

**Amended AGENDA**  
REGULAR BI-MONTHLY TOWN BOARD MEETING  
Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom  
Wednesday, October 11, 2023 at 7:00pm

Call to Order  
Pledge of Allegiance

Public Hearings:

NYS Unified Solar Permit Implementation  
~~Tax Levy Limit Override—2024 Fiscal Year~~ (this PH will be on Monday, October 23<sup>rd</sup>)  
Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Service

Public Comment on Agenda Items

**Agenda Item(s)**

1. Resolution to consider adopting Local Law “NYS Unified Solar Permit Implementation”
2. Resolution to consider adopting Local Law “Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Service”

**Discussion Item(s)**

- ATM at Train Station (may be tabled if Jay cannot make meeting)

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 October 11, 2023 at \_\_\_\_\_pm.

**Pledge of Allegiance to the Flag**

**Public Hearing**

A public hearing regarding introductory Local Law entitled “NYS Unified Solar Permit Implementation” was opened at \_\_\_\_\_pm by \_\_\_\_\_

**Open Public Comments**

**Close Public Hearing?**

Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_, that all persons desiring to be heard, having been heard, the Public Hearing regarding Introductory Local Law #4 “NYS Unified Solar Permit Implementation” be closed at \_\_\_\_\_.

## **Public Hearing**

A public hearing regarding introductory Local Law entitled "REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS" was opened at \_\_\_\_\_ pm by \_\_\_\_\_

The local law adopting the changes has been provided to the Board and is attached. The significant changes from the Town's existing law regarding this subject are as follows:

1. The exemption can now apply in situations where a portion of the property is not used exclusively for the applicant's residence but is used for other purposes. In such a case the exemption will apply only to the residence portion and the balance shall be subject to full taxation. Currently the property must all be used as the applicant's residence.
2. The enrolled member must be certified by the Chief of the Fire District to have served at least 2 years of active service rather than 5 years as now.
3. The 10 percent exemption is not subject to the \$3000 cap as now.
4. The exemption will now continue for the un-remarried spouse of an enrolled member of the Fire District who is killed in the line of duty upon the following conditions:
  - a. The un-remarried spouse is certified by the Chief of the Fire District as the un-remarried spouse of the volunteer firefighter killed in the line of duty; and
  - b. The deceased volunteer firefighter had been an enrolled member for at least five years; and
  - c. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.
5. The exemption will now continue for the un-remarried spouse of a deceased member of the Tuxedo Joint Fire District under the following conditions:
  - a. The un-remarried spouse is certified by the Chief of the Fire District as the un-remarried spouse of the deceased enrolled member of the Tuxedo Joint Fire District
  - b. The deceased volunteer firefighter has been an enrolled member for at least twenty years
  - c. The deceased volunteer firefighter has been receiving the exemption prior to his or her death.

## **Open Public Comments**

**Close Public Hearing?**

Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_, that all persons desiring to be heard, having been heard, the Public Hearing regarding Introductory Local Law #5 “REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS” be closed at \_\_\_\_\_.

**Public Comment(s) on Agenda Items**

**Agenda Item #1 Resolution to consider adopting Local Law “NYS Unified Solar Permit Implementation”**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS**, an introductory Local Law entitled "**NEW YORK STATE UNIFIED SOLAR PERMIT IMPLEMENTATION** " was introduced before the Town Board of the Town of Tuxedo on \_\_\_\_\_, and upon notice duly published and posted, a hearing was held on \_\_\_\_\_, before the Town Board; and

**WHEREAS**, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

**NOW, THEREFORE, BE IT RESOLVED**, that the adoption of the introductory Local Law entitled "**NEW YORK STATE UNIFIED SOLAR PERMIT IMPLEMENTATION** \_" is hereby determined not to have a significant effect on the environment.

**BE IT FURTHER RESOLVED**, that the introductory Local Law entitled "**NEW YORK STATE UNIFIED SOLAR PERMIT IMPLEMENTATION** " of the Town of Tuxedo be and hereby is adopted as Local Law #\_\_\_\_ of the Town of Tuxedo on \_\_\_\_\_, 2023.

**Upon Roll Call Vote:**

**RESOLUTION**

**ADOPTION OF THE NEW YORK STATE UNIFIED SOLAR PERMIT**

**WHEREAS**, The Town has duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety; and

**WHEREAS**, The Code Enforcement Officer, who administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Tuxedo Town Code; and

**WHEREAS**, The Town requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

**WHEREAS**, The New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration and repair of equipment and systems using solar systems; and

**WHEREAS**, The New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes: and

**WHEREAS**, The Town desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and implementing the new procedures,

**NOW THEREFORE, BE IT RESOLVED**, the Town Board hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

**RESOLVED**, the Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application form and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

**RESOLVED**, Any further actions required of the Town to effect the foregoing are hereby authorized and the Supervisor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

**Agenda Item #2 -Resolution to consider adopting Local Law “Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Service**

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS**, an introductory Local Law entitled "REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS" was introduced before the Town Board of the Town of Tuxedo on September 11, 2023, and upon notice duly published and posted, a hearing was held on \_\_\_\_\_, before the Town Board; and

**WHEREAS**, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

**NOW, THEREFORE, BE IT RESOLVED**, that the adoption of the introductory Local Law entitled "REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS" is hereby determined not to have a significant effect on the environment.

**BE IT FURTHER RESOLVED**, that the introductory Local Law entitled "REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS" of the Town of Tuxedo be and hereby is adopted as Local Law #\_\_\_\_ of the Town of Tuxedo on \_\_\_\_\_, 20\_\_.

**Upon Roll Call Vote:**

**Agenda Item #3 - Resolution to request NYDOT study for a crosswalk at Hospital Road**

This will be tabled.

**Other Business:**

Chair Yoga - \$160.00 (4 sessions), Kathleen is proposing Chair Yoga in the Community Room.



## DISCUSSION ITEMS

1. ATM placed at Train Station (Tabled if Jay is not at the meeting)

ATM PLACEMENT AGREEMENT: This ATM LOCATION AGREEMENT is entered into and is effective this \_\_\_\_\_ of \_\_\_\_\_, 2023 between All County Vending (“ATM Owner”) and the Town of Tuxedo\_ (“Town”).

- Basic Agreement. It is hereby agreed that the ATM Owner is granted the exclusive right to securely install, maintain, repair and insure the ATM machine at the following single location, at no cost or obligation to the Merchant.
- Filling The Machine and Processing Fees. ATM Owner will fill the machine with cash and pay all processing fees.
- Telephone & Electrical Requirements. Town agrees if needed to provide a 110-volt power outlet, a telephone or internet access.
- Instillation & Maintenance. ATM Owner shall install or contract installation on the ATM. For insurance purposes the ATM must, may be bolted to the floor if needed. ATM Owner shall provide all labor involved with service and maintenance. ATM Owner shall respond to repair or service calls within a reasonable time.
- Signage. With the Town’s permission the ATM Owner shall be allowed to erect ATM signage as necessary to attract ATM business, subject to the Town’s sign regulations.
- Town Commission. In consideration for the right to place the ATM at the Town’s designated location, All County Vending will Pay the Town\$.50 for each transaction commencing with the 26th transaction after installation. The Town will get a detailed report each month.
- Termination for Low Usage/Cause. The ATM Owner may end this agreement if, after a period of time, low usage is determined and keeping the ATM in the location does not justify continuing at the location. The Town may terminate this transaction at any time on 90 days written notice.
- ATM operator has the right to contract with a 3rd party for the maintenance and loading of the cash for the machine. ATM owner has the right to transfer or sell this agreement to any third party as long as the third party agrees and follows all the terms of the agreement.
- Term of Agreement – 12 months. During which time no other cash dispensing machines may be used on these premises. This agreement shall automatically renew for the same time frame as the original term unless written notice is received by the ATM Owner 60 days prior to the ending date of the term

**MONTHLY REPORTS:**

Supervisor English is in receipt of the following monthly reports:

- Judge Brown

<b>Report Certification</b>	
<b>Date Filed</b>	10/02/2023
<b>Report Period</b>	09/2023
<b>Report Amount</b>	\$29,245.00
<b>Date Check Sent to CFO</b>	10/02/2023
<b>AC-1030 Report File</b>	AC230933.407

- Judge McCathern

<b>Report Certification</b>	
<b>Date Filed</b>	10/02/2023
<b>Report Period</b>	09/2023
<b>Report Amount</b>	\$33,002.00
<b>Date Check Sent to CFO</b>	10/02/2023
<b>AC-1030 Report File</b>	AC230933.444

- Town Clerk

10/11/2023

Town Clerk Monthly Report Monthly Report  
September 01, 2023 - September 30, 2023

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Account#	Account Description	Fee Description	Qty	Local Share
A 1255	Marriage Licenses	MARRIAGE LICENSE FEE	6	105.00
		<b>Sub-Total:</b>		<b>\$105.00</b>
A 1603	Vital Statistic Fees	Vital Trans - Town	34	340.00
	Vital Statistics Fees	Vital Trans. - Village	40	0.00
		<b>Sub-Total:</b>		<b>\$340.00</b>
A.1720	Parking Lot and garages	Parking Permit	8	1,388.00
		<b>Sub-Total:</b>		<b>\$1,388.00</b>
A.3510	Control of Dogs (Contractual)	Animal Impoundment Fee	1	195.00
		<b>Sub-Total:</b>		<b>\$195.00</b>
A1255	Conservation	Conservation	6	170.39
		<b>Sub-Total:</b>		<b>\$170.39</b>
A2544	Dog Licensing	Female, Spayed	8	72.00
		Male, Neutered	7	63.00
		Male, Unneutered	1	17.00
		<b>Sub-Total:</b>		<b>\$152.00</b>
		<b>Total Local Shares Remitted:</b>		<b>\$2,350.39</b>
Amount paid to:	NYS Ag. & Mkts. for Surcharge			18.00
Amount paid to:	NYS Environmental Conservation			2,925.61
Amount paid to:	State Health Dept. for Marriage Licenses			135.00
Amount paid to:	Village of Tuxedo Park			400.00
<b>Total State, County &amp; Local Revenues:</b>	<b>\$5,829.00</b>	<b>Total Non-Local Revenues:</b>		<b>\$3,478.61</b>

**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 September 25, 2023.

**VOUCHERS**

Below are the vouchers totaling \$5000 or greater:

2012922229	Global Montello Group	\$5,941.94	Fuel Delivery #2/2 September
2012922232	Rockland Paramedics	\$63,196.50	October Paramedic Services
2012922239	DeLage Laden Public Finance	\$21,631.29	Installment #3/3 2021 Police Chevy Tahoe
2012922244	New York State Insurance Fund	\$5,777.95	September Workers Comp
2012922255	J&G Law	\$21,471.25	Professional Services- September

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: 201292224 through 2012922265

General Fund:	\$118,426.50
Part-Town Fund:	\$29,402.29
Highway Town Wide:	\$5,778.76
Highway Part Town	\$847.25
Hamlet Sewer District	\$365.35
Tuxedo Farms Sewer	\$66.00
<b>Total Abstract Amount:</b>	<b>\$154,886.15</b>

**PUBLIC COMMENTS**

**ADJOURNMENT**

Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_, to adjourn the meeting at \_\_\_\_\_ pm.