Finance Law, it is hereby stated that:

- a) This is a renewal Bond Anticipation Note. The original Bond Anticipation Note was issued November 10, 2020, in the amount of \$200,000.00. That Note was retired at maturity and replaced with a \$200,000 renewal Bond Anticipation Note on November 10, 2021. That Note was retired at maturity and replaced with a \$200,000 renewal Bond Anticipation Note on December 17, 2022. That note will be retired at maturity and replaced with the \$200,000.00 Bond Anticipation Renewal Note authorized by this resolution.
- b) Said bond anticipation note will mature on December 17, 2024.
- c) Such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, forms and contents of said bond anticipation note, subject to the provisions of this resolution, and to sell and deliver said bond anticipation renewal note, is hereby delegated to Sarah J. Witt, Treasurer of the Village of Millbrook. The Treasurer of the Village of Millbrook is hereby directed to sign any bond anticipation renewal note issued pursuant to this resolution, and the Deputy Village Clerk is hereby directed to attest to said signature and to affix to such notes the corporate seal of the Village of Millbrook.

Section 5. The faith and credit of the Village of Millbrook are hereby pledged for the payment of the principal of and interest of the Bond Anticipation Renewal Note.

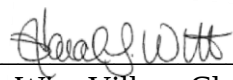
Section 6. This resolution shall take effect immediately.

The Question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Collopy	Aye
Deputy Mayor Doro	Aye
Trustee Herzog	Aye
Trustee Contino	Aye
Trustee Murphy	Aye

The resolution was thereupon duly adopted.

Adopted: December 13, 2023



Sarah J. Witt, Village Clerk

2023-015 BOND ANTICIPATION RENEWAL NOTE RESOLUTION, dated December 13, 2023,

Authorizing the issuance of a \$550,000.00 Bond Anticipation Renewal Note of the Village of Millbrook pursuant to the Local Finance Law, for the purpose of financing the “Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook.”

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on May 22, 2018, adopted a resolution effective as of June 22, 2018, authorizing the issuance of serial bonds in the amount of \$1,500,000.00 for the purpose of financing the Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 17, 2018, adopted a resolution authorizing the issuance of a bond anticipation note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 17, 2019, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on December 10, 2020, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2020, adopted a resolution authorizing the issuance of a bond anticipation note, in anticipation of the sale of the aforesaid bonds, in the amount of \$200,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2021, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$550,000.00 and other matters in connection therewith, and

WHEREAS, the Village Board of the Village of Millbrook, at its meeting on November 10, 2021, adopted a resolution authorizing the issuance of a bond anticipation renewal note, in anticipation of the sale of the aforesaid bonds, in the amount of \$200,000.00 and other matters in connection therewith, and

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NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Millbrook as follows:

Section 1. The Village of Millbrook shall issue a Bond Anticipation Renewal Note in the principal amount of \$550,000.00 pursuant to the Local Finance Law in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of serial bonds authorized by the Bond Resolution of the Village of Millbrook dated May 22, 2018.

Section 2. The specific object or purpose for which the obligations are to be issued is financing the Improvement and Upgrade of the Water System-Capital Improvement Plant in and for the Village of Millbrook.

Section 3. As required by the Local Finance Law, it is hereby stated that:

- a) This is a renewal Bond Anticipation Note. The original Bond Anticipation Note was issued December 17, 2018, in the amount of \$550,000.00. That note was retired at maturity and replaced with a \$550,000.00 renewal Bond Anticipation Note on December 17, 2019. That note was retired at maturity and replaced with a \$550,000.00 renewal Bond Anticipation Note on December 17, 2020. That note was retired at maturity and replaced with a \$550,000 renewal Bond Anticipation Note on December 17, 2021. That note was retired at maturity and replaced with a \$550,000 renewal Bond Anticipation Note on December 17, 2022. That Note will be retired at maturity and replaced with the \$550,000.00 Bond Anticipation Renewal Note authorized by this resolution.
- b) Said bond anticipation renewal note will mature on December 17, 2024.
- c) Such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, forms and contents of said bond anticipation renewal note, subject to the provisions of this resolution, and to sell and deliver said bond anticipation renewal note, is hereby delegated to Sarah J. Witt, Treasurer of the Village of Millbrook. The Treasurer of the Village of Millbrook is hereby directed to sign any bond anticipation renewal note issued pursuant to this resolution, and the Deputy Village Clerk is hereby directed to attest to said signature and to affix to such notes the corporate seal of the Village of Millbrook.

Section 5. The faith and credit of the Village of Millbrook are hereby pledged for the payment of the principal of and interest of the Bond Anticipation Renewal Note.

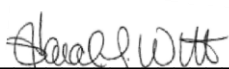
Section 6. This resolution shall take effect immediately.

The Question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Collopy	Aye
Deputy Mayor Doro	Aye
Trustee Herzog	Aye
Trustee Contino	Aye
Trustee Murphy	Aye

The resolution was thereupon duly adopted.

Adopted: December 13, 2023



Sarah J. Witt, Village Clerk

RESOLUTION No. 2023-016

Introducing Local Law No. 5 of 2023 Amending Chapter 230 of the Village Code Entitled “Zoning” to Establish Rules and Regulations for Short-Term Rentals

At a meeting of the Village Board of Trustees of the Village of Millbrook (“Village Board”), held at the Village Fire House, 20 Front Street, Millbrook, New York on the 13th day of December, 2023, at 6:00 p.m., Village Mayor, Tim Collopy called the meeting to order, and Trustee Doro, seconded by Trustee Herzog, moved the following resolution, to introduce the following proposed local law, to be known as Proposed Local Law No. 5 of 2023, entitled “A Local Law Amending Chapter 230 of the Village Code entitled ‘Zoning’ to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals” as follows:

BE IT ENACTED by the Board of Trustees of the Village of Millbrook (“Village Board”) as follows:

Section 1. Legislative intent: Section 230-30 of the Village of Millbrook Village Code entitled “Overnight accommodations” contains regulations for Inns and Bed-and-breakfast establishments but does not include any regulations for short-term rental accommodations such as those commonly advertised on websites such as Airbnb and VRBO. The Village Board has observed that more and more residents of the Village are either currently offering short-term rental accommodations or seeking to offer short-term rental accommodations in their homes. That combined with the need for both short-term and long-term housing in the Village has led the Village Board to determine it is in the best interest of the Village to amend the Village Code to establish regulations for such short-term rental accommodations. The Village Board now, therefore, wishes to amend Chapter 230 of the Village Code entitled “Zoning” to add a new subsection 230-30(C) to Section 230 entitled “Overnight accommodations” to establish rules and regulations for short-term rental accommodations in the Village.

Section 2. Section 230-30 of the Village Code entitled “Overnight accommodations” is hereby amended by adding a new Sub-Subsection 230-30(C) to read as follows.

“C. Short-Term Rentals.

(1) Purpose. The purpose of this section is to establish a set of regulations applicable to the short-term rental of residential real property in the Village of Millbrook. These regulations are in addition to all other provisions of this Chapter. In the adoption of these standards, the Board of Trustees of the Village of Millbrook (the “Village Board”) find that short-term rentals (“STRs”) have the potential to be incompatible with surrounding residential uses, especially when several are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full-time residents. The Village Board recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Village. The Board of Trustees also find that STRs have the potential to have a detrimental effect on affordable housing and economic diversity in the Village, by removing dwelling units from the long term rental market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available. Special regulation of these STR uses is necessary to ensure that they will be compatible with surrounding residential uses, protect the health, safety and welfare of Village residents and will not act to harm and alter the neighborhoods they are located within.

(2) Definitions.

a. Short-Term Rental - A single-family dwelling or two-family dwelling or portion thereof, or an accessory apartment, offered for rent or lease, for an occupancy of fewer than thirty-one (31) consecutive days, the rates for which include lodging only, and no other commercial services are offered. A qualifying property is limited to the applicant's Primary Residence. The term “short-term rental” does not include Bed and Breakfast, Group Home, Hotel/Conference Center, or Inn, as regulated by the Village of Millbrook Zoning Code.

b. Hosted Short-Term Rental – A Short-Term Rental where the owner is

present on the property overnight during the period when guests are on-site for the short-term rental.

- c. Non-Hosted Short-Term Rental – A Short-Term Rental where the owner is not present on the property during the period when guests are on-site for the short-term rental.
- d. Primary Residence – the domicile and principal dwelling that a person inhabits and resides in for at least six (6) months and one (1) day out of the year. If title to the property is not held in the name of a natural person, then the following shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be one of the grantors or a beneficiary of the trust who has the right to reside in the dwelling on the property under the terms of the trust; if the property is held by an entity other than a trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.
- e. Primary Resident – a natural person(s) who is the main occupant or occupants of the property containing the Short-Term Rental.
- f. Agent – Person designated by host to act on host's behalf in the absence of the host.
- g. Host – the person who owns the property in the Village being offered for Short-Term Rental.

(3) Presumption of Dwelling Unit as Short-Term Rental Property.

- a. The presence of the following shall create a presumption that all or a part of the property is being used as a Short-Term Rental:
 - 1. All or part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb and VRBO, for a rental period of less than thirty-one (31) days; and/ or
 - 2. All or a part of the property is offered for lease for a period of thirty-one (31) days or less through any form of advertising.

- b. The foregoing presumptions may be rebutted by documentary evidence presented to the Village Code Enforcement Officer (“CEO”) sufficient to show that the premises is not operated as a Short-Term Rental.
- (4) All Short-Term Rental Permit and application fees shall be listed in the Village’s Master Fee Schedule. These may be changed from time to time by resolution of the Village Board of Trustees.
- (5) A short-term rental shall only be allowed subject to an application for a Permit issued by the CEO, renewable on a biennial basis, and in compliance with the following standards:
- a. Permits issued for short-term rentals shall be limited to a maximum of fifteen (15) within the Village on an annual basis. Applications will be accepted on a first-come, first serve basis until fifteen (15) permits are issued. Subsequent applications will be placed on a waitlist. If and when there are fewer than fifteen (15) Permits, the waitlist will be utilized starting with the application that has been on the waitlist the longest amount of time.
 - b. Permits shall be issued to a specific Primary Resident and are not transferrable or assignable. A Primary Resident is not eligible to possess more than one STR Permit. The term of a Permit shall be two (2) years.
 - c. The property shall be designed, maintained, and operated to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building.
 - d. The Host, for Hosted STRs, or, the Hosts’ Agent as listed on the Permit for Non-Hosted STRs, must be available at all times to respond in person, on site, within one (1) hour of notification to any issues that may arise regarding the condition, safety, operation, or conduct of guests of the STR. The contact information for the Host and/or Host’s Agent shall be provided to the Village via the Short-Term Rental Application at time of submission, and the Permit holder shall update this contact information as

needed during the term of the Permit to ensure it is accurate and up to date.

- e. There shall be no more than six occupants as lodgers of the STR at any given time, with a maximum of two occupants per bedroom, or if not on municipal water or sewer, the maximum capacity shall be determined by the septic capacity established by the Department of Health, not to exceed two occupants per bedroom. Maximum occupancy does not include children under five (5) years of age.
- f. The guest bedrooms of the STR shall be limited to the principal dwelling or one accessory building on the property, but never both. Any guest bedroom in an accessory building shall have access to sanitary facilities within that accessory building approved by the applicable authority.
- g. The owner shall collect and preserve registration records for a minimum of three (3) years.
- h. Parking shall be consistent with Section 230-16 and the Table set forth in Section J.(1) of Section 230-16 of the Village Code. Any required additional parking shall not be allowed in front of the principal dwelling by expanding use of an existing driveway.
- i. A copy of the Permit must be prominently displayed within the interior of the STR during the duration of its validity. The availability of the STR to the public shall not be advertised on the premises. The Village Permit number must be included in the listing.
- j. An annual satisfactory inspection from the CEO is mandatory prior to issuance of a Permit. The owner shall arrange for and schedule such inspection directly with the CEO and give reasonable access for inspections to be conducted to ensure compliance with the provisions of the Village of Millbrook Code, the NYS Uniform Fire Protection and Building Code and Life Safety Code.
- k. All STR guests are subject to the provisions of Section 230-14 of the Village Code, the Performance Standards, and of the enforcement provisions of

Section 230-60. The Host or Agent is responsible for informing each guest of these provisions.

- l. The STR property must comply with and meet all applicable NYS Uniform Building Codes.
- m. 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.
- n. There shall be a five (5) pound ABC fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the Permit holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the Permit holder shall be maintained and made available to the CEO upon request.
- o. The house number shall be displayed both at the road and on the dwelling unit so that the house number is clearly visible from both road and the driveway.
- p. Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the CEO during inspections. Any defects found shall be corrected prior to Permit issuance. A current boiler or furnace service report, including a record of the date inspected, initialed by the Permit holder, shall be maintained and made available to the CEO upon request.
- q. Insurance standards- all STR Permit holders must provide Evidence of Property Hazard Insurance and a Certificate of Liability Insurance indicating the premises is rated for Short-Term Rental and maintain such insurance throughout the term of the Short-term Rental Permit. The amounts for the insurance coverage shall be set by the Village Board as part of the Village fee schedule(s).

- r. Waste removal provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with covers at all times to prevent leakage, spilling, or odors, and placed where they are not clearly visible from the road except at approximate pickup time.
- s. STR guests and STR Permit holders must have a written rental contract, which includes the following:
 - 1. Maximum property occupancy;
 - 2. Maximum on-site parking provided; and
 - 3. Good Neighbor Statement stating:
 - 4. STR guests must be considerate of the residents in neighboring homes.
 - 5. STR guests are requested to observe quiet hours from 10:00 p.m. to 8:00 a.m.;
 - 6. All STR guests will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct;
 - 7. Littering is illegal.
- t. Compliance and Penalties.
 - 1. Violations of this Section or of any Short-Term Rental Permit issued pursuant to this Section shall be subject to enforcement and penalties prescribed in this Section and Article VII of this Chapter.
 - 2. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this Section or a violation of the conditions of any Short-Term Rental Permit issued pursuant to this Section, the CEO shall properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer determines there is a violation of this Section, the owners shall be notified in writing by both first class mail and certified mail, return

receipt requested of said violations and the CEO may take any or all of the following actions:

- a) Impose additional conditions to the existing Short-Term Rental Permit.
- b) Suspend the Short-Term Rental Permit. The Notice of Suspension shall be provided to the property owner and a copy filed with the Village Clerk.
- c) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of Notice from the Code Enforcement Officer or the owner risks revocation of the Short-Term Rental Permit.
- d) Issue a court appearance ticket for violation of a Village law.
- e) Revoke the STR Permit. Should a Permit be revoked, all owners of the property on which the STR exists are prohibited from obtaining an STR Permit on the property for a period of one (1) year after the date of revocation. The Code Enforcement Officer shall send Notices of Revocation to the property owners and shall file a copy with the Town Clerk.
- f) A property owner found not to be in compliance with any section of this law will be subject to a monetary civil fine in accordance with the schedule below, in addition to any and all applicable remedies and penalties found in Section 230-60 of the Village Code that do not conflict with this section.
 - i. A one thousand-dollar (\$1,000.00) fine will be assessed for the first offense.
 - ii. A two thousand-dollar (\$2,000.00) fine will be assessed for the second offense, if it occurs within a year of the first offense.

- iii. A third violation within a year of the first offense will result in the revocation of the Permit.
- u. At the time of passage of this law, applicants operating a Short-Term Rental that is not the applicant's Primary Residence will be given a two-year grace period to meet this requirement (all other Permit requirements must still be met before an applicant will be approved and a Permit issued).
- v. Renewal of Permit.
 - 1. Permits will automatically expire after a two (2) year term but may be renewed prior to expiration for a subsequent two (2) year term by Permit-holders in good standing.
 - 2. Renewal Permits will be granted for an additional 2-year term if the following conditions are met:
 - a) Application for renewal of the Short-Term Rental Permit shall be made no less than thirty (30) nor more than forty-five (45) days prior to expiration of the current Permit and be accompanied by the renewal fee.
 - b) At the time of application for renewal, the owner or designated agent must present the previous Permit for Short-Term Rental.
 - c) The property must undergo a new inspection performed by the CEO.
 - d) Any violations must be remedied prior to renewal of a Permit for Short-Term Rental.
- w. Grounds for Suspension or Revocation of Permit.
 - 1. The Code Enforcement Officer may immediately suspend a Short-Term Rental Permit based on any of the following grounds:
 - a) Applicant has falsified or failed to provide information in the application for a permit or the application for Permit renewal.

- b) Applicant failed to meet or comply with any of the requirements of this Chapter.
 - c) Applicant is in violation of any provision of the Code of the Village of Millbrook.
 - d) Applicant has been found guilty by a court of law of a violation of any provision of the Penal Code of the State of New York, which violation occurred at the property on which the STR exists, or is related to the occupancy of the STR.
 - e) Any conduct on the property on which the STR exists, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
 - f) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
- x. Appeals and Hearings. The property owner is entitled to appeal the Code Enforcement Officer's determination to the Zoning Board of Appeals in accordance with Section 230-69 of the Village Code when a property owner's application for a Short-Term Rental Permit or a Short-Term Rental Permit Renewal is denied or a Short-Term Rental Permit is revoked. A Notice of Appeal shall be filed with the Village Clerk and the Zoning Board of Appeals within 60 days of the Code Enforcement Officer's filing of the denial or revocation with the Village Clerk."

Section 3. Severability. Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section 4. All other ordinances or local laws of the Village of Millbrook which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law full force and effect during its effective period.

Section 5. Numbering for codification. It is the intention of the Village of Millbrook Board of Trustees and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Millbrook; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 6. This Local Law shall take effect as of the date of filing with the New York Secretary of State.

Mayor, Tim Collopy, advised the Board of Trustees that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this proposed local law. Trustee Doro offered the following resolution which was seconded by Trustee Herzog, who moved its adoption:

WHEREAS, on December 13th, 2023, Trustee Doro introduced this Local Law for the Village of Millbrook, to be known as “A Local Law Amending Chapter 230 of the Village Code entitled ‘Zoning’ to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals.”

RESOLVED, that a public hearing be held in relation to the proposed Local Law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Village Fire House, 20 Front Street, Millbrook, New York, on January 10th, 2024, at 6:00 o’clock, p.m., Prevailing Time, and that notice of said hearing shall be published in the official newspaper of general circulation in the Village of Millbrook, by the Village Clerk, at least ten (10) days before such hearing and that such notice shall be in the following form:

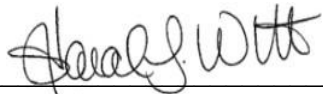
NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Board of Trustees of the Village of Millbrook will hold a public hearing at the Village Fire House, 20 Front Street, Millbrook, New York, on January 10th, 2024, at 6:00 o'clock, p.m., Prevailing Time, on Proposed Local Law No. 5 of the Year 2023, entitled "A Local Law Amending Chapter 230 of the Village Code entitled 'Zoning' to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Village of Millbrook, at the Village Hall, 35 Merritt Avenue, Millbrook, New York between the hours of 8:00 a.m. to 12:00 p.m. and then between 1:00 p.m. to 3:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Millbrook, New York
December 13, 2023

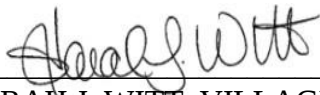


SARAH J. WITT, VILLAGE CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Mayor Collopy	Aye
Trustee Herzog	Aye
Trustee Contino	Aye
Trustee Doro	Aye
Trustee Murphy	Aye

DATED: Millbrook, New York
December 13, 2023



SARAH J. WITT, VILLAGE CLERK
Village of Millbrook

RESOLUTION No. 2023-017

Introducing Local Law No. 4 of 2023 Amending Chapter 220 of the Village Code Entitled “Vehicles and Traffic” to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour

At a meeting of the Village Board of Trustees of the Village of Millbrook (“Village Board”), held at the Village Fire House, 20 Front Street, Millbrook, New York on the 13th day of December, 2023, at 6:00 p.m., Village Mayor, Tim Collopy called the meeting to order, and Mayor Collopy, seconded by Trustee Herzog, moved the following resolution, to introduce the following proposed local law, to be known as Proposed Local Law No. 4 of 2023, entitled “A Local Law Amending Chapter 220 of the Village Code entitled ‘Vehicles and Traffic’ to Reduce the Speed Limit On Certain Village Roads to 25 Miles Per Hour” as follows:

BE IT ENACTED by the Board of Trustees of the Village of Millbrook (“Village Board”) as follows:

Section 1. Legislative intent: Chapter 220 of the Village of Millbrook Village Code contains the Village’s regulations with respect to Vehicle and Traffic. The Village Board has determined for safety reasons it is in the best interest of the Village to reduce the speed limit on certain Village roads to twenty-five (25) miles per hour and now wishes to update the Chapter of the Village Code entitled “Vehicle and Traffic” accordingly.

Section 2. Section 220-5 of Chapter 220 of the Village Code entitled “Speed Limits” is hereby repealed in its entirety and replaced with the following language.

“§220-5 Speed limits.

The maximum speed at which vehicles may proceed on or along any streets or highways within the Village is hereby established at 25 miles per hour, except that the speed limit for vehicles proceeding on or along those streets or parts of streets described in Schedule II (§ **220-34**), shall be as indicated in said schedule.”

Section 3. Section **220-34** of Chapter 220 of the Village Code entitled “Schedule II: Speed Limits” is hereby repealed in its entirety and replaced with the following language.

“§ 220-34 Schedule II: Speed Limits.

In accordance with the provisions of § **220-5**, speed limits other than 25 miles per hour are established as indicated upon the following streets or parts of streets:

Name of Street	Speed Limit (mph)	Location
Sharon Turnpike	45	Within the Village limits
Franklin Ave	45	Between the southerly Village line and a point 1,050 feet south of Front Street and between a point 700 feet east of Maple Avenue and US Route 44
	30	Between the point 1,050 feet south of Front Street and the point 700 feet east of Maple Avenue and US Route 44
U.S. Route 82	45	Between its intersection with U.S. Route 343 and the westerly Village line
U.S. Route 343	45	Between its intersection with U.S. Route 44 and U.S. Route 82 and the easterly Village line”

Section 4. Section **220-35** of Chapter 220 of the Village Code entitled “Schedule III: School Speed Limits” is hereby repealed in its entirety and replaced with the following language.

“§ 220-35 Schedule III: School Speed Limits.

In accordance with the provisions of § **220-6**, no person shall drive a vehicle in excess of the speeds indicated below, in the areas designated below, during school days between the hours of 7:00 a.m. and 6:00 p.m.:

Name of Street	Speed Limit (mph)	
		Location
Alden Place	15	A distance of 300 feet from the property boundary line of the Millbrook Central School District
Elm Drive	15	A distance of 300 feet from the property boundary line of the Millbrook Central School District"

Section 5. Section **220-50** of the Village Code entitled "Schedule XVIII: Time Limit Parking" is hereby repealed in its entirety and that Section replaced with the following language.

"§ 220-50 Schedule XVIII: Time Limit Parking.

In accordance with the provisions of § **220-22**, no person shall park a vehicle for longer than the time limit specified upon any of the following described streets or parts thereof:

Name of Street	Side	Time Limit;	
		Hours/Days	Location
Church Street	East	10 Minutes	3 spaces at corner of Franklin Avenue
Washington Ave	North	10 Minutes	2 spaces in front of Front St."
<u>Church Street</u>	<u>West</u>	<u>10 Minutes</u>	<u>2 spaces across from Manzi Dr."</u>

Section 6. Numbering for codification. It is the intention of the Village of Millbrook Board of Trustees and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Millbrook; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 7. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 8. This Local Law shall take effect as of the date of filing with the New York Secretary of State.

Mayor, Tim Collopy, advised the Board of Trustees that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this proposed local law. Mayor Collopy offered the following resolution which was seconded by Trustee Herzog who moved its adoption:

WHEREAS, on December 13th, 2023, Mayor Collopy introduced this Local Law for the Village of Millbrook, to be known as “A Local Law Amending Chapter 220 of the Village Code entitled ‘Vehicles and Traffic’ to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour.”

RESOLVED, that a public hearing be held in relation to the proposed Local Law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Village Fire House, 20 Front Street, Millbrook, New York, on January 10th, 2024, at 6:00 o’clock, p.m., Prevailing Time, and that notice of said hearing shall be published in the official newspaper of general circulation in the Village of Millbrook, by the Village Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

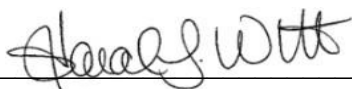
NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Board of Trustees of the Village of Millbrook will hold a public hearing at the Village Fire House, 20 Front Street, Millbrook, New York, on January 10th, 2024, at 6:00 o'clock, p.m., Prevailing Time, on Proposed Local Law No. 4 of the Year 2023, entitled "A Local Law Amending Chapter 220 of the Village Code entitled 'Vehicles and Traffic' to Reduce the Speed Limit On Certain Village Roads to 25 Miles Per Hour."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Village of Millbrook, at the Village Hall, 35 Merritt Avenue, Millbrook, New York between the hours of 8:00 a.m. to 12:00 p.m. and then between 1:00 p.m. to 3:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Millbrook, New York
 December 13, 2023

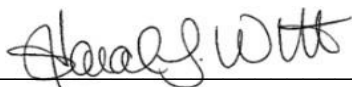


SARAH J. WITT, VILLAGE CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Mayor Collopy	Aye
Trustee Herzog	Aye
Trustee Contino	Aye
Trustee Doro	Aye
Trustee Murphy	Aye

DATED: Millbrook, New York
 December 13, 2023



SARAH J. WITT, VILLAGE CLERK
Village of Millbrook