

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

Call to Order

_____ called to order the Town Board Meeting of May 11, 2021 at _____ p.m.

Pledge of Allegiance to the Flag

Please rise and join me in reciting the Pledge of Allegiance.

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

PUBLIC COMMENTS ON AGENDA ITEM:

Ask Members Of The Public If They Have Any Questions Or Comments On Agenda Item.

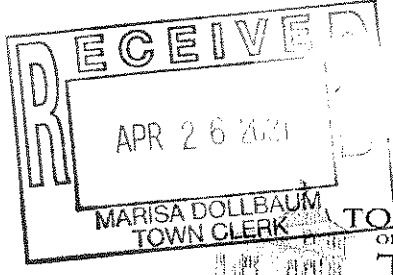
**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

AGENDA ITEM #1

1. Farmer's Market Sign Permit Approval

Motion made by _____, seconded by _____, that the Town Board of the Town of Tuxedo approves the Tuxedo Farmer's Market to display their advertising sign on Route 17 by the Train Station.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye



Permit #: _____

TUXEDO

ORANGE COUNTY, NEW YORK

Sign Permit Application

APPLICANT INFORMATION:	
Name of Applicant:	TUXEDO PARK FARMERS MARKET LLC
Applicant's Address:	PO BOX 474 TUXEDO NY 10987
	Owner _____ Lessee _____ *if lessee, please give the name of owner of property
	Section _____ Block _____ Lot _____
Telephone #:	845-325-1278
Email Address:	tuxedofarmersmarket@gmail.com

SIGN INFORMATION:	
Address of proposed sign:	240 RT 17N (TRAIN STATION) TUXEDO, NY 10987
Size of Sign:	4' x 6'
Height of Sign Above Ground Level:	6'
Material to be used:	WOOD
Dates signs will be displayed:	JUNE 1 THRU OCTOBER 30, 2021

INFORMATION REQUIRED FOR APPLICATION PROCESSING:	
• One application per sign	
• Submit illustrations of sign	
• Submit \$25.00 fee	NA

FOR OFFICE USE ONLY:	
Date of Application:	4/26/2021
Receipt No:	N/A
Fee:	
Signature of Approval:	
Certificate of compliance issued to:	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

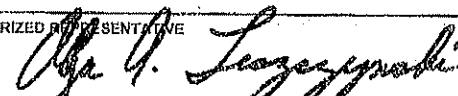
PRODUCER OLGA A. LESZCZYNSKI 155 MAIN STREET GARDINER NY 12525		CONTACT NAME: PHONE (A/C, No, Ext): 845-633-8600 FAX (A/C, No): 845-633-8606 E-MAIL ADDRESS:	
INSURED TUXEDO PARK FARMERS MARKET LLC PO BOX 474 TUXEDO PARK, NY 10987		INSURER(S) AFFORDING COVERAGE	
		INSURER A: FARM FAMILY CASUALTY INS CO	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
------------------	----------------------------	-------------------------

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		3103L6691	02/25/2021	02/25/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe Under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
TOWN OF TUXEDO IS LISTED AS ADDITIONAL INSURED.

CERTIFICATE HOLDER TOWN OF TUXEDO 1 TEMPLE DR TUXEDO PARK, NY 10987	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
-------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

DISCUSSION ITEMS:

1. Adding new categories of fees as per Howard "Here are the two laws needed to :1- add a new category of fees (Reinspection fees and "as built" permit fees) to the Schedule of Fees. There is a separate law here authorizing Civil Penalties. The last document is the Schedule of Fees which gets adopted by resolution. This is the schedule the board was working on and the attached schedule may not reflect the most recent changes discussed by the board.

See attached documents.

2. Exterior Lighting Local Law

See attached documents.

3. NY/NJ Trail Conference Rac

See attached documents (permit application, insurance cert., email with description of event)

**TOWN OF TUXEDO
INTRODUCTORY LOCAL LAW
FEE SCHEDULE AMENDMENTS**

*Need resolution
introducing LL
and providing
for public
notice &
hearing*

BE IT ENACTED by the Town Board of the Town of Tuxedo, County of Orange, State of New York, as follows:

Section 1. Chapter 48, entitled "FEES", Section 48-4 entitled "Establishment Schedule of Fees; Categories" of the Code of the Town of Tuxedo, NY is hereby amended to add an additional category of fees for re-inspections read as follows:

R. Fire Inspections
(7) Return or re-inspections.

V. Miscellaneous permits and Fees

12. Each time the code enforcement officer or building inspector must reinspect a site as a result of the site not having passed inspection upon the first inspection, there shall be a re-inspection fee paid.

Section "V." of the "Standard Schedule of Fees of the Town of Tuxedo" is hereby amended to add fees for general construction inspections, temporary certificates of occupancy, and operating permits as follows:

V. Miscellaneous Permits and Fees

General Construction Inspections

(residential or commercial/industrial) _____ per inspection

? { Temporary Certificates of Occupancy

Residential _____

Commercial/Industrial _____

As Built Permit (where construction began prior to issuance of Building Permit) an Additional fee shall be payable in the amount set by resolution of the Town Board

Operating Permit _____

Section 2. Severability.

If any portion of this local law or the application of any other provisions to any item in this law is held invalid, the invalidity of that provision or application shall not affect any of the other provisions or the application of those provisions to other items in this chapter.

Section 3. Supersession of inconsistent laws, if any.

The Town Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation or provision of the Town Law inconsistent with this local law. The Town Law provisions intended to be superseded include any provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and apply it in

the event the Town has failed to specify any provision of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

Section 4. Effective Date.

This local law shall take effect upon filing with the Secretary of State.

Section 5. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

this next section must be in a separate local law.

Standard Schedule of Fees of the Town of Tuxedo

<u>Residential:</u>	
New Construction	\$1 per square foot of habitable area. Min Fee \$75.00
Addition (anything that adds sq footage)	\$1 per square foot of habitable area. Min Fee \$125
Alterations, repairs, accessory buildings, Demo	\$100 + \$5 for each \$1000 or fraction in cost
Above ground pools	\$100
In ground pools	\$300 + electrical permit of \$75
Residential - Above ground tank Install or Removal	\$100
Residential - Below ground tank (up to 1,000 gallons)	\$100
<u>Commercial:</u>	
New Construction	\$175 min + \$1 per square foot
Additional (anything that adds sq. footage)	\$175 min + \$1 per square ft.
Alterations, repairs, accessory buildings, Demo	\$175 + \$5 for each \$1000 or fraction in cost
Commercial Instal/Removal of above or below ground tank	\$250
<u>Fire Safety Inspections:</u>	
Fire Safety Inspection	Under 2500 sq. ft. \$50.00 / 2501-100,000 sq. ft. \$100 / Over 100,000 sq. ft. \$250
Places of public assembly	\$50 (non profit exempt from fee but not inspection)
Residential Multiple Dwelling	\$15 per unit + \$50 per building, incl common areas
Mixed Use Bldg - Commercial/Residential	\$50 per common area + \$15 per living & commercial unit

Standard Schedule of Fees of the Town of Tuxedo

<u>Misc:</u>	
Municipal/Violation Searches	\$250
Electrical Permit	\$75
Wood/Pellet Stove/Fireplace	\$150
Sign Permit	\$25

**TOWN OF TUXEDO
INTRODUCTORY LOCAL LAW
CIVIL PENALTY AMENDMENTS**

BE IT ENACTED by the Town Board of the Town of Tuxedo, County of Orange, State of New York, as follows:

Section 1. Chapter 37, entitled ‘Building Construction Administration’ Section 37-15 is hereby amended to include a civil penalty for beginning construction without a building permit which shall read as follows:

§37-15. Enforcement & Penalties.

C. Civil penalties. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or this chapter, or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate, stop-work order, operating permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, or any person who initiates construction without first obtaining a building permit, shall be liable to a civil penalty of \$500.00. The civil penalties provided by this subsection shall be paid prior to the issuance of any permit by the building department, chargeable against the real estate which is the subject of the enforcement and if unpaid shall be a lien upon and levied against the real property and collected in the same manner as real property taxes.

Section 2. Severability.

If any portion of this local law or the application of any other provisions to any item in this law is held invalid, the invalidity of that provision or application shall not affect any of the other provisions or the application of those provisions to other items in this chapter.

Section 3. Supersession of inconsistent laws, if any.

The Town Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation or provision of the Town Law inconsistent with this local law. The Town Law provisions intended to be superseded include any provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and apply it in the event the Town has failed to specify any provision of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

Section 4. Effective Date.

This local law shall take effect upon filing with the Secretary of State.

This following section is for use in the resolution setting fees.

In order to encourage applicants to obtain building permits prior to initiating construction, the "Standard Schedule of Fees of the Town of Tuxedo" is hereby amended to include additional fees in cases where construction begins without a building permit:

A. Building permit fees.

(1) Residential:

(f) Applications for building permits for any of the above that are filed at any time after construction has already begun require payment of the above-mentioned fees plus an additional fee of \$1000.00.

(2) Commercial/Industrial

(d) Applications for building permits for any of the above that are filed at any time after construction has already begun require payment of the above-mentioned fees plus an additional fee of \$2000.00.

B. Certificate of occupancy, violation search and building re-inspection fees.

(6) Applications for certificates of occupancy for any of the above where construction began prior to the issuance of a building permit will be assessed an increased fee of \$500.00 each.

C. Septic field inspection fees.

Where application is made for inspection of a septic field that was created, repaired, refurbished, restored or relocated without a building permit will incur the this cost plus an additional fee of \$500.00.

E. Storage tank installation or removal fees.

(1) Residential:

Installation/removal – an additional fee of \$500.00 will be assessed for any tank installation or removal that was done without first obtaining a building permit.

(2) Commercial/Industrial:

Installation/removal – an additional fee of \$500.00 will be assessed for any tank installation or removal that was done without first obtaining a building permit.

R. Fire inspections.

(10) Fees for inspections where building permits were not properly obtained prior to initiating construction will be assessed an additional fee of \$1000.00.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, entitled "Outdoor Lighting" be and it hereby is introduced by _____, before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, as well as electronically sent to each member in light of COVID-19, and

BE IT FURTHER RESOLVED that the Board hold a virtual public hearing on said proposed local law via Webex at _____ P.M., on _____, 2021, further details of which will be included in the public hearing notice, meeting agenda, and on the Town website, and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least ten (10) days prior thereto.

On a motion by _____, seconded by _____, the resolution was adopted on a vote of ____ Ayes, ____ Nays.

The Supervisor declared this resolution adopted.

Dated: _____, 2021

**TOWN OF TUXEDO
INTRODUCTORY LOCAL LAW
OUTDOOR LIGHTING**

BE IT ENACTED by the Town Board of the Town of Tuxedo, County of Orange, State of New York, as follows:

Section 1. The Zoning Law of the Town of Tuxedo contained in Chapter 98 of the Code of the Town of Tuxedo, is hereby amended to add a new Article XVII to be entitled "OUTDOOR LIGHTING" to henceforth read as follows:

Article XVII
Outdoor Lighting

- § 98-80 Outdoor lighting standards; purpose; definitions.
- § 98-81 Applicability.
- § 98-82 Required submittals for projects requiring site plan review.
- § 98-83 General requirements.
- § 98-84 Waterfront Lighting.
- § 98-85 Exemptions.
- § 98-86 Compliance date.
- § 98-87 Maintenance.
- § 98-88 Enforcement and inspections.
- § 98-89 Unnecessary financial hardship provision for nonresidential properties.
- § 98-80 Outdoor lighting standards; purpose; definitions.

A. Purpose. The Town of Tuxedo has enacted this article to regulate the installation of outdoor lighting in order to achieve the following purposes:

1. To provide standards for outdoor lighting;
2. To promote energy efficient and sustainable lighting practices and luminaires;
3. To minimize adverse off-site impacts from new and existing lighting installations;
4. To permit reasonable uses of outdoor lighting for safety, utility, security, productivity, commerce and enjoyment;
5. To minimize glare;
6. To avoid impacts on nearby residential properties; and

7. To reduce atmospheric light pollution.

B. Definitions. As used in this article, the following terms shall have the meanings indicated:

FOOTCANDLE (FC)

A unit of illuminance amounting to one lumen per square foot as measured 36 inches above the ground at brightest point.

FULLY SHIELDED FIXTURE

An outdoor lighting fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a ninety-degree, horizontal plane from the base of the fixture. Fully shielded fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and direct glare will result.

GLARE

The eye's line-of-sight contact with a direct light source that causes annoyance, discomfort, or loss in visual performance and ability.

HEIGHT OF THE LUMINAIRE

The height of the luminaire shall be the vertical distance from the ground directly below the center line of the luminaire to the lowest direct-light-emitting part of the luminaire.

ILLUMINANCE

Density of luminous flux incident on a surface. Unit is foot-candle or lux.

ILLUMINATING ENGINEER SOCIETY OF NORTH AMERICA (IESNA)

The Illuminating Engineering Society of North America is a nonprofit organization that develops and publishes standards regarding lighting. Headquartered in New York City, United States, IESNA standards are in effect throughout all of North America with its nearly 8,000 members. Internationally, IESNA collaborates with the International Commission on Illumination to promote uniformity with the rest of the world.

LANDSCAPE LIGHTING

Lighting, which is positioned and aimed to illuminate foliage, walkways, driveways, decks, patios, and other pedestrian areas whether or not mounted on a structure.

LIGHT, FULLY SHIELDED

Fully shielded luminaire light fixture which can control the glare in any direction.

LUMINAIRE

A complete lighting system, including a light source component (lamp or lamps that produce the actual light) and a fixture.

LUX

One lumen per square meter; unit of illuminance.

OUTDOOR LIGHTING

The nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

OUTDOOR LIGHTING FIXTURE

An electrically powered illuminating device or other outdoor lighting fixture, including all parts used to distribute the light and/or protect the lamp, permanently installed or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot, flood, and area lighting for buildings and structures; recreational areas; parking lot lighting; landscape lighting; signs (advertising and other); streetlighting; product display area lighting; building overhangs; and open canopies.

PARTIALLY SHIELDED FIXTURES

A light fixture that is not fully shielded but incorporates a partial shield around the lamp by opaque barrier(s) such as louvers, shields, and other means in order to prevent the light source from being visible from property lines, roadways, or into waterways.

RECESSED CANOPY FIXTURE

An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling.

RESIDENTIAL USE

For purposes of this article only, residential properties and residential uses include only single-family and two-family residences and single-family and two-family uses. All other uses and structures other than single-family and two-family, such as, but not limited to, multifamily, apartments, cooperative apartments or residences, condominiums, retail properties and/or mixed-use properties, shall be considered nonresidential uses and structures.

UPLIGHTING

Any light source that distributes illumination above a 90° horizontal plane.

WALLPACK FIXTURE

A lighting unit designed for direct mounting on building walls whose primary function is to light building exteriors.

§ 98-81 Applicability.

- A. Residential uses: single-family and two-family residences.
1. Existing installations. All existing outdoor lighting on a single-family or two-family structure and/or property devoted exclusively to single-family and two-family residential use, installed prior to the effective date of this article, shall be exempt from the provisions of this article.
 2. Replacement, modification, or refurbishment of existing installations, including bulb replacements. All existing outdoor lighting on a structure and/or property devoted exclusively to single- and two-family residential use which is replaced, modified, refurbished, retrofitted and/or installed, including the replacement of light bulbs, after the effective date of this article, shall be the minimum necessary, in both number of luminaires and intensity of light, to achieve the intended purpose of the lighting, and shall meet the standards as provided in § 98-83.

3. Additions, improvements, alterations and addition of new fixtures. All outdoor lighting, including lighting and/or light fixtures as part of an addition, modification, alteration or otherwise, on a structure and/or property devoted exclusively to single- or two-family residential use, installed after the effective date of this article shall conform to the standards set forth in § 98-83.
4. Sale of single-family and two-family residential structures and uses. Within one year from the date of purchase of a single-family or two-family residential structure, the new property owner must comply with the provisions of this article.

B. Nonresidential uses.

1. Existing installations. Unless used exclusively as a single-family or two-family residence, all existing outdoor lighting installed on a structure and/or property shall comply with the provisions of this article within the one-year time period required by § 98-86 herein.
2. Replacement, modification, refurbishment of existing installations, including bulb replacement or improvements, alterations and addition of new fixtures. Unless used exclusively as a single-family or two-family residence, all existing outdoor lighting which is replaced, modified, refurbished, retrofitted and/or installed, and any additions, improvements, alterations and/or installation of new fixtures, installed after the effective date of this article, shall meet the standards as provided in § 98-83.

§ 98-82 Required submittals for projects requiring site plan review.

A. Site plan approval. An applicant for any work involving outdoor lighting fixtures that requires site plan approval shall submit, as part of the application, evidence that the proposed work shall comply with this article. In addition, the Town's Code Enforcement Officer, in his or her sole discretion, may refer an applicant for any work involving outdoor lighting fixtures governed by this article occurring in areas of the Town covered by the View Preservation District to the Town Planning Board for site plan approval with respect to said lighting.

B. Contents of Planning Board submission:

1. Plans indicating the location, height, orientation, type of illuminating device, and wattage of each outdoor lighting fixture;
2. Description of the illuminating fixtures, lamps, supports, reflectors, and other devices, including, but not limited to, catalog cuts by manufacturers and drawings (including sections where required), glare reduction/control devices, on-off cycle control devices, and mounting devices;
3. Location and use of adjacent properties;
4. Nearby properties that may be affected by the proposed lighting plan;
5. Photometric data, such as that furnished by manufacturers, or similar showing the angle of cutoff or light emissions;

6. (6) Additional information that the Planning Board or Code Enforcement Officer determines is necessary, including, but not limited to, an iso-lux plan indicating levels of illumination in foot-candles, at ground level, and a statement of the proposed hours and days of the week when the luminaires will be on and when they will be extinguished; and
7. (7) Prior to issuance of a certificate of occupancy, the developer or builder must be able to verify to the Town Code Enforcement Officer, in writing, that all outdoor lights were installed as described on the approved lighting plans.

C. Lamp or fixture substitution. Should any outdoor lighting fixture or the type of light source therein be changed to a greater intensity after a lighting permit has been issued or the site plan approved, a change request must be submitted to the Code Enforcement Officer for revised approval. The Code Enforcement Officer, in consultation with the Engineer for the Town, shall review the change request to assure compliance with this article. If the change request is not substantial, the Code Enforcement Officer may approve it. If the change request is substantial, the Code Enforcement Officer shall forward such request to the Planning Board for an amended approval, which must be received prior to substitution.

D. Approved materials and methods of construction or installation/operation. The provisions of this article are not intended to prevent the use of any design, material, or methods of installation or operation not specifically prescribed by this article, provided any such alternate has been approved. The Planning Board or Code Enforcement Officer may approve such proposed alternative provided it:

1. Provides at least approximate equivalence to the applicable specific requirement of this article; and
2. Is otherwise satisfactory and complies with the purpose of this article.

§ 98-83 General requirements.

A. General standards. All outdoor lights and externally illuminated signs shall be designed, located, installed, and directed in such manner as to prevent light trespass at and across the property lines, and to prevent direct glare at any location off the property, and to be shielded to the extent possible so as to confine the light within the property. The Town encourages, and in some cases requires, that the minimum lighting levels be used to attain efficient and effective use of outdoor lighting. The latest recommended levels for outdoor lighting set by the Illuminating Engineering Society of North America (IESNA) shall be observed for reference levels.

B. Prohibitions.

1. Up lighting that is unshielded is prohibited. Externally lit signs, displays, buildings, structures, streets, parking areas, recreational areas, landscaping, and other objects lit for aesthetic or other purposes shall be illuminated only with steady, stationary,

fully shielded light sources without causing glare or light trespass beyond the property line.

2. Roof-mounted area lighting is prohibited.
3. The use of laser lighting for outdoor advertising or entertainment and the operation of search lights for advertising purposes are prohibited.
4. The use of mercury vapor lamps is prohibited.
5. Unshielded wall pack-type fixtures are prohibited.

C. **Shielding.** All outdoor light fixtures shall be fully shielded using full cutoff light fixtures and installed in such a way that no light is emitted above a horizontal plane running through the lowest part of the fixture. The lighting shall also be shielded to prevent direct glare and/or light trespass and shall be, as much as physically practical, contained to the target area. All light fixtures that are required to be fully shielded shall be installed and maintained so that the shielding is effective as described in the definition of a fully shielded fixture. Floodlighting is discouraged and, if used, must be:

1. Shielded to prevent direct glare for drivers and pedestrians;
2. Must not permit light trespass beyond the property line; and
3. Must not emit light above a ninety-degree, horizontal plane.

D. **Light trespass.** Light trespass from a property shall be designed not to exceed 0.25 foot-candle at the property line or public right-of-way. An exception may be made for a nonresidential use in a nonresidential zoning district where light trespass may be allowed up to 3.6 foot-candles onto an adjoining property, provided such adjoining property is also a nonresidential use in a nonresidential zoning district. Light trespass onto a public highway or right-of-way shall not exceed the lighting requirements found in § 98-83A. Adjacent to residential property, no direct light source shall be visible at the property line at ground level or above. Mitigation to avoid or minimize light trespass may include landscaping and installation of a berm.

E. **Height.** Unless specified elsewhere herein and except for recreational facilities, such as baseball and other field sports, the maximum allowable height of a freestanding luminaire shall be 15 feet above the average finished grade. The maximum allowable height of a building or structure-mounted luminaire shall be 20 feet.

F. **Required light reduction.**

1. Residential properties. In addition to complying with the standards set forth in § 98-83, owners of residential properties are encouraged to reduce the illuminance of their structures to the minimum levels necessary, such that lighting not exceed one foot-candle. Motion-sensor security lighting is recommended to promote safety and to reduce the amount of night lighting in the Town.
2. Nonresidential properties. All nonessential lighting shall be turned off not later than one hour after, and not sooner than one hour before, normal business hours, leaving only the necessary lighting for site security and signage, which shall be reduced to

the minimum level necessary, but in no event shall exceed one foot-candle. Nonessential lighting applies to display, aesthetic, parking and sign lighting. Motion-sensor security lighting is recommended to promote safety and reduce the amount of night lighting in the Town. The requirements of this article shall supplement the requirements of § 98-19 H.(2) (b) of the Town Code with respect to illuminated signs.

G. Auto/truck filling stations. Island canopy ceiling fixtures shall be recessed so that the bottom of the fixture is flush with the ceiling.

H. Recreational facilities, public or private. Lighting for outdoor recreational facilities shall be fully shielded, as defined in this article.

I. Illuminance and uniformity. Light levels shall be designed not to exceed the latest recommended levels for outdoor lighting set by the Illuminating Engineering Society of North America (IESNA) for the type of activity/area being lighted, or as otherwise set forth herein, except light levels for ATM machines shall be in accordance with the New York State Banking Law Act, Article II. Where no standard is available from IESNA, the applicable standard shall be determined taking into account the levels for the closest IESNA activity. Design should establish a hierarchy of lighting to assure a smooth transition from bright areas to those with subdued lighting. Light levels shall be maintained at design levels with lamp or luminaire replacement as needed. Lighting in conformance with this article is required for all parking lots having five or more parking spaces. The following is a table of recommended outdoor lighting types and current IESNA recommendations to be observed for recommended levels of lighting and lighting types. (See Figures 1-4 at the end of this article.)

Recommended Outdoor Lighting Types

Lighting Type	Color	Recommended Uses	Comments
Incandescent	Full spectrum, white light	Infrequently used lighting, occupant sensor-activated lighting	Most common but most energy-inefficient of common lamp types
Fluorescent	Clear white light	Residential lighting, walkways, building entrances	Excellent color rendition, energy efficient, and inexpensive
Sodium high-pressures	Yellowish cast	Sports fields, parking, roadways	Recommended only where light distribution is valued more than appearance; can negatively affect vegetation

Recommended Outdoor Lighting Types

Lighting Type	Color	Recommended Uses	Comments
Low-pressure	Monochromatic	Roadways, walkways, parking, security lighting	One of the most energy-efficient but recommended only where color rendering is not important
Light-emitting diodes (LED)	Variable, especially when digitally controlled	Area, architectural, walkway, landscaping, and floodlighting	The emerging technology for LED lighting is eventually expected to eclipse traditional lighting due to long life, broad application, and highest energy efficiency

Outdoor Lighting Levels

Building Exteriors	Foot-candles
Entrances	
Active (pedestrian and/or conveyance)	5
Inactive (normally locked, infrequently used)	1
Service stations	
Approach	1.5
Driveway	1.5
Pump island	5
Service areas	2
Outdoor lighting for commercial, business, retail and office uses within the Central Business Shopping District	
Auto sales lots	5

Parking Areas and Parking Lots

Level of Activity	Horizontal Illuminance (FC)	
	Average	Minimum
High:	4.0	1.0
Automotive dealerships		
Entertainment theaters		
Medium:	2.0	0.6
Commercial, business, retail, and office uses within the CBS zoning district; cultural, civic, or recreational events; office parking; residential parking		
Low:	0.8	0.2
Industrial employee parking; educational facility parking; recreational facilities; and religious institution parking		

§ 98-84 Waterfront lighting.

Outdoor lighting in and around the ponds, lakes, rivers, and other waters of the Town shall not be installed or maintained so as to create a hazard or nuisance to other property owners and shall comply with the following restrictions.

- A. Lights on docks shall be no more than three feet above the dock, shall be directed downward and be full cutoff fixtures.
- B. Lights illuminating paths, stairs, decks, etc., shall not be directed towards the public bodies of water and shall not direct light upwards.
- C. All outdoor lighting shall be located, mounted and shielded, so that direct illumination is not focused towards the public bodies of water surface more than 20 feet from shore.

§ 98-85 Exemptions.

The following uses shall be exempt from the provisions of this article:

- A. Roadway lighting;
- B. Temporary lighting for circus, fair, carnival, religious, historic, or civic use;

- C. Construction or emergency lighting, provided such lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting;
- D. Temporary lighting, including holiday lighting for no more than two months per year;
- E. Lighting associated with agricultural pursuits, including harvest activities, unless such lighting is permanent and/or creates a safety hazard;
- F. Lighting, preferably low voltage, that is considered a landscape or building design element and is integral to the aesthetic value of the design, as determined by the Planning Board or Code Enforcement Officer;
- G. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels;
- H. Outdoor light fixtures installed on, and in connection with, those facilities and land owned or operated by the federal government, the State of New York, the County of Orange, the Town of Tuxedo, the Palisades Interstate Park Commission or any department, division, agency or instrumentality thereof, or installed on facilities owned by a religious institution, or eleemosynary organization. Voluntary compliance with the intent of this article at those facilities is encouraged; and
- I. Flag up lighting, provided any such flag is not used for advertising purposes.

§ 98-86 Compliance date.

All outdoor lighting fixtures, with the exception of lighting and/or light fixtures installed on a structure and/or property devoted exclusively to single- and two-family residential use which are subject to the provisions of § 98-81A(1), (2) and (3) above, shall be brought into compliance with the provisions of this article within one year from date of its adoption as a local law. No replacement or installation of new luminaires, including lamps, shall be permitted unless in conformance with this article.

§ 98-87 Maintenance.

Lighting fixtures shall be maintained so that they always meet the requirements of this article.

§ 98-88 Enforcement and inspections.

The Town Code Enforcement Officer is responsible for conducting post installation nighttime inspection to verify compliance with the provisions of this article and, if appropriate, to require remedial action and enforcement pursuant to Town Code § 98-35.

§ 98-89 Unnecessary financial hardship provision for nonresidential properties.

Should any owner of a nonresidential property containing 10 or more lights or lighting fixtures believe that they will suffer an unnecessary financial hardship due to the enactment and application of this article, that property owner may apply to the Town Zoning Board of Appeals, or where compliance with this article would require an amended site plan approval, to the Town Planning Board, for a variance from strict compliance with this article. Such an application

shall be in writing and shall contain competent financial evidence demonstrating that an unnecessary financial hardship exists. In addition, the applicant must submit a written phased plan to the Zoning Board of Appeals or Planning Board, as applicable, and to the Building Inspector, identifying the number of existing fixtures, a proposed plan of fixtures to be replaced, and when replacement work will occur and be completed.

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

From: Donald Weise [<mailto:dweise@nynjtc.org>]
Sent: Thursday, April 29, 2021 12:30 PM
To: Tuxedo Town Clerk; Ken English
Cc: Michele Lindsay; Maria May; 'Kim Levinsky'
Subject: Trail Conference Harriman race event Sat July 31, 2021 Powerhouse Park

Dear Marisa,

Thank you very much for the Event Permit Application form for our planned race this summer. Attached is our completed application. I believe that Andrew Blair, a staff member from our finance team, is or will be in contact with you, about a couple of questions regarding the wording for the certificate of insurance. We will be sure submit the COI to you as soon as it's ready.

Here are a few additional details about the race itself that may be helpful:

1. The race is being organized by the New York-New Jersey Trail Conference, the 501(c)3 nonprofit organization that cares for the trails in Harriman, Sterling Forest, and throughout the Hudson Valley.
2. This race will help to promote Tuxedo as a tourism destination, and the Trail Conference's work restoring the Ramapo-Dunderberg Trail. If the Town wishes, we would be glad to encourage participants to patronize the Tuxedo Farmers Market and/or other local establishments.
3. We are excited to be working closely (on the course and logistics) with Kim Levinsky of [Sassquad Trail Running](#), which is also a member club of the Trail Conference. Kim has an outstanding reputation in the NJ State and County parks for hosting well-organized and responsibly executed events.
4. The race has the blessing of park management at Harriman State Park (Harriman, NY) where almost all the race will be held.
5. There are no major road crossings. After exiting Powerhouse Park, runners will turn left and keep left, following the red-on-white blazes of the Ramapo-Dunderberg Trail through the East Village, and into Harriman State Park. This is the same trail that hikers have been following from Tuxedo Station to the park for the last 100 years. Runners will return in the same way, with the finish line in Powerhouse Park.
6. The meeting and parking location on Powerhouse Lane has its own [Google Maps location](#) and will be easy for participants to find, without assistance, from their cars or from Tuxedo Station. The race organizer will also provide supplemental signage and directions through the online signup, to ensure that participants can easily find the location on their own.
7. All race sign ups will be online (no on-site registration), where clear directions to the event will be posted.

I hope this is helpful; please let me know if I can answer any questions. My cell is (845) 545-1583.

Thanks and best regards,

Don

The greater the need for nature, the greater the need for the Trail Conference

Donald L. Weise

Director of Donor Advising, Past Board Member

New York-New Jersey Trail Conference

Connecting People with Nature Since 1920

600 Ramapo Valley Road | Mahwah, NJ 07430

Mobile phone: (845) 545-1583

dweise@nynjtc.org | www.nynjtc.org

FACILITIES AND FIELD USE APPLICATION

Customer Name New York-New Jersey Trail Conference Phone (845) 545-1583
Event Day Contact Person Don Weise/Kim Levinisky Phone " " "
Address 600 Ramapo Valley Rd, Mahwah NJ 07430 (937) 532-0829
Email dweise@nynjtc.org
Facility Name Power house Park and Pavillion
Event Type Trail race
No. of Attendees Up to 150
Set up date 7/30/21 Set up time from 8:00am to 7:00pm
Event date 7/31/21 Set up time from 5:00am to 9:00am
Clean up date 7/31/21 Set up time from 2:00pm to 5:00pm

Donald L. Weise
Print Name

Donald L. Weise
Signature

4/26/21
Date

For office use only:

Date of Application:

Receipt No:

Fee:

Approved by:

Copy of insurance
received:

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

TOWN SUPERVISOR/TOWN BOARD UPDATE:

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

TOWN SUPERVISOR IS IN RECEIPT OF THE FOLLOWING MONTHLY REPORTS:

- Town Justice Court
- Building Department
- Town Clerk

Justice Information

Municipal Name	Town of Tuxedo
Justice ID	3338400
Justice Number	407
Justice Name	Shawn Brown

Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

Submission Log

05/03/2021 01:25:59 PM / Shawn Brown / Town of Tuxedo / Submitted Document

Report Certification

Date Filed	05/03/2021
Report Period	04/2021
Report Amount	\$35,194.50
Date Check Sent to CFO	05/03/2021
AC-1030 Report File	AC210433.407

Justice Information	
Municipal Name	Town of Tuxedo
Justice ID	3338400
Justice Number	444
Justice Name	Alyse McCathern

Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

Submission Log
05/03/2021 01:25:14 PM / Alyse McCathern / Town of Tuxedo / Submitted Document

Report Certification	
Date Filed	05/03/2021
Report Period	04/2021
Report Amount	\$35,197.00
Date Check Sent to CFO	05/03/2021
AC-1030 Report File	AC210433.444

Issues of Importance

- 1 Some residents still follow up with questions about the status of the proposed garbage can law and light pollution in the overnight hours.
- 2 A complaint was issued about a neighbor installing a pool without a permit. The owner was notified and will remove the illegal pool that the renter put it as soon as the court evicts him. The sheriff is scheduled to have the tenant evicted within a few weeks.
- 3 There was a complaint about the condition of the Red Apple Rest. The Town Engineer has performed an inspection with me. For now, placards that inform the Fire Department the building is vacant will be placed. These specific signs will also be placed on other vacant buildings in the Town including the Ski Center Buildings and the Buddhist Temple on 17A.
- 4 There was a complaint issued about a dilapidated garage on Nursery Road. The Promenade Director has been notified and after meeting with their Board, they will decide on performing repairs on the garage for code compliance or take it down.
- 5 A complaint was issued about a commercial vehicle parked and washing the dirt and grime off of it and letting it go down the storm drain. There is no a law on the books to prohibit this.
- 6 There are several Towns that charge a "Vacant Building Fee" for a bulding that remains vacant. Some Towns charge up to \$500 per month.
- 7 The new owner of the Auto Body property in Southfields (C&E) has been granted permission by the Planning Board Attorney to operate under the previous approved Site Plan for an Auto Repair shop. They are in the process of amending the original approved Site Plan. Permission was granted to temporarily move the fenced in area from the south side of the lot to the north site. It will be moved back to the original spot if it is not approved. They will be allowed to operate the business under the conditions of the original site plan if their amended site plan is denied.

Monthly Report April 2021**Number of Transaction and Activities Conducted for:**

David Maikisch- Building Inspector/ Fire Inspector/Code Enforcement Office

<u>Transactions/Activities</u>	<u>Number</u>
Building Permits	6
Burn Permits	0
Burn Permit Site Inspections	0
Business Permits	0
Certificate of Compliances	2
Certificate of Occupancies	10
Clearing & Grading Inspections	0
Clearing and Grading Permits	0
Complaint Follow-ups	7
Court Appearances	0
Deck Inspection	0
Demolition Inspection	0
Electrical Permits	0
Elevation Certificates Issued	0
Elevator Inspections	0
Fence Location Inspection	0
Final Inspections	2
Fire Inspection Follow ups	12
Fire Safety Inspections	21
Fire Stopping Inspections	0
Footing Inspections	1
Framing Inspections	1
Gas Line Inspection	0
Gas Line Permit	0
Generator Inspections	0
Gravel under Slabs	0
HVAC Inspection	0
Insulation Inspection	0
Oil Tank Installations	0
Oil Tank Removals	0
Plan Reviews	6
Plan Review/On Site Meetings	5
Plumbing Final Inspections	0
Plumbing Rough-Ins	0
Plumbing under Slab	0
Pool Inspections	0
Pool Permit	1
Pre-Inspections	0
Propane Tank Installation	0
Rebar Under Slab	0
Roof Inspections	2
Septic Inspections	0
Septic Permit	0
Sheetrock Inspection	0
Sign Permits	0
Site Inspection	0
Site Plan Reviews	0
Solar Plan Reviews	0
Structure Fire Inspection	0
Trailer Permit	0
Violations Follow-ups	0
Violation Issued	0
Violation Searches	5
Wood Stove Inspections	0

Summary of Activities

I performed routine patrols this month, which involved driving to different areas of Town looking for violations set forth in the Tuxedo Code or the New York State Property Maintenance Code.

The violations I looked for included any work being performed without a permit, unsafe or dangerous buildings or homes, illegal or dangerous situations, unregistered vehicles, illegal trailers, illegal boats, or illegal commercial vehicles. I also looked for illegal signs, prohibited signs, the proper maintenance of signs, illegal landscaping and proper property maintenance, including improper disposal of garbage, debris, fill and/or dumping. (During the summer season, I also look for illegal pools and the proper installation of temporary pools).

When I found violations, I wrote and issued compliance orders and I issued Stop Work Orders if I found that the work being conducted required a permit. If the violation was not corrected, I issued an Order to Remedy, which included enforcement penalties. If that was ignored, I pursued the administrative enforcement action. (That includes writing and issuing an Appearance Ticket where I eventually meet the violator in court and explain to the judge what the violation is and what the fines are. The judge then deals with them through fines or whatever else he deems necessary.

I reviewed and investigated any complaints that were received either verbally or in writing this month to the Building department or myself. I inspected the conditions or activities alleged in the complaint and determined whether they were legit violations. If they were, I contacted the appropriate people involved with the violations and provided them with an opportunity to abate or correct the violations. (A personal call or visit usually diffuses the complaint) If ignored, the violation procedure as described above was followed.

I reviewed all building permit applications received this month and the plan specifications and /or the construction documents submitted with the application. They were reviewed to ascertain whether the proposed work was in compliance with the applicable requirements of the New York State Uniform and Energy Code. If they were approved, the permit was issued. If they were denied, the applicant was provided with the reasons for denial. (Before a few of the permits were issued, I visited the worksite to assure the property was flagged in accordance with the approved site plan) I conducted inspections for plan compliance and safety. (Inspections include the following when called for: Footings and foundation, preparation for concrete slab, framing, underground and rough-in building systems, fire-resistant penetrations, solid fuel burning heating appliances, chimneys, energy code compliance, and a final inspection when the authorized work is complete). I issued Certificates of Compliances or Certificates of Occupancies when the final inspections passed. I issued Stop Work Orders when the work was determined to be contrary to the approved plans or the NYS Uniform or Energy Codes. I also issued them if the work was being conducted in a dangerous or unsafe manner.

I administered and enforced the NYS Fire Prevention Code this month by inspecting all the 3 or more family dwellings that were due for an annual inspection for compliance with the NYS Fire and Maintenance Codes. I also inspected all businesses that were due for the annual inspection of compliance with these same codes and issued Business Permits to any new businesses in Town and revoked them for non-compliance with the NYS Fire Prevention Code. (75 Business Permits are in force at this time)

I inspected any buildings and structures that were involved in any fires, explosions accidents or weather related issues. I inspected them for structural damage and deemed them unsafe or fit for occupancy. I approved emergency repairs as needed. I also reviewed any applications for sign permits and took on the duties of the Flood Damage Control Administrator by reviewing applications and granting or denying them in accordance with the Flood Damage Prevention section in the Tuxedo Town Code.

Throughout this month I also kept current with the New York Department of State Bulletins, Fire Inspection Law Bulletins, National Fire Protection Association Journals and updates, pertinent publications including Buildings, Legal Briefings for Building Inspectors and all materials involved with researching current subjects. I also attended Town Board meetings, Technical Advisory Meetings and Planning /Zoning Board meetings as needed. Also, as needed, I consulted with Attorneys, Engineers, Architects, Town Board Members, Planning Board Members, Zoning Board Members, Office Personnel, Police Department Personnel, Business Owners and Residents.

I also attended any required continuing education courses that are needed to maintain the NYS State License and the NYS DEC Erosion and Sediment Control License.

Account#	Account Description	Fee Description	Qty	Local Share
A 1255	Marriage Licenses	MARRIAGE LICENSE FEE	2	35.00
			Sub-Total:	\$35.00
A 1603	Vital Statistic Fees	Vital Trans - Town	3	30.00
			Sub-Total:	\$30.00
A.1720	Parking Lot and garages	Parking Permit	4	239.00
			Sub-Total:	\$239.00
A1255	Conservation	Conservation	3	4.14
			Sub-Total:	\$4.14
A2544	Dog Licensing	Female, Spayed	9	81.00
		Male, Neutered	4	36.00
			Sub-Total:	\$117.00
Total Local Shares Remitted:				\$425.14
Amount paid to:	NYS Ag. & Mkts. for Surcharge			13.00
Amount paid to:	NYS Environmental Conservation			70.86
Amount paid to:	State Health Dept. for Marriage Licenses			45.00
Total State, County & Local Revenues:		\$554.00	Total Non-Local Revenues:	
			\$128.86	

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Marisa Dolbaum, Town Clerk, Town of Tuxedo, during the period stated above, in connection with my office, excepting only such fees and monies the application of which are otherwise provided for by law.

		<i>Marisa Dolbaum</i>	05/04/2021
_____ Supervisor	_____ Date	_____ Town Clerk	_____ Date

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

DEPARTMENT UPDATES

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

Resolution Accepting Minutes

Motion made by _____, seconded by _____ to accept the Minutes of the Regular Bi-Monthly Town Board Meetings held on April 12th and April 19th.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, April 12th, via WebEx, and called to order by Supervisor English at 7:01 p.m.

A recording of the meeting will be available on the Tuxedo YouTube site.

The meeting was opened by a pledge of allegiance to the flag.

Town Board Members Present:	Ms. Maria May	Councilmember
	Mr. David McMillen	Councilmember
	Mr. Jay Reichgott	Councilmember
	Mrs. Michele Lindsay	Deputy Supervisor
	Mr. Kenneth English	Supervisor

Town Board Members Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Howard Protter, Esq.; Mr. Robert Dollbaum, Highway Superintendent; Mr. Frank Peverly, Zoning Board Chairman; Dave Maikisch, Building Inspector; Russ Shaver, Zoning Board Member; Deidre Murphy, Planning Board Member; Kristy Apostolides, Planning Board Member; Omar Delgado, Zoning Board Member

Zoning Board Chairman Frank Peverly gave thanks to George Langberg for all of his time serving as a Zoning Board Member.

Deputy Supervisor Michele Lindsay made an announcement for three upcoming Earth Day Events. A recycling webinar will be shown during the school day for 8th grade and high school Science classes. A town wide presentation of the same webinar is on April 22nd at 7pm via the Town's Webex page. Additionally, there will be a webinar hosted by the C-Change Conversations on April 28th at 7pm via the Town's Webex page.

Public Comments on Agenda Items:

- There were no public comments on the agenda items.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

AGENDA ITEMS:

1. Approving and Authorizing Supervisor to Sign 2021 Stop-DWI Intermunicipal Agreement with Orange County

WHEREAS, the Town of Tuxedo desires to enter into the annual agreement with the County of Orange, to provide enforcement patrol funding to the Town for March 1, 2021 through January 11, 2022; and

WHEREAS, the Town of Tuxedo Town Board has reviewed the Agreement.

NOW, THEREFORE, BE IT RESOLVED:

On a motion made by Supervisor English, seconded by Councilmember McMillen

1. The Town Board hereby approves and authorizes the Supervisor to sign the Agreement in the form annexed with the County of Orange, for the period of March 1, 2021 through January 11, 2022

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

2. Resolution to Accept Resignation of Zoning Board of Appeals Member George Langberg, III

Discussion:

Supervisor English read Mr. Langberg's resignation letter. Mr. Langberg sold his property in Tuxedo and is no longer eligible to serve on the Zoning Board. The Town Board voiced appreciation of his twenty years of service and stated that he was a valued member of the Zoning Board.

RESOLVED, Motion made by Supervisor English, seconded by Councilmember McMillen, to accept the resignation of Zoning Board of Appeals Member, George Langberg, III effective April 12, 2021.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

3. Resolution to Appoint Omar Delgado from Alternate Member to Member of Zoning Board of Appeals commencing April 12, 2021

RESOLVED, Motion made by Supervisor English, seconded by Councilmember May, to appoint Zoning Board of Appeals Member, Omar Delgado, effective April 12, 2021 through December 31, 2023.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

4. Petition of relief from the Building Moratorium Local Law – Vishal Taneja

Motion made by Supervisor English, seconded by Councilmember Reichgott to grant to Vishal Taneja, a non-transferable exception to the present land use moratorium imposed by Local Law 3 of 2020, allowing it to proceed before the Planning Board with its present proposed plan for a commercial improvement of the Tuxedo Gulf Gas Station located at 191 NY-17, Tuxedo, New York. This Local Law 3 Section 3(A)(3) exception is based upon a determination that the plan as proposed is consistent with the Town's Comprehensive Plan and zoning requirements. This exception, to remain consistent with the Town's Comprehensive Plan and zoning requirements, is specifically contingent upon (i) the architecture of the plan being complementary to the historical buildings in the Hamlet Business Zoning District, (ii) site plan conditions mitigating the impacts of lighting and gasoline odors to neighboring residential properties, and (iii) addressing the increased traffic and vehicle circulation on the site that will necessarily accompany an expanded utilization of the site as proposed.

Any outstanding fees due to the Town of Tuxedo must be paid prior to any Planning Board proceedings on this revised application.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
 This meeting was held virtually through WebEx
 April 12, 2021

5. Adopt updated changes to Building Department inspection and permit fees

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember May the following inspection and permit fees have been updated to the following:

<u>Residential:</u>	
New Construction	\$1 per square foot of habitable area. Min Fee \$75.00
Addition (anything that adds sq footage)	\$1 per square foot of habitable area. Min Fee \$125
Alterations, repairs, accessory buildings, Demo	\$100 + \$5 for each \$1000 or fraction in cost
Above ground pools	\$100
In ground pools	\$300 + electrical permit of \$75
<u>Commercial:</u>	
New Construction	\$175 min + \$1 per square foot
Additional (anything that adds sq. footage)	\$175 min + \$1 per square ft.
Alterations, repairs, accessory buildings, Demo	\$175 + \$5 for each \$1000 or fraction in cost
Electrical Permit	\$75
Septic	\$150
Wood/Pellet Stove/Fireplace	\$150

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

Fire Safety Inspection	Under 2500 sq. ft. \$50.00 / 2501-100,000 sq. ft. \$100 / Over 100,000 sq. ft. \$250
Places of public assembly	\$50 (non profit exempt from fee but not inspection)
Residential Multiple Dwelling	\$15 per unit + \$50 per building, incl common areas
Mixed Use Bldg - Commercial/Residential	\$50 per common area + \$15 per living & commercial unit
Municipal/Violation Searches	\$250
Residential - Above ground tank Install or Removal	\$100
Residential - Below ground tank (up to 1,000 gallons)	\$100
Commercial Instal/Removal	\$250
Sign Permit	\$25

ON ROLL-CALL VOTE; Supervisor: Kenneth English Aye
Deputy Supervisor: Michele Lindsay Aye
Councilmember: David McMillen Aye
Councilmember: Maria May Aye
Councilmember: Jay Reichgott Aye

DISCUSSION ITEM:

1. Town Board priorities for the upcoming year

Supervisor English began the discussion with his list of priorities which consist of the following:

- Continued negotiations to mediate the Police Contract
- Complete the Police Reform Initiative
- Revive the Tuxedo Farms project with the Related Company
- New Wastewater Treatment Plant operational or refurbishing the existing one
- Long Meadow Road cleanup and compliance with DEC
- Plan to prevent misuse of parks, including Powerhouse Park and the area of the East Village
- Update the Zoning Code before the next extension of the Building Moratorium
- Reorganize the Recreation Department and hiring a Recreation Coordinator
- Negotiate Highway Department contract before the end of the year
- Proposed cell phone tower placement
- Proposed Train Station renovation
- Reorganize the Tuxedo LDC and complete PARIS reports

Deputy Supervisor Lindsay stated her list of priorities:

- Revise Zoning Code
- Support revision of Tuxedo Farms special permit
- Push to open Tuxedo Farms Wastewater Treatment Plan
- Establish goals for the Tuxedo LDC
- Revitalize Tuxedo Economic Development Committee
- Maximize the use of Town lands
- Continued work with the Climate Smart Community Task Force
- Finalize ADA projects and bid for a new Town Hall roof with federal grant money
- Hire Recreation Coordinator, Secretary to the Supervisor and a General Clerk
- Plan Summer Camp
- Finalize Police Reform Reinvention

Councilmember Reichgott agreed to the priorities above. His top priority is to resolve the Zoning Code amendments.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

Councilmember McMillen also agreed with the priorities above. He stated finalizing the Zoning code amendments is important. Some of the other items listed are unfortunately not in control of the Town Board and are not action items as of now.

Councilmember May stated the priorities that are time sensitive are establishing the Recreation Department, completing the Police Reform Reinvention, and finalizing Zoning code amendments. She also agrees with the above priorities listed.

TOWN SUPERVISOR UPDATE

- Kenneth English stated that Town Board had a meeting on April 5th to discuss the Recreation Department. An interview for the position of Recreation Coordinator was also held on April 5th. A notice to hire a Recreation Coordinator in newspapers and online and additional interviews will be held April 14th. He has two candidates to interview for the Secretary for the Supervisor position on Wednesday, April 14th. The Tuxedo LDC annual meeting was held on March 29th and they are working on documentation that has been incomplete. Hydroenvironmental Solutions completed Phase 1 testing at the dirt pile on Long Meadow Rd. on April 9th. The results from the testing will be available next week. The Tuxedo Hamlet Wastewater Treatment plant had an inspection and some structural damage was noted. The Police Reinvention committees have been meeting with the Tuxedo Police Department and will present their findings to the Town sometime in May. Tri State Solar Services will submit a revised financing plan for the possible solar panel installation at the Highway Garage.

TOWN BOARD UPDATES

- Maria May, Councilmember, thanked the residents that have been working on the Police Reform Reinvention. She also thanked Lt. Norton for his involvement with the committees.
- Michele Lindsay, Deputy Town Supervisor, also thanked residents for their time and effort with the Police Reform Reinvention.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

- Jay Reichgott, Councilmember requested to review the analysis from the testing on Long Meadow Rd. He has not received any news about a possible cell tower by the thruway. A different consultant working for Verizon is looking into the possibility of putting a cell tower near the Eagle Valle Fire Dept.

- David McMillen, Councilmember, had nothing to report.

MONTHLY REPORTS

Supervisor English is in receipt of the monthly reports from the Justice Court, Police Department and Town Clerk.

DEPARTMENT UPDATES

- Marisa Dollbaum, Town Clerk, reminded residents that they can obtain fishing licenses at Town Hall and the updated fishing guides were located outside of her office. She is collecting gently used eye glasses along with the Tuxedo Park Library. They can be dropped off at the Town Clerk's Office or the Library and the glasses will be donated to the Lions Club.
- Frank Peverly, Zoning Board Chairman, gave thanks to George Langberg and welcomed Omar Delgado. The next Zoning Board meeting is Tuesday, April 27th.

MINUTES:

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to accept the minutes of the Regular Town Board Meeting held March 22nd.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

VOUCHERS:

RESOLVED, Motion made by Supervisor English, seconded by Councilmember Reichgott, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012918217 through 2012918296

Voucher 2012918236 was deleted

General Fund :	\$95,724.76
Part-Town Fund:	\$124,311.47
Highway Town Wide :	\$26,334.52
Highway Part Town	\$1,400.00
Refuse and Garbage Disposal	\$30,323.10
Hamlet Sewer District	\$10,015.15
Trust and Agency	\$118,563.32
Total Abstract Amount:	\$406,672.32

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

PUBLIC COMMENTS

- Resident Jerry Mottola, asked about the status of the post office parking lot. Deputy Supervisor Lindsay stated that the Post Office is still interested in leasing the area to the Town if it will be developed as a parking lot. The Town Board will have to review the Town Center plans to see if that is a possibility.

Other Business:

RESOLVED, On a motion made by Deputy Supervisor Lindsay, seconded by Councilmember Reichgott, that the Town Board of the Town of Tuxedo join ICLEI (International Council for Local Environmental Initiatives) which provides training, tech support and software tools to build models for Climate Smart goals for the shared cost of \$300.00.

ICLEI provides "the leading online software platform for completing greenhouse gas inventories, forecasts, climate action plans, and monitoring at the community-wide or government-operations scales."

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to adjourn the meeting at 9:44 p.m.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Absent
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Aye

Respectfully submitted,

Marisa Dollbaum
Town Clerk
Town of Tuxedo

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 19, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, April 19th, via WebEx, and called to order by Supervisor English at 7:01 p.m.

A recording of the meeting will be available on the Tuxedo YouTube site.

The meeting was opened by a pledge of allegiance to the flag.

Town Board Members Present:	Ms. Maria May	Councilmember
	Mr. David McMillen	Councilmember
	Mr. Jay Reichgott	Councilmember
	Mrs. Michele Lindsay	Deputy Supervisor
	Mr. Kenneth English	Supervisor

Town Board Members Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Howard Protter, Esq.; Mr. Frank Peverly, Zoning Board Chairman; Russ Shaver, Zoning Board Member; Deidre Murphy, Planning Board Member; Kristy Apostolides, Planning Board Member; Omar Delgado, Zoning Board Member

Zoning Workshop

Public Comments on Agenda Item:

- There were no public comments on the agenda item.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 19, 2021

AGENDA ITEM:

1. Appointment of Office and Recreation Coordinator

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember May, that the Town Board of the Town of Tuxedo hereby appoints Claire Dougher as Office and Recreation Coordinator (Civil Service Job Title #1923).

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

PUBLIC COMMENTS

There were no public comments.

Other Business:

1. Appoint Secretary to the Supervisor

RESOLVED, On a motion made by Supervisor English, seconded by Deputy Supervisor Lindsay, that the Town Board of the Town of Tuxedo appoint Lorraine Cosgrove to the Secretary to the Supervisor (Civil Service #1576 - Exempt) is \$32.37 per hour for 30 hours per week (1560 hours annually). Budget Code A1220 for \$50,497.20.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 19, 2021

2. Tuxedo Art Event

RESOLVED, On a motion made by Deputy Supervisor Lindsay, seconded by Councilmember May, that the Town Board of the Town of Tuxedo approves the Tuxedo Art Event to be funded by grants, sponsorships, registration fees and sales of artwork.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Supervisor English made a motion to enter an Executive session at 6:50pm, pursuant to Public Officers Law for purposes of a discussion regarding personnel.

The Town Board returned to the public meeting at 8:00pm.

Motion by Deputy Supervisor Lindsay seconded by Councilmember McMillen

Whereas an employee has filed a complaint regarding the employee's supervisor's interaction with the employee which complaint is, pursuant the pursuant to the Town's Employment Practices Compliance Manual, required to be investigated;

NOW THEREFORE be it resolved as follows:

1. Resolved that Labor Consultant Michael Richardson be and hereby is designated to investigate the details of the complaint and report to the Town Board;
2. That pending the conclusion of the investigation, the Deputy Supervisor shall assume the responsibilities of supervising the employee's department.

On a vote of 4 ayes, 0 naves and 1 abstention

The motion was adopted.
Dated April 19, 2021

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 19, 2021

ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen to adjourn the meeting at 8:02 p.m.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Aye

Respectfully submitted,

Marisa Dollbaum
Town Clerk
Town of Tuxedo

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

VOUCHERS

Motion made by _____, seconded by _____, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012918344 through 2012918427

Voucher 2012918403 was deleted

General Fund :	\$104,787.3
Part-Town Fund:	\$32,559.23
Highway Town Wide :	\$10,012.66
Highway Part Town	\$2,514.39
Refuse and Garbage Disposal	\$30,323.10
Hamlet Sewer District	\$7,487.48
Total Abstract Amount:	\$187,684.29

TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021

PUBLIC COMMENTS

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

OTHER BUSINESS

**TOWN BOARD MEETING
TOWN OF TUXEDO
May 11, 2021**

ADJOURNMENT

Motion made by _____, seconded by Councilmember _____, to adjourn the meeting at _____ p.m.