

AGENDA
REGULAR BI-MONTHLY TOWN BOARD MEETING
Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom
Monday, August 14, 2023 at 7:00pm

Call to Order
Pledge of Allegiance

Public Comment on Agenda Items

Agenda Items

1. Resolution to approve temporary sign permit – Masker Orchards
2. Resolution to approve temporary sign permit – Renaissance Faire
3. Resolution to consider bid proposal for Highway Garage Floor Rehabilitation
4. Resolution approving Shane Smith to attend Basic Wastewater Certification Course
5. Resolution to introduce Local Law entitled “Short-Term Rentals” and schedule Public Hearing

Executive Session

Discussion Items

- Parks and Recreation Local Law

Monthly Reports
Department Updates
Supervisor’s Update
Town Board Update
Minutes
Vouchers
Public Comments
Other Business
Adjournment

Call to Order

_____ called to order the Town Board Meeting of August 14, 2023 at _____pm.

Pledge of Allegiance to the Flag

Public Comment(s) on Agenda Items

Agenda Item #1 – Resolution to approve temporary sign permit – Masker Orchards

Motion made by _____, seconded by _____, that the Town Board hereby issues a special sign permit to Masker Orchards, 129 Edgemere Ave, Greenwood Lake, New York, for a maximum of seven (7) directional signs measuring 14” X 22”, to be placed at the below listed locations for a period commencing late-August 2023 and ending no later than November 15, 2023, at which time all signs must be removed:

- On Route 17 just up from Tuxedo’s southern border
- On Route 17 near the turn to Rte. 17A
- At the base of the ramp on Route 17A
- At the top of the ramp on route 17A
- On Route 17A across from top of ramp (by parking lot)
- On Route 17A just before the Renaissance Faire
- On Route 17A by Benjamin Meadow Rd.

Masker Orchard will remit a total of \$175.00 for the permit to the Town Clerk.

Agenda Item #2 - Resolution to approve temporary sign permit – Renaissance Faire

Motion made by _____, seconded by _____, that the Town Board hereby issues temporary sign permits to the New York Renaissance Faire for two (2) directional signs measuring 8’ x 8’ to be placed at 965 Route 17, Southfields, NY and 538 Route 17, Tuxedo, NY for the months of August through October, 2023 in the design and wording depicted on the applicant’s sample on file in the Town Clerk’s office.

Agenda Item #3 - Resolution to consider bid proposal for Highway Garage Floor Rehabilitation

Motion made by _____, seconded by _____ that the Town Board of the Town of Tuxedo hereby accepts bid proposal for the Highway Garage Floor Rehabilitation submitted by Culbertson Company of New York \$162,821.00.

Agenda Item #4 - Resolution approving Shane Smith to attend Basic Wastewater Certification Course

Motion made by _____, seconded by _____ that the Town Board of the Town of Tuxedo hereby approves Shane Smith to attend Basic Wastewater Certification Course hosted by Jamestown Community College from August 14th-August 25th for a cost up to \$5,000.00. This course will provide instruction for Basic Wastewater operation to individuals seeking to become certified and follows the DEC curricula guide for wastewater treatment plant operators.

2 Week Course: \$1595, Room (incl breakfast): \$1902.36, Food: (up to \$50/day): \$600, Mileage: 632 mi @ .655/mi: \$413.96

Agenda Item #5 - Resolution to introduce Local Law entitled “Short-Term Rentals” and schedule Public Hearing

Tabled until 8/28

EXECUTIVE SESSION

OTHER BUSINESS:

1. Resolution Settling of Tax Certiorari Claim

At a meeting of the Town Board of the Town of Tuxedo, County of Orange, State of New York, held at Town Hall in said Town on the 14th day of August, 2023;

WHEREAS, LR TUXEDO DEVELOPMENT GROUP, LLC, has commenced a tax certiorari proceeding against the Town of Tuxedo in the Supreme Court of the State of New York, County of Orange for the following years:

2023-24 tax assessment year bearing Orange County Index No. EF004603-2023

WHEREAS, it appears from the recommendation of the Town Assessor and Kara J. Cavallo, Esq., of J&G Law, LLP, counsel for the Town of Tuxedo in the aforesaid proceedings, upon a thorough investigation of the claims that further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter as more fully set forth below is reasonable and in the best interests of the Town; and

WHEREAS, LR TUXEDO DEVELOPMENT GROUP, LLC are willing to settle this proceeding without interest, costs or disbursement, in the following manner:

(1) That the proceeding for the 2023-24 tax year be compromised and settled by the assessment being reduced from \$5,326,392 to a total assessment of \$4,367,641 for a total reduction in assessment of \$958,751 for tax map nos. 214-1-35, 214-1-38, 214-1-39, and 214-1-34.2;

(2) That the Petitioner's real property taxes on said parcel above described for the 2023-24 School taxes and for the 2023 County and Town taxes be adjusted accordingly and the Petitioner be reimbursed for any overpayment or be credited with the corresponding decrease in taxes, as the case may be;

(3) That the assessment for the 2023 assessment year shall be reduced to \$4,367,641 with the provisions of Real Property Tax Law §727 to apply.

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above is hereby accepted pursuant to §68 of the Town Law, and it is further;

RESOLVED, that Jim Davies, Assessor of the Town of Tuxedo and Kara J. Cavallo, Esq. on behalf of J&G Law, LLP, be and they hereby are designated as the officers of the Town who shall apply for such approval pursuant to the aforesaid section and law and be it further;

On a motion by Councilperson_____, seconded by Councilperson_____, the foregoing resolution was adopted to a vote of _____Ayes, _____Nays.

2. Resolution to approve purchase of prefabricated shed for a cost up to \$5,000,00

3. Porta Potty Rental for Farmer's Market

2 Purple Porta Potty:
(08/18/2023 to 10/21/2023) \$133.00 Per Month
- Delivery Charge \$50 (One time charge) \$133
1 Hand Wash Station (with soap) \$165.00

Total = \$481.00

DISCUSSION:

Parks and Recreation

Monthly Reports

Building Department

All Permits Issued Current Year to Date									
Permit Date	Permit Number	Parcel Number	Location	Owner Name	Owner Address	Permit Type	Permit Use	Fee Amount	Status
July 18, 2023	23-0070	203-1-2.2	61 Clinton Rd	Lemily John T	61 Clinton Rd, Tuxedo, NY 10987	Construction - Residential	Addition	\$600.00	Approved
July 28, 2023	23-0075	211-7-2	241 Route 17	JPMorgan Chase Bank, National Assoc	P.O. Box 810490, Dallas, TX 75381-0490	Construction - Commercial	Alteration	\$0.00	Closed
July 6, 2023	23-0063	211-5-5.2	215 Route 17	Tuxedo Hudson Company # 1 LLC	P.O. Box 775, Tuxedo Park, NY 10987	Operating Permit	Food Truck	\$50.00	Approved
July 5, 2023	23-0064	212-8-10	159 East Village Rd	Steinmann III Vernon R	159 East Village Rd, Tuxedo, NY 10987	Construction - Residential	Solar	\$235.00	Approved
July 5, 2023	23-0065	201-1-37.2	609 Route 17A	Faire Partners Llc	4855 N Mesa E Rd Ste 120, El Paso, TX 79912	Construction - Commercial	Demolition	\$185.00	Closed
July 5, 2023	23-0066	201-1-37.2	609 Route 17A	Faire Partners Llc	4855 N Mesa E Rd Ste 120, El Paso, TX 79912	Construction - Commercial	New Building	\$680.00	Approved
July 7, 2023	23-0067	225-1-10	10 Susan Ct	Radulov Sharon	10 Susan Ct, Tuxedo, NY 10987	Construction - Residential	Deck	\$120.00	Approved
July 7, 2023	23-0068	205-3-15	980 Route 17	Liszynski, Roman	P.O. Box 23, Southfields, NY 10975	Construction - Commercial	Clearing/Grading	\$100.00	Approved
July 10, 2023	23-0069	205-3-17.1	922 Route 17	Von Helms, James	922 Route 17, Tuxedo, NY 10987	Construction - Commercial	HVAC/Mechanical	\$275.00	Approved
July 20, 2023	23-0072	201-1-37.2	609 Route 17A	Faire Partners Llc	4855 N Mesa E Rd Ste 120, El Paso, TX 79912	Construction - Commercial	New Building	\$776.00	Approved
July 20, 2023	23-0071	201-1-37.2	609 Route 17A	Faire Partners Llc	4855 N Mesa E Rd Ste 120, El Paso, TX 79912	Construction - Commercial	New Building	\$480.00	Approved
July 20, 2023	23-0073	211-5-5.2	215 Route 17	Tuxedo Hudson Company # 1 LLC	P.O. Box 775, Tuxedo Park, NY 10987	Operating Permit	Food Truck	\$50.00	Approved

Permit Date	Permit Number	Parcel Number	Location	Owner Name	Owner Address	Permit Type	Permit Use	Fee Amount	Status
July 27, 2023	23-0074	217-1-92.1	47 Salerno Rd	Hayward Kenneth	47 Salerno Rd, Tuxedo, NY 10987	Construction - Residential	Septic System -Up grade/Repair/Replace	\$150.00	Approved

13 Permits

\$3,701.00

All Certificates for Current Year

Parcel Number	Location	Number	Certificate Date	Type
217-1-78	42 Salerno Rd	23-0121	July 5, 2023	Compliance
217-1-78	42 Salerno Rd	23-0122	July 5, 2023	Compliance
212-4-2	196 Route 17	23-0123	July 6, 2023	Compliance
209-1-7.2	549 Route 17	23-0124	July 7, 2023	Occupancy
217-1-74	63 Table Rock Rd	23-0125	July 7, 2023	Compliance
212-7-1.1	99 East Village Rd	23-0126	July 11, 2023	Compliance
212-7-1.1	99 East Village Rd	23-0127	July 11, 2023	Compliance
213-7-3	27 Contractors Rd	23-0128	July 11, 2023	Compliance
217-3-23	15 Juniper Ter	23-0129	July 18, 2023	Occupancy
217-3-23	15 Juniper Ter	23-0130	July 18, 2023	Compliance
201-1-59.14	40 Katrina Ct	23-0131	July 25, 2023	Compliance
215-3-1.22	14 Summit Brook Rd	23-0132	July 25, 2023	Compliance
201-1-37.2	609 Route 17A	23-0133	July 26, 2023	Compliance
220-1-1.-608	Mountainside Dr	23-0727	July 27, 2023	Occupancy
208-1-11.2	16 Cardinal Ct	23-0134	July 31, 2023	Compliance

15 Certificates

Parcel Tax/Search

Parcel Number	Location	Owner Name	Date	Fee	Debit	Credit	Balance
203-2-6.2	53 Woods Rd	Singh Dhruv Pratap	July 5, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
213-3-17	23 Hillside Ave	Kincaid, Theodore Jr	July 5, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
217-1-64	24 Table Rock Rd	Peralta, Miguel	July 25, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
220-1-1.-608	Mountainside Dr	DeAngelis, Thomas R	July 14, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
220-1-1.-917	1008 Parkview Dr	Newsome, Mark A	July 5, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
224-13-5.1	26 Woodlands Dr	Sloe, William	July 14, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
225-2-14	372 Bramertown Rd	Loubet, Thom	July 10, 2023	Misc Fee - Tax Parcels/Search Process	\$150.00	\$150.00	\$0.00
					\$1,050.00	\$1,050.00	\$0.00

All Monthly FS Inspections

Parcel Number	Inspection Location	Owner Name	Owner Address	Inspection Type	Inspection Number	End Date	Fee Amount
209-1-7.2	549 Route 17	Tuxedo NY LLC	4 Golar, Monsey, NY 10952	Annual	23-0048	2023-07-03 10:45:00	\$50.00
209-1-7	549 Route 17	Duck Cedar Partners.	115 Jarmain Rd, Monroe, NY 10950	Annual	23-0051	2023-07-11 14:20:00	\$50.00
2 Inspections							\$100.00

Judge Brown

Justice Name	Shawn Brown
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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	
08/07/2023 12:19:25 PM / Shawn Brown / Town of Tuxedo / Submitted Document	

Report Certification	
Date Filed	08/07/2023
Report Period	07/2023
Report Amount	\$34,444.00

Judge McCathern

Justice Name	Alyse McCathern
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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	
08/07/2023 12:47:28 PM / Alyse McCathern / Town of Tuxedo / Submitted Document	

Report Certification	
Date Filed	08/07/2023
Report Period	07/2023
Report Amount	\$22,675.00

Town Clerk

<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
A 1255	Marriage Licenses	MARRIAGE LICENSE FEE	1	17.50
	MARRIAGE TRANS	Marriage Trans	4	40.00
			Sub-Total:	\$57.50
A 1603	Vital Statistic Fees	Vital Trans - Town	13	130.00
			Sub-Total:	\$130.00
A 2590	Other Permits	Street Opening/Excavation	1	625.00
			Sub-Total:	\$625.00
A.1720	Parking Lot and garages	Parking Permit	15	2,612.00
			Sub-Total:	\$2,612.00
A1255	Conservation	Conservation	1	1.38
			Sub-Total:	\$1.38
A2544	Dog Licensing	Female, Spayed	3	27.00
		Male, Neutered	2	18.00
			Sub-Total:	\$45.00
Total Local Shares Remitted:				\$3,470.88
Amount paid to:	NYS Ag. & Mkts. for Surcharge			5.00
Amount paid to:	NYS Environmental Conservation			23.62
Amount paid to:	State Health Dept. for Marriage Licenses			22.50
Total State, County & Local Revenues:		\$3,522.00	Total Non-Local Revenues:	\$51.12

DEPARTMENT UPDATES:

TOWN SUPERVISOR/TOWN BOARD UPDATE:

MINUTES

Motion made by _____, seconded by _____ to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on July 24, 2023.

VOUCHERS

Below are the vouchers totaling \$5000 or greater

2012921954	Global Montello Group	\$5,018.90	Fuel
2012921955	Environmental Consultants LLC	\$6,606.40	Monthly Maintenance Fee
2012921960	H.O. Penn Machinery Co Inc	\$9,650.00	Bulldozer Rental for Dirt Pile
2012921966	Fusco Engineering	\$14,000.00	Code Enforcement Officer June 2023
2012921971	Hoffman Engineering Services	\$5,596.75	Train Station/Sewer
2012921982	NY State Insurance Fund	\$5,747.95	Workers Comp August 2023
2012921984	Rockland Paramedic Services, Inc	\$63,196.50	August Paramedic & EMT
2012921988	IWS of New York	\$31,507.79	July Garbage & Recycling
2012921989	TAM Enterprises Inc	\$6,840.00	Payment No. 1 Train Station Repairs
2012921991	Atlantic Pavement Marking	\$11,500.00	Line striping- 5 Roads
2012921992	Robert Young & Sons Paving	\$7,801.00	Asphalt
2012921994	C.N. Wood Co. Inc	\$12,291.52	Excavator Rental for Dirt Pile
2012921996	Lease Servicing Center	\$12,963.62	Payment #5/5 Hot Patch Dump
2012922002	Benistar	\$5,354.14	Retiree Medical Benefits September 2023

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

Claim numbers: 2012921940 through 2012922009

General Fund:	\$156,962.38
Part-Town Fund:	\$26,832.82
Highway Town Wide:	\$18,878.26
Highway Part Town	\$10,355.67
Hamlet Sewer District	\$6,606.40
Refuse and Garbage Disposal	\$31,507.79
Trust and Agency	\$2,025.00
<u>Total Abstract Amount:</u>	\$253,552.32

PUBLIC COMMENTS

ADJOURNMENT

Motion made by _____ seconded by _____, to adjourn the meeting at _____pm.