



AGENDA
REGULAR BI-MONTHLY TOWN BOARD MEETING
MONDAY, OCTOBER 25th, 2021 AT 7:00pm
1 TEMPLE DR. – COMMUNITY ROOM

Call to Order
Pledge of Allegiance

Discussion:

Traffic Enforcement – update on speed radar trailers
Tuxedo Farms – Town Board will review written questions/comments

Public comments on Agenda Items

Agenda Items:

1. Petition of relief from Building Moratorium – 1099 Route 17, Southfields
2. Temporary Sign Permit Approval – Ladies Auxiliary of Eagle Valley Fire House
3. Approve purchase of Hoffman Equipment – Loader for Highway Department
4. Schedule Public Hearing for 2022 Town Budget
5. Town Hall Roof Bid
6. Budget Modifications

Department Updates
Monthly Reports
Supervisor's Update
Town Board Updates
Minutes

Vouchers

Public Comments

Any other Business as may come before the Board after this Agenda is posted

Adjournment

Tuxedo Farms submitted comments/questions

1. Sallie Abelow

Will the project qualify for a full or partial exemption from municipal and/or school taxes? If so for how long?

2. Kristy Apostolides

I'm sure you've heard the concerns about the blanket increase in housing density, so I will only mention my concern about it within the context of the fact that a high density development sold as a walkable community seated at the center of a state park doesn't reflect reality. While there is some truth the the fact that people are not buying McMansions anymore, even with a 67% increase in units, the population of the area is not enough to attract a grocery store, so a truly walkable community is not possible.

Secondly, my reading over the redlined permit application and short form EIS raises a number of concerns. Related just seems to be crossing out references to local laws pertaining to previous drafts of the special permit. These should be reviewed carefully. Additionally, the short form EIS is filled out incorrectly. Most of the responses lead me to believe Related is callously expecting a negative declaration, since every answer to every question is essentially "that's been studied in previous submissions". Obviously, the impacts of increased density development, and an additional 800 units requires further study. Everything from water use and disposal, to traffic patterns, to runoff, to the affects on wildlife will change. I will remind you that site plans require details such as which specific trees are being removed and how the landscaping will be replaced, down to the species. If the objective is to get this development moving quickly it is imperative that guidelines are worked out and adhered to in the special permit phase, so that when site plans come to the planning board, the rules are clear. Much of this has been done, but not in the context of increased density development.

Finally, I implore to you explore a legal argument that was not ripe when we were discussing the placement of the casino: a cap on the total number of units or square footage allowed in the town. When the lands in the northern part of town were put under an easement, a certain amount of development rights were transferred to the lands now slated for occupation by Related. I believe this was maxed out with the 1150 initially approved units. It is possible, although I'm not entirely aware of all the details, that allowing Related to add 800 units and additional commercial space would preclude the rest of the town from the possibility of development. If this is true, the question is: would you sacrifice potential development in other areas of town so that Related can build things it's familiar with, i.e. high density apartments?

Thanks for taking the time to consider comments from the community and I greatly appreciate you broadcasting the meetings via WebEx.

3. Greg Beard, Village Resident

- Does Related have any agreement to sell the development to a third party? Has Related granted or considering exclusivity to any potential buyer of the development? Are either expected?

- Given the approvals that currently exist on the development were agreed 4 years ago, why is Related asking for changes to the agreement today?

- Will Related activate the sewer plant now before any further changes to the permit are negotiated?

- How can you convince the Town Council that the requested changes to the project size aren't being requested to make the property more attractive to another developer that wants higher density?

Questions for the Town Representatives:

- Given that you are negotiating with a group that exists to develop massive projects, how can your constituents become comfortable that you have been properly advised? Will you engage a professional negotiator and advisor that has experience in reaching terms with Related?

- What is the proper pacing of reaching approval for any changes?

- Given that Rt 17 is now half the size from when the permit was approved 4 years ago, shouldn't the of the development also shrink?

4. Jennifer Darling

I am writing to express my concerns regarding the most recent request by RELATED to amend the Special Permit.

Before I continue, I want to be clear that I am not anti-development. I understand all too well that Tuxedo is mostly state land and that there are only so many ways to raise revenue without raising resident taxes. That being said, it is important that the developer and builder intend to be good neighbors and fully integrate themselves in our small community. Every time we grant additional density in any way on that development, we inadvertently increase the value of the property to RELATED and we create future voting blocks which can be used to disproportionately shift the make-up of the Town Board one day in the not-so-distant future.

By way of background, I grew up in North Tuxedo so I remember when the initial permit was issued. Now, more than 30 years later I am living in Tuxedo Park and I am alarmed that not one unit has been built. I am even more concerned that RELATED has asked for several modifications without having a builder in place. The idea that they are asking for modification without a builder is not acceptable to me. Moreover, they continue to ask for an increase in the total number of units and total number of bedrooms without having built a single unit. **I am strongly opposed to any modification that potentially would result in more units and a higher density before we see at least the first phases built and sold.** Right now, the additional units add value only to RELATED and not any current value to the Town of Tuxedo.

I also strongly oppose any addition of affordable housing units. The initial project was approved under certain conditions, had there been more affordable housing in the original application it would not have been approved. The inclusion of affordable housing gives the developer perks but does not provide the Town of Tuxedo with any perks. Again, this makes the project tax deductible to the developer and builder and more salable to RELATED but not to the Town of Tuxedo. I do not oppose affordable housing but the existing units should be built first and then we can discuss another phase.

I understand that RELATED has not met some of their obligations under the current permit. Specifically, they owe TUFSD \$1,000,000 which they have not yet paid and I understand that they have not yet activated the sewer plant. **The fact that we would consider a modification to the Special Permit when the Developer has not met its obligations (i.e. the developer is in default) under the current permit is not acceptable.** As a general rule, we should not be considering any modification if the Developer is not current on the current permit.

The original permit does not have an expiration date. I think this was a huge mistake, any modification of the permit should include benchmarks and if one or more are not met than the permit is revoked (automatically).

I would also like to see us negotiate a right of first refusal on any option to sell the land as part of any concession we make to the special permit. This way, it at least provides the town with some ability to try to raise the money (through a bond or privately) to buy back the land. It should not matter to RELATED If they sell it back to Tuxedo or if they sell it to a third party but it gives Tuxedo the option of removing a Special Permit without an end date from circulation. It also allows the Town of Tuxedo to develop the land in smaller increments over time.

Finally, we should be hiring a specialist, be it a law firm or other consultant that can provide advice and help us negotiate against RELATED. Someone that understands what RELATED wants, why they are asking for it and what the ramifications are for a small town such as ours. It is not that I do not respect the tremendous job the Town Board and Supervisor have been doing, but we do not know what we do not know and the third-party non-resident expertise would be value added and assist us in moving forward in a way that will benefit our community.

I realize that this Board and Supervisor did not issue the original permit and that today's socio-economic climate is not the same as the one in the 1990's. Please know that my e-mail is in no way directed to any one personally, you all inherited this situation and are now only trying to find the best bath forward for the Town of Tuxedo. To that end, when the Town decides what they want from this process, I would be more than willing to help in any way I can, as I am sure would many of our neighbors. However, before we can help, we need to have a clear understanding about what the Town wants and then we can all work together to try to make that a reality.

5. Evelyn E. David

1. Where is the picture and detailed description of the of this new proposed plan?
Who is your contractor and what is their contact information?
2. Where is the new traffic study considering the increased number in population and changes to the traffic pattern in Sloatsburg with the narrowing of Route 17 and the new traffic light in Sloatsburg? Have you tried to drive to Tuxedo on a Friday afternoon?
3. Where is the new environmental impact study based on all the climate changes since the first approved plan and based on the increased population projections? What will the impact be on the wetlands?
4. What are the implications for our volunteer fire company with the increase in population?
5. What are the implications for our police department based on the increase in population?

6. Have you done a new groundwater study to determine if there is enough water for the increase in numbers of people? Do you have a plan? Where is it?

7. Are these buildings sustainable architecture using solar, natural gas and geo thermal?

8. Why are you starting Phase II before you finish Phase I?

6. Irene Denaro

I would like Related to use the “School Site” in their plans for Hospitality and not for multi-family housing and not for another school.

My question is what type of hospitality would they consider putting in that site? And will that site be accessible to all residents of the Town of Tuxedo?

I would like to know why Andrew Dance was so adamant about closing the school. The reason he gave never made sense. Once the school population grew so would the school programs and activities. His demand the school close caused friction among residents and was a terrible idea for any town.

7. Chris Dollbaum

As a lifelong resident of Tuxedo, I couldn't be more excited about the prospect of Tuxedo Farms project getting started. After seeing their presentation, I am confident their plans are exactly what is needed to revitalize our town and school district.

I applaud the town board with their progress in working with Related to move past a 30 year stalemate and move this project forward.

8. Douglas R Ewing

I do not in any way support the request by Tuxedo Farms to amend the Special Permit. I consider any increase in the number or density of units to be completely unacceptable. Thank you for your consideration in this matter.

9. Kathy Goldman

I hope this finds you well.

I am a 26 year resident of Sloatsburg. I'd like to weigh in on the Tuxedo Farms project. While I prefer that it never happens and the project is abandoned altogether giving way to mother nature's handiwork of reverting back to virgin forests, and eventually annexed to Sterling Forest State Park, I acknowledge that Tuxedo is trying to populate the schools and gain rateables. I've hiked those lands that are now scarred and have seen a beautiful wildlife like black bear. There was such gorgeous topography and wetlands. One can see that scarred land from Torne Mountain in Harriman St. Pk. Perhaps a hiking trail system throughout Tuxedo Farms would've provided revenues to local businesses without all the costs of services that you would incur from a housing development. The all-volunteer trail maintainers of the New York New Jersey Trail Conference could have created a beautiful trail system there at no or low cost.

But back to the immediately reality—

I read an Oct. 7, 2021 letter to Mayor McFadden from Town Councilmember Jay Reichgott. Here are my comments:

There is no mention of the active adult housing in his letter. I had heard about an intent to have active adult housing from a Tuxedo resident. We would need clarification on that (does the 2,000 units include active adult housing?). An increase in population would impact fire and ambulance service - more costs to Tuxedo residents. Sloatsburg Ambulance Corps is now defunct so it can't backup Tuxedo Ambulance. You'd have to rely on Town of Ramapo ambulances but that could be a long wait depending on Rt. 17 traffic.

Where are the ingress/egress locations aside from Rt. 17? What will be the water source? Traffic has been increasing along the Rt. 17 corridor for years. The Renaissance Faire continues to impact traffic for a few weeks in late Summer. Then it's apple picking and leaf peeping season as people head up to Warwick and areas upstate. I hope we don't have to reconsider a Thruway Exit 15B.

10. Therese Haussner, MS, PA-C

As a Mom, living on Circle Drive in Tuxedo, I couldn't be more excited about the Tuxedo Farms Project. It has the potential to fill the school and give this town an opportunity for positive growth.

Thanks for all you do to keep Tuxedo great.

11. James Hays

Many in our community are eager to have the building of houses in Tuxedo Farms begin. It is gratifying therefore that Related once again wishes to restart negotiations with the Tuxedo Town Board. The question that remains unanswered, however, is why, since the original permit to build was granted in 2004, has no construction of housing units occurred? Related has never proposed to build the housing units, rather they have attempted to attract builders who would purchase land from Related and construct dwellings, then sell the housing units to families. Why have builders found Tuxedo Farms unattractive?

We were told a few years ago that if the Town Board relaxed some restrictions on building materials, builders would build. They didn't so what is the real reason? Is it the cost of the land and/or other factors e.g. the financial burden placed on home buyers to cover the costs of financing the sewage treatment plant that Related promised to build at their own expense years ago? Will the changes now proposed to the Special Permit make the project more attractive to builders and home buyers? If not then this iteration of Special Permit changes will be just another in what is already a far too long series of such changes. If builders won't build then discussing changes to the Special Permit becomes irrelevant.

Related should be asked to demonstrate how the changes to the Special Permit they are requesting make Tuxedo Farms more attractive to builders. The Town Board should also determine why the builders Related attempted to attract in the past found Tuxedo Farms unattractive. Once this is known then, appropriate changes can be made to the Special Permit so that builders will be attracted to Tuxedo Farms and construction can begin.

12. Gary Lee Heavner

1. What does "PIPC PARCEL" mean on the map?
2. Can you provide a better map that includes more natural and manmade features and details just outside the development map already provided. (e.g., roads, state park land, lakes, streams, neighboring lots, powerlines, town land, etc.)

13. Steve Hellman

Please register my opposition to the request to grant Related additional units in Tuxedo Farms. This change would represent a completely unjustified expansion of the development when all associated infrastructure is already creaking under strain and certain infrastructure (such as roads) would create undue imposition on current residents of the community that had a right to rely on the limited nature of developable land at the time we purchased our properties.

Undoubtedly the developer will tell you that the project is not economical without the further density. This is simply not true. The translation of that complaint is that the developer cannot make unreasonable profits on the development, but that is entirely because the developer bought the land a long time ago, sunk a bunch of money into the development, and then did nothing over the years and years that he has had all permits necessary to commence and complete construction, among other things leaving an absolute eyesore in the forest that many of us can no longer enjoy as a result. It was the developer's choice to sit on the land and do nothing for over a decade; and it is not the community's responsibility to overcompensate him for that inactivity and lack of attention to this project. If the land was developable with the current 1100+ units, as a real estate developer myself I can assure you that it still is. It may not

deliver him the return he hoped for with the passage of time and all of his frozen capital, but it is absolutely not the responsibility of our community to incur significant additional burden from overbuilding in order to compensate him for his poor project execution. On the contrary, every time you reward the developer with unjustified concessions, he understands that he can continue to sit on the project and do nothing because you will continue to bail him out.

Rather than granting additional rights to the developer, I would strongly encourage the board to put a long stop date on his existing permits to send the clear message that he should develop the land as agreed or step away

14. Sue Heywood [Tuxedo resident]

I have many concerns over the newly proposed plans for the Tuxedo Farms Development

1 The increase in number of units and the proposed decrease in size of each unit will change the demographics. More town houses instead of single family homes will not bring in families with high school age children.

2 What exactly is this 'walkability' that seems so desirable?

3 Will there be any assurance that is legally binding that will prevent Related from selling to a developer such as the Watchtower, where tax revenues for the town will not be forthcoming? Will each unit be available for sale to individual families or will they only be rentals?

4 How many units will be for seniors over 55?

5 Our roads are already congested. These added numbers will become a traffic nightmare.

6 I agree with the Village of Tuxedo Mayor's concerns 100%. This has to be examined much more closely before commitment is made.

15. Katharine Hsu MD PhD

I am writing to register my strong opposition to the Request for Amendment to the Tuxedo Farms Special Permit.

I am a 15-year resident of Tuxedo Park, and as such, I have witnessed the evolution of the Tuxedo Farms project. I am dismayed, although not surprised, to learn of this latest amendment, which proposes to nearly double the number of units and to increase the density of development to provide for a more "walkable environment".

1. There is no change in environment or state/federal/local policy that is necessitating these changes; therefore, on principle, there is no reason to approve such an amendment.
2. With the recent changes on Route 17, the vehicular traffic in the area next to the proposed development is already problematic, with congestion extending from Sloatsburg to beyond Jessie's Bagels all the way to the Tuxedo Apartment complex. The proposed change to add units will only contribute to the density of traffic, severely compromising quality of life for the entire Tuxedo community.
3. The developers have made no argument why they are requesting a higher unit, denser, more populated development, other than to "Reduce financial hardships in order to make advancing the project financially feasible." It is not the responsibility of the Tuxedo community to reduce the financial hardship on the developers. It is the responsibility of the developer to develop their

project within the parameters of the AGREED permit. It should be noted that the existing permit was agreed upon by the developers with tremendous historic concessions by the community.

4. Even if it is true that a more walkable environment and “missing middle” homes are more desirable to current homebuyers, there is still NO justification for the addition of units. The developers can reconfigure the EXISTING number of units to create the walkable environment and the missing middle homes.

I am disturbed by this egregious attempt by the developer to extract more concessions from a community with a strained infrastructure and one that has already made generous concessions.

I strongly urge the Tuxedo Town Board to REJECT this offensive amendment.

16. Kim Kilgore

I would like to know if issues related to the number of first responders (fire fighters, police, EMT) that would be needed for this new community and the new proposal have been addressed. Are the numbers we have in place adequate?

If not will more first responders need to be hired? Will additional fire trucks and police cars need to be purchased? Will a new fire station be required?

17. Jack and Kim Kilgore

What exactly does increasing density of units actually mean? Is this more units than they initially applied for?

Why would we allow that?

If that is the case we are firmly against this.

18. Maureen Love

Since one of the great concerns for citizens of The Town of Tuxedo is that a large swath of developed land might then be sold to a religious group and removed from the tax roles, I would like to know if the Supervisor and Town Board are aware of the steps that the Town of Ramapo and The Watchtower organization went through to arrive at the deal in Sloatsburg.

And, working backward even further, do we know how the Town of Ramapo gave the permit to the original owners of the Woodgrove development? Were they taken by surprise that the land and buildings were going to be tax-free?

If we don't know these steps, how can we avoid the same pitfalls?

19. Victoria Love

I just wanted to let you know my opinion about the Tuxedo Farms development since there is a meeting coming up. I believe they are trying to add 800 additional units to the development. While this would be a boon to the economy there is no infrastructure here to support that.

With Sloatsburg turning Route 17 into a parking lot how in the world is this area going to be able to handle the 1200 units yet alone an additional 800. It is pure greed.

Yes we need the new sewage treatment plant, that is part of the original plan. The housing market for this area has skyrocketed because of the pandemic hence why they want to start up again, however this will destroy the wildlife of our area. We are going to look like the monster apartment houses next to Auntie Els or worse the stripped bare hills in Monroe.

Another thing to consider is that if they have a community center it should be made available for all residents of Tuxedo. One of the polarising problems in Tuxedo is that each neighbourhood has its benefits that separate the community. The wee Wah only being open to the hamlet and park makes people unhappy. Why not use this development to unite the community by having them create a community center that is open to all of Tuxedo. The woodlands created Murphy Field for the entire community let the Tuxedo Farms create a community center with an indoor pool for everyone.

If it is determined that they are given permission to add the additional 800 units they need to do a lot more for Tuxedo, a new fire engine, new ambulance, money for the library, shuttle bus to the train station, money for a new wing in the high school, and protect the baseball field up by the high school. If there are going to be all these new residents the school needs athletic fields.

They are capitalizing on the swing in real estate with everyone leaving the city. They want to build. Don't give away our way of life. I moved back here from the city for the quite, nature filled beauty of Tuxedo. They need to respect that. No to 800 more units.

Thank you for reading my opinion.

20. Rev Sandra J McGrady

Question is addressed to the proposed increase of number of homes....how will this impact the environment and the usage of water?

21. Jacob Matthews

My name is Jacob Matthews and I am a resident homeowner in Tuxedo Park. I am a lifelong Tuxedo Park Resident, I attended George Grant Mason Elementary School as well as George F. Baker High School. I was raised in Tuxedo / Tuxedo Park and came back here to raise my young family. In addition to being a resident local homeowner, I also have a young son (Age 6, 1st grade) in the local public school George Grant Mason Elementary. I am also a local Realtor here in Tuxedo / Tuxedo Park and the Lower Hudson Valley for the past 6 years. Consequently, I have a deep interest in helping to foster a bright and

positive future for Tuxedo. My family roots here go back to the late 1960's and will likely continue well into the future, and therefore I only want the best for Tuxedo.

I believe more residential and commercial development in our Town is healthy for a number of reasons, in particular for tax base, for support of the public school and the vitality of the hamlet and small business. New development must be done right both from a civic planning / zoning, engineering and environmental perspective as well as from an aesthetic and architectural perspective.

At the 9/27/21 meeting it was put forth by Related and their representatives that Related wants The Farms to be another feather in their cap of their project history. It would be a great thing if Related can hold this project as one of their best ever and to that end, the Town of Tuxedo should work closely to make sure that the plan is done to highest standards possible - honoring Tuxedo's rich natural, civic and architectural history. There may be opportunities for green building and other innovative initiatives in the project that both Related and the Town of Tuxedo can mark as a feathers in their caps now and into the future.

I am requesting that the following specific questions and statements or viewpoints be put in front of Related and the Town Board for review and consideration prior to and at the Town Board Meeting on Wednesday 10/13. I attended the first meeting on 9/27 however, I am uncertain if I can be there in person on 10/13.

My questions and statements regarding Tuxedo Farms / Related Cos. proposal are:

1. "Special District" request - "hospitality". I believe hospitality/special district at the school site (or elsewhere) needs to be further defined (or drawn with excluded uses) before any approval is given. In the initial presentation at town hall on 9/27/21 there was information presented that the school property in the "Farms" would be used as a "Special District" for hospitality. In this regard: The Town MUST be absolutely CERTAIN, from a zoning, permitting and agreement perspective that **NO GAMING or CASINO use**, and no special permits for gaming or casinos can ever be part of this Special District nor any part of the entire development at any point, nor by any waivers. The "special district" hospitality must have further definition and must specifically exclude any casino or gaming.

Tuxedo residents fought hard to avoid having a casino in our town. My recollection is the state may issue more new gaming licenses at some point in the future. We must not let a "special district" or any part of the development by Related or any other developer, be a loophole for a potential future casino location. It should also not be a "big box" store complex.

2. What is "Amenity" uses?

3. It's my view that the school (TUFSD) should get new game fields / sports complex and improvements to the existing facilities, fully funded and built to high standards by developer. If not built out by developer, previously dedicated school space within the farms should be dedicated Open Space / parkland or nature preserve, if appropriate.

4. What will be the connectivity to the hamlet?

a. There should be defined walking, cycling and jitney connectivity to the hamlet of Tuxedo, bus, train, school.

b. The farms should not be a "community apart" from the Hamlet. Connectivity via walking paths, roadways and cycling should be well defined, engineered and confirmed prior to any approvals. Design perspective should be reflective of Tuxedo's rich architectural history which is known around the world.

5. Sound and lighting ordinances should be in place for any approvals on any special district for "hospitality". Hospitality should have room limits, building height limits.
6. Current school George Grant Mason & George F. Baker High should be upgraded from buildings and grounds perspective, infrastructure / landscape / technology and infrastructure in buildings.
7. What is "UD"?
8. Is the sewer / water plant capable of the increased bedroom counts?
9. Are there any requirements for green building certifications within the special permit approvals? If there are no requirements for green building certifications would the developer be willing to meet any green building certifications such as LEED or otherwise in all or portions of the development.
10. As part of a relook at the special permit is the town negotiating for any new or additional recreation improvements for our town? For example, is the town negotiating to get a town pool, with appropriate amenities and ancillary surroundings for the pool? Is the town negotiating for improvements to current parks and ballfields? These are important town amenities that should be considered. I believe this would be in the town's interest.
12. In the area of Mountain Lake specifically the Western side and Northern side of mountain Lake, within Tuxedo Farms development, is that area permanently protected as open space? It is very hilly, rocky and steep as well as I presume environmentally sensitive. I believe that should be an area that should be under special focus for natural preservation, scenic viewshed and no development.
13. The Village of Tuxedo Park is private and restricted. What provisions are being made between the Town of Tuxedo, the Village of Tuxedo Park and the developer within the special permit, to ensure the security of the Village of Tuxedo Park and its borders and the forested pathways within the village.
14. Given how much time has passed since initial approvals, does the developer have to redo any environmental studies before changes to the special permit such as for endangered or threatened species?
15. Tuxedo Park relies on Tuxedo Lake as reservoir drinking water. Does the proposed increase in housing units and proposed increase in bedrooms impact Tuxedo Park's drinking water supply in any way?
16. Parts of Tuxedo's hamlet rely on Tuxedo Park for drinking and domestic water supply. Some of this infrastructure is aging and possibly in need of repair. Is the developer in a position to contribute to upgrades and repair to the water supply system to the Hamlet?
17. In the Request to Amend the Special Permit, it appears that:
 - a. far too much control is being taken away from the Town Planning Board. Is there anything that can be done to strike balance and allow the Planning Board to carry/retain most of its original controls.
 - b. There is an effort to relax the architectural standards and that should be closely examined. Is the developer doing any new mockups?
 - c. Hamlet Revitalization is being reduced or cut back, why? The Town of Tuxedo should hold hamlet revitalization as an important negotiation aspect.
 - d. There is an effort to make easier the disturbance / reduction of wetlands for the benefit of "product type layouts" The town should hold firm to using engineering as the test for wetland disturbance, not product type layouts. These wetlands impact downstream drinking water quality and the Ramapo River - which is a drinking water supply for parts of NJ.

18. Related presented on 9/27 that they want to favor walking or non motorized modes of transportation in The Farms project. How can the Town of Tuxedo extend this philosophy, with the help of Related to the Hamlet of Tuxedo. Are there creative ways to improve the walkability of our existing Hamlet as well as cycling and green transportation alternatives. Is there a way to connect Tuxedo and The Farms project to Transit of Rockland (TOR) and/or Orange County local mass transit options?

19. What are the controls in place with regard to making sure that the phases and various divisions / subdivisions of the farms flow smoothly into each other from a physical perspective but also from a design perspective - as they are developed over time, so that one area of the Farms doesn't stick out as being drastically unfitting either in design or architecture or zoning wise from another area of the farms - so as to avoid drastic juxtaposition side by side of the various subdivisions?

20. How does the recent Town effort to form a Village contiguous/coterminus with Town border impact this development?

21. Local fire department, Police department and Ambulance Corps in Tuxedo, Tuxedo Park, Sterling Forest, Eagle Valley should be provided additional boosts in funding for equipment, staffing, technology from and through the developers financing channels as well as via grants and NY State to handle new / increased essential duty. Emergency services needs to be carefully be considered and scrutinized.

22. Current local library should be supported with help from developers.

The long view impacts of moving forward with such a project or not moving forward, must be taken into account. What will our town look like 10, 20, 50 and even 100 years down the road? Will this be a project that future residents look back on and remark about the positive, forward looking vision and capability of the townspeople the town managers and the developers of our time?

Thank you for hearing my perspectives and answering my questions. My hope is the Town and the developer can work together to make this project a shining example of success on the local and on the national stage.

22. Katherine Norris

Where will they get their water? Our lake is down about one foot now. Where will the children go to school? Will they all be on unemployment etc...?

23. Sharon Radulov

In my view, what makes the Town of Tuxedo a beautiful and a unique place to live is the abundance of its natural resources. Keeping this in mind I think it's important that Tuxedo Farms limit their Smart Code Regulating Plan to only Natural, Rural & Suburban Zones. I don't believe Urban Zones are appropriate for this area. People looking for an Urban experience should go elsewhere in my view. The Tuxedo Farms presentation seems to focus largely on its intended character and yet they are ignoring the fact that large Urban Zones will create more traffic, noise, light pollution and inevitable excess garbage. These problems

will also affect the character of a town. Many of our neighbors in Monroe are feeling the impact of High-Density Urban buildings and the people that I have spoken with do not like it.

I do not support an increase in the unit count from 1,200 – 2,000. This increase is not in the best interest of the town. 800 more units is a tremendous amount of population. I would not like to see four or five story buildings in our town. I also do not support increasing the number of bedrooms. I'm not exactly sure where the bedrooms fit into their plan. I'm beginning to think the Smart Code is gas lighting Tuxedo residents. Smart code for who? I personally think it's NOT Smart.

In September Forbes reported "No End In Sight For The COVID – Led Global Supply Chain Distribution" This article highlights shortages in almost every industry and it is unclear when this will end. I have personally noticed the empty shelves locally in Shoprite, Kohls, TJ Maxx and Home Depot. While Related may have adjusted their timeline in some way for this I don't believe their Phases will work out as they have planned. Walking communities they are expecting could end up taking ten years to complete with ongoing delayed construction due to material shortages. In the meantime, I don't think we should overcrowd our local community, bars & restaurants. While the local businesses may welcome new patrons it will be unrealistic to provide appropriate services. Even Hawaii is limiting the number of Tourists over the next three years because they want their residents to be happy. There is no benefit to the local residents for the 800 added units.

While The town of tuxedo is in desperate need of a wastewater treatment plant, I don't believe we should bend over backwards just to get this. Those of us that live in the North end of town will be dreading more delays to our increasing commute into the city and New Jersey. Has Related offered any money to reengineer and open the Thruway exit 15B to alleviate the traffic that will certainly come from a large scale development as this one?

24. Dr. Donald Roman

I recently learned that the Developer of the Tuxedo Farms project has requested further variances to increase the density of occupancy, number of units and residents from 1200 to over 2000. I strongly speak out in my opposition to granting such variances for this development. Our family moved to the town of Tuxedo over six years ago because of the country charm, character and wonderful interaction of the members of the neighborhood. Coming from Bergen County in New Jersey we wanted to escape the crowding towns filling with urban sprawl, maddening traffic and loss of neighborhood gentrification and interaction.

The community of Tuxedo is a hidden gem, where community, country atmosphere and quite is just the start of the wonderful nature of our town. At night you can see the night sky, have wonderful quiet evenings and take walks in peace and safety. Our children can play in the street, ride their bikes with little fear of injury from heavy traffic as in most communities in the NY-NJ area. The developer stated he could not entice builders to invest in the project due to the school issue and reneged on the many promises made to the town and our residents.

The largest growing population in our country is the over fifty-five, or mature American. These developments have been springing up in mass all over our country and sell out in rapid time. So their feeble excuse that they could not entice development is a fallacy. Further is that by building more units, they can now build and sell homes is utterly ridiculous. If they could not develop what they initially planned, how can building more change the issue? What we need to see is that this developer made promises to the town, the planning board and most importantly to the people of our community and reneged on their agreement and promises. Siting ridiculous statements that no firm wanted to build due to the school situation (remember the fifty five and over issues which could have brought development to tuxedo and of a higher value in housing as this is the wealthiest portion of our population). Why increase the density, and change the character of the town? As home values have sky rocked the number of homes

the developer has been approved of will bring a much greater selling price and greater profit without further investment. Resulting a community of better homes adding value to tuxedo in line with the present neighborhoods.

What we need to consider is did this developer have an agenda which was hidden from us and mis-represented their intentions to the people of our community and town officials? What this developer is requesting is to change the entire character of our community, cause damage, detriment and injury to its neighboring residents of Tuxedo. This proposed high density community will forever change the character of Tuxedo; the loss of its country charm, peaceful living and greatly tax our community services and roadways forever. Additionally, this high density community is not in line with the existing theme of our town and destroys our neighborhoods, home values and quality of life.

My understanding is that the laws and regulations in the State of New York allow planning boards, municipalities and Zoning boards to revoke previously granted variances due to the following conditions (one or more):

(1) Materially false or inaccurate statements in the approval or variance application or supporting documents.

(2) Failure by the person named in the approval or variance to comply with any terms or conditions of the approval or variance;

(3) The scope of the project, as described in the application, is exceeded.

(4) Newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or rules and regulations since the issuance of the existing approval or variance.

(5) Noncompliance with previously issued approval or variance conditions, orders of the municipality, or with any provisions of the rules and regulations of the Department related to the activity. In looking at the present situation, one or more of these conditions exist which would allow our town to revoke any previously granted variances to this developer.

Again in summation, I strongly oppose granting any further variances to this developer as it would irreparably damage our community, the character of the town, our way of life and damage our existing neighborhoods for our present residents. I am not in opposition to development, but development which is in agreement with our existing neighborhoods, and not to damage and cause harm to our present residents.

25. Sue Scher

Thank you for this opportunity to ask questions and make comments regarding Related Company's new offering. I cannot call it a proposal because what they have given us (at least to the residents) has almost no information in it. Although I seem to have many questions it is because we are given almost no information about their plans. I assume that I will have more questions as more information is given to us. I do plan to attend the Oct 13 meeting virtually and to ask many of my questions publicly.

1. On page 18 of the presentation, found at the town website, they indicate that they expect to have an approval for the amendment to the Special Permit by NOVEMBER 2021. That looks like they assume there will be no need to make changes based on public comments or need for any further tests and impact statement. That is two weeks ago. How can we trust their willingness to dialogue with such a time frame? They then plan to begin development in 2022 ???
2. Does the change to the Special Permit legally call up added environmental impact statements?

3. Just what does the change in density from the most recent plan mean? Is the housing stock different, are they closer together, are there more bedrooms for many of the same style housing? Is there more of one type of housing and less of another. More specifics please.
4. What does the new focus on the Missing Middle mean? Does that change the size, style and density of the unit from the previous plan? If yes, how so? More of what and less of what?
5. Use of the term “transect zone” is not clear. It is not clear what means. There seem to be several kinds of “zones” the differences between them not clear. T1 through T6, subsections of T’ (t4-2), Phases, R zones, dotted circles, names of communities.
6. Page 10 of the presentation discussing Transect Zones presents alternatives to pairing the Smart Code with the goals of increased density. Does that mean you have not made the decision? When do you expect to make the decision? Based on what input (technological studies, citizen comments, etc.).
7. How is the term Regulating Plan (p 10 and 11) different from a Smart Code?
8. Who would be the builders of this development? One or several?
9. In the presentation mention was made of increased units “not counting active adult bedrooms”. That is the only place in the presentation that active adult anything is mentioned. What are active adult bedrooms? Are these specific units within general housing, separate housing units etc. How many active adult units will there be? Why is there no discussion of active adult housing? When those are added to the increase 2,000 units how many new units will there really be?
10. Walkability – What exactly does this mean? Walkability to what? To all other housing? To stores? What is the meaning of walkability? If to stores, how many more housing units will be in closer distance than under the previous plan? How does “walkability” impact alternately abled people?
11. Use of the term Town Center makes it sound like this will become a separately incorporated town which we know is not possible. Or is sounds like the developers plan to supplant the current center of the Town of Tuxedo. That is a political decision that needs to be made by the public. A more appropriate term for the area that will be for commerce and community events, such a community center. Words have meaning.
12. What are they numbers and types of stores in this commercial district? Have the types and numbers changed in the current plan? How large will these commercial establishments be?
13. There is no mention as to the sustainability and use of more modern technology of these housing units. Do they plan to incorporate solar or geothermal or such technology?
14. We do not see architectural renderings or pictures of the planned housing. Has this changed since the most recent plans? If so, when will we see them?
15. In more recent plans there was discussion of the outside siding of the buildings. What is the current status of that? Are they still considering vinal siding?

16. Based on the increased density what is the expect number of school children? Per phase?
17. Based on your changes how many people would be living in this community? Per phase?
18. Traffic – I do not see mention of a new traffic study. Given the planned increase of people and the recent building and road changes in Tuxedo and its surrounding communities it would seem necessary for a new study.
19. Hydrology- have new studies been done considering the increase in density?
20. Why are you asking to start Phase two before Phase one is complete? Waiting for the completion of a phase is one of the few protections that the residents have of stopping shoddy and inappropriate work.
21. There is no description of a potential hospitality center? What is this? How large the buildings?
22. Building around Mountain Lakes – this has been an area of concern and contention throughout the process. It looks like housing is now planned for this area? What type? How close to the lake? How will the water in the lake be protected? What will be access to the lake? What recreation will be on the lake? Will it only be for people who live in that section?
23. Please show us Te study that provided the justification for more units with four bedrooms. How many four bedroom units will there be? if you increase the number of units in multi housing, in a denser community, where will people park? Where is the parking study?

26. Sally Sonne, resident for 45 years

I hope that you are as excited as I am about Related's plans to go ahead with Tuxedo Farms. This time, PLEASE, do not blow it, as previous board have done. Don't pick, pick, pick....demand, demand, demand.....delay, delay, delay. It looks as if this revised plan will be a little closer to the original plan of the renowned architect Robert A.M. Stern in 1989. Hard to believe; more than 30 years ago! Of course, if the developer is to go ahead, a greater density will be necessary to cover costs.

It is my understanding that if a municipality is anxious to accept a development, it will give something to make it happen. Instead of demanding that Related give even more to Tuxedo, I think that Tuxedo should work with Related to facilitate the process. We should be on the same team. We need this, desperately, and we need it soon. There are some scary alternatives on the horizon, and let's count ourselves lucky that this new project has come forward.

27. Caitlin Zaloom

I am writing to register my strong opposition to the Request for Amendment to the Tuxedo Farms Special Permit. I have lived in Tuxedo Park for 10-years and have watched the evolution of the Tuxedo Farms project since I purchased my home. This latest amendment, which proposes to nearly double the number of units, is completely unnecessary and utterly undesirable.

In terms of policy, there is no regulatory reason to approve the amendment. In terms of quality of life, there would be only negative consequences. In particular, there would be significantly increased traffic without the ability to expand Route 17 beyond its current, already altered state.

The developers have not made a convincing argument about why they are requesting the ability to almost double the number of units in the development. Reducing “financial hardships in order to make advancing the project financially feasible” is in no way incumbent on the Tuxedo community. There is no good reason to change the existing parameters of the permit, one made with very significant concessions from the community.

The developer should not be attempting to extract greater concessions from a community with a strained infrastructure that has already offered generous terms.

I strongly urge the Tuxedo Town Board to REJECT this amendment.

28. Rowena & Josh Scherer
Serena & Rich Mueller
Lisa & Dan Laukitis
Amy Gold & Brett Gorvy
Anne & Sean Madden
Nacole Snoep & Nick Shumaker
Chrissy & Enrique Corredor
Danielle Bozarth & Michael Haberkorn
Denise & Phil Tavani
Joanna Karbowska & Enrique Ibanez
Barry & Nan Hawk
Lucy & Tom Bermingham
Barry, Pamela & Marion Breeman
Tinka & Scott Shaw
Walter Deane
Missy & Jay Meyer
Sally Sonne
Christopher & Merrill Mahan
Gardiner & Chiu Yin Hempel
Carlyn & Joe Capella
Pamela & Ricus van der Lee
Jane & Neil Garofano
Adam Gordon
Agnes & Jedediah Turner
Christine & Bo Bazylevsky
Sara & Guy Devereux
Gina & Michael Martin
Philip & Jayne Mengel
Jane & Charles de Casteja
Chris & Aileen Bruner
Diana Wierbicki & Robert Lopez
Carl & Babba Rivera

Jill & Jason Swirbul
Claudia Hanlin & Alvin Rodolfo
Todd Yannuzzi
Rafael and Cecilia Capella
Ellen Gluck
JoAnn Hanson
Miguel & Grace Hennessy
Michael Bruno & Alexander Jakowec
Chris Kasker
Sheila & Dan Rifkin
Lili & Charlie Neuhauser
Melissa Calderwood & Eric Hoffmann
Mike Schmidtberger & Margie Sung
Judy & Dirk Salz
Wilkie & Devangini Paes
James Cacioppo
Paola Tocci
Elizabeth Rennie
Heather Lambert & Jeremy Kidde
Jacob & Yasmin Matthews
Elizabeth & Ron Reede

The above signed undersigned are concerned members of the community who support the development of Tuxedo Farms. Although some of our neighbors oppose any development of Tuxedo Farms whatsoever, we believe it is naïve and highly unrealistic to expect that this attractive land will remain undeveloped. The real choice facing our community is not the Related development versus no development but rather the Related development versus some undefined, future development by a purchaser of Tuxedo Farms from Related.

Related is an established, reputable, and well-funded developer that has proposed a responsible development plan. We believe Related's latest proposal can and should be improved, and the impact of any changes on the community, including traffic, should be carefully considered. However, we are convinced that there is substantially greater long-term risk to our community by thwarting Related's plans and thereby forcing a sale of their tract. Having thus stymied a world-class developer, we should not expect the next owner of this property to bring the same stature and responsibility as Related.

With the appropriate guardrails and conditions to the approvals, this project will take significant risks off the table and allow for several potentially positive developments, including a revitalized town center, an expanded tax base, the opening of the near-finished sewer plant and more children for the school district.

As Tuxedo Town Supervisor Ken English said in his open letter to the community, this is a long story that needs a conclusion. We strongly support the efforts of Supervisor English and his fellow councilmembers to constructively negotiate with Related with a view toward commencing development of Tuxedo Farms. We also have confidence that the current Town Board has been diligently reviewing Related's most recent proposal and will negotiate to deliver a project that the Village and Town can be proud of.

**TOWN BOARD MEETING
TOWN OF TUXEDO
TOWN HALL – COMMUNITY ROOM
OCTOBER 25, 2021**

Call to Order

_____ called to order the Town Board Meeting of October 25th, 2021 at _____ pm.

Pledge of Allegiance to the Flag

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

Announcement

The Tuxedo Gulf Station was family owned by the Sovak's for over 50 years. Greg and Pete officially retired September 28th and we would like to thank them for their service and wish them well in retirement.

Discussion

1. Traffic enforcement – update on speed radar trailers
2. Tuxedo Farms – review of written comments/questions

Public Comments on Agenda Items

Agenda Item #1

Petition of relief from building moratorium – 1099 Route 17, Southfields

See attached documentation

The applicant has failed to satisfy the requirements for an exemption or a waiver from the moratorium in that it is currently a non-conforming lot under the existing zoning law; It will be a non-conforming lot after the zoning revision is completed; The proposed development will increase the degree of non-conformity; the property does not have public water and sewer; The proposed construction and use is not permitted under the current code and will not be permitted under the revised code.

PETITION TO THE TOWN BOARD OF THE TOWN OF TUXEDO
FOR RELIEF FROM THE BUILDING MORATORIUM LOCAL LAW

Applicant: MICHAEL MAROFF

Property location: 1099 & 1105 RT. 17 ; SBL: 205-1-3

Proposed action: EXIST'G COMMERCIAL GARAGE TO BE CONVERTED
TO A TWO FAMILY RESIDENCE WITH A PROPOSED
SEPTIC SYSTEM.

Land use approvals required: SEPTIC SYSTEM, SPECIAL PERMIT FROM ZBA &
VARIANCE FROM REQUIREMENT OF CENTRAL SEWER AND WATER, OTHER AREA VARIANCES
THAT MAY BE REQUIRED.

List any exception enumerated in Section 3 of the Moratorium Law that you believe is applicable and the

reasons therefore: THIS REQUEST FOR RELIEF DOES NOT
IMPACT THE GENERAL INTENTION OF THIS MORATORIUM

The basis for seeking relief from the Town Board (see section 4 of the Moratorium Law):

THIS PROPERTY AS A COMMERCIAL GARAGE HAS
BEEN VACANT FOR OVER TWO YEARS AND THE
COVID SITUATION DIMINISHES ANY POSSIBILITY OF BEING
USED. THE PROPERTY CONVERSION TO A TWO FAMILY IS
AS OF RIGHT. NO UTILITIES FOR SEWER IS AVAILABLE
THEREFORE A SEPTIC SYSTEM IS STANDARD APPROACH
FOR THIS AREA.



architects + engineers

2 Executive Boulevard, Ste 401
Suffern, NY 10901 | tel 845.357.7238

M E M O R A N D U M

TO: File
FROM: Sean T. Hoffman, PE, Town Engineer
SUBJECT: Town of Tuxedo TAC Meeting – **September 28, 2021**
DATE: September 28, 2021

The following is a summary of the referenced TAC meeting which was conducted via video conference.

1. **Michael Maroff – 1099 Route 17 – Change of Use** (9:01 – 9:21) – Applicant, Michael Maroof, and Architect, Matthew Oscar, participating. Mr. Maroff owns the existing 0.40-acre lot which includes an existing two (2) family dwelling and garage. The existing two (2) family dwelling was renovated approximately two (2) years ago and Mr. Maroof wishes to convert the existing garage to a second two (2) family dwelling. The proposed use appears to meet the Code definition of a Multiple Residence Development¹ which is permitted in this zoning district (i.e., R-4 Hamlet Residential) if provided with central sewer and water, subject to Special Permit from the ZBA and Site Plan approval from the Planning Board. The applicant indicated they wish to request a variance from the Code requirement for central sewer and water and provide an onsite water supply well and second septic system (a septic system already exists for the existing two (2) family dwelling). In addition to the potential variance for central sewer and water, the lot appears to have a number of insufficient dimensional setbacks which will likely require variances from the ZBA. It was recommended future site plan submissions include a bulk table showing the proposed setbacks as well as a density calculation pursuant with §98-14 so the specific variances may be determined. In addition to the site plan requirements of §98-20, this application will be subject to the Supplemental Use Regulations of §98-22 and Special Permit provisions of §98-39. The conceptual site plan submitted for TAC meeting discussion shows existing and proposed encroachments onto the adjacent parcel owned by NYS. Applicant advised to contact NYS as soon as possible since the proposed driveway on the NYS parcel is critical to the applicant's proposed one-way site circulation. In addition to GML-239 referrals, this application will likely require approval of the OCDOH for the proposed septic system since it is unlikely, given the small lot area, for the septic system to meet the NYS required separation distances.

This application will require relief from the moratorium from the Town Board before appearing before the Planning Board or ZBA. If the applicant obtains moratorium relief, we recommended this matter initially be considered by the Planning Board to commence SEQRA before applying to the ZBA for the necessary variances and Special Permit.

X:\TTUX (Town of Tuxedo) - 10955\Tuxedo (Town)\Correspondence 2021\Agenda Status TAC 9-28-2021.doc

¹ The Code defines Multiple Residence Dwelling as "An arrangement of a building or buildings, the occupancy of which is intended for three or more families living independently of each other in separate dwelling units with a floor or ceiling common to other dwelling units." [§98-41].

Monroe Commercial Properties LLC

1105 Route 17
Southfields NY 10975
(845) 406-1620
(845) 517-4962 fax
msmtrout@optonline.net

1105 Rt. 17 Commercial Garage & Office

The cost of the initial renovation – \$235,000.00

The cost of the mortgage per year is \$10,575.00 at 4.5% interest.

The carrying cost: Taxes - \$4,000/year (50%)

Utilities - \$125/month - \$1,500 a year

Lawn maintenance - \$125/month - \$1,500 a year

Property Insurance - \$1,100/year (50%)

Snow plowing - \$450/year

Total Carrying Costs: \$19,125.00 a year **

****The building has been vacant for 3 years therefore the total cost = \$57,375.**

MATTHEW OSCAR ARCHITECT

www.MatthewOscarArchitect.com

222 Ackertown Rd., Monsey N.Y. 10952 845-371-1444 845-642-7120 MOscar.RA@gmail.com

10-22-21

Tuxedo Town Board

Re: 1099 & 1105 Rt 17 South field
Tax Map 205-1-3

Moratorium Waiver Narrative.

1105 Rt. 17

We are requesting a waiver from the moratorium based on financial hardship on an existing developed property which we will demonstrate in the attached documents. The actual relief can only be addressed through the required variance process. Our request is in keeping with the current context of the neighborhood and is for the most part compatible to the comprehensive plan. The recent zoning change does cause additional hardship to our property however we believe the variance process will bring our application to a logical conclusion to resolve this hardship. However being blocked from proceeding only inflicts more harm. The types of variances we will be looking for to relieve our hardship are barely effected by the new zoning criteria and are not a threat to the general intent of the new zoning.

Existing Property description

This 128 ft. x 136 ft. original property we estimate was developed prior to any zoning regulations. There is an existing two family residence and a commercial garage which could also be described as a work shop with office and warehouse. Both aging structures were renovated by the new owner three years ago. The two family was immediately occupied however the garage space remains vacant due to lack of market interest. Please refer to Broker's letter and sales property sheets attached for this property and adjacent comparative commercial long vacant properties.

The current zoning and the proposed new zoning.



Proposed
Zone S-HR



Zone R-4

The current zoning for this location is R-4 use allows for “Multiple Residence with Central Sewer and water subject to sect. 98-22H.”

The Proposed new zoning for S-HR use is described as: (7) Southfields-Hamlet Residential (S-HR). The Southfields-Hamlet Residential district encompasses pre-existing small lot, single family residential enclaves in the Southfields hamlet. The intent of the district is to protect the existing single family residential character of these enclaves, while not increasing the density of residential uses in these areas, where central sewer and water service is unavailable.

Given that the existing property already has a two family house and that the existing zoning R-4 allows for multi- family our request to have the garage converted to a two family is not unreasonable and deserves to be reviewed for a variance. We understand that the central sewer and water is a challenge to be addressed along with a few other non-conforming issues. The owner is prepared to hire the required engineering consultants as well as to address the NY State easement required due to the encroachment of the building on the side yard. The property owner understands that there are no guarantees to the outcome of the variance process however he cannot warrant the additional costs to proceed with these engineering costs and legal costs if he is prevented from initiating an application with the board. In closing we are simply requesting that the board allow the standard process to move forward since our minor application is reasonably in keeping with the context of the neighborhood and the proposed comprehensive zoning intent.

Attached please find:

Financial hardship letter from the owner

The proposed Site Plan & waiver application form sent prior.

An existing conditions Plan, elevations and section

The proposed building alteration to a two family

Realtor’s letter and reference marketing documents along with comparative properties.

Miscellaneous zoning code reference



845.570.5125

122 MAIN STREET, NYACK, NY

10/17/2021

To Whom it May Concern,

Let this serve as notice that despite our best efforts to rent the property located at 1105 RT NY-17 in Southfields, NY we have been unsuccessful for over 2 years.

During the course of Listing the Property, beginning in August 2019, we have made several Price Adjustments and improvements to market without success. As a professional this property would be much better served to the community and to the owner with a use change. This remote commercial location and garage workshop configuration in this residential area is no longer a viable attraction to a tenant. All along the corridor of NY-17 there are vacant Commercial Buildings, some for many, many years. We went from \$3200 to \$2600 during that time and still have no occupancy which has understandingly become a hardship for the Owner.

RE/MAX is a Globally renowned Real Estate Brokerage with over 135,000 agents in more than 115 Countries and Territories, selling more real estate worldwide than any other Brokerage in the World.

Regards,

A handwritten signature in black ink, appearing to read 'Sidney Goto'.

Sidney Goto
Broker of Record / Owner

RE/MAX RōNIN
122 Main Street
Nyack, NY 10960
845.570.5125

Agenda Item #2

Temporary Sign Permit Approval – Ladies Auxiliary of Eagle Valley Fire House

Motion made by _____, seconded by _____, that the Town Board of the Town of Tuxedo hereby approves the Ladies Auxiliary of Eagle Valley Fire House to display their advertising signs throughout Tuxedo for their Craft Fair on November 7th.

Permit #: _____



Sign Permit Application

APPLICANT INFORMATION:

Name of Applicant: Ladies Auxiliary of the Eagle Valley Fire Co.
 Applicant's Address: Annual Craft Fair 11/7

Owner _____ Lessee ~~_____~~ *If lessee, please give the name of owner of property
 Section _____ Block ~~_____~~ Lot _____

Telephone #: 848-753-2851
 Email Address: dbrooks673@gmail.com

SIGN INFORMATION:

Address of proposed sign: Placed throughout Town

Size of Sign: 24 x 24

Height of Sign Above Ground Level:
 Material to be used: Corrugated plastic

INFORMATION REQUIRED FOR APPLICATION PROCESSING:

- One application per sign
- Submit illustrations of sign
-

FOR OFFICE USE ONLY:

Date of Application:
 Receipt No:
 Fee:
 Signature of Approval:
 Certificate of compliance issued to:

FREE ADMISSION!

Craft Fair

Sun. Nov. 7, 2021

10 a.m. - 3 p.m.

*Eagle Valley Firehouse
14 Scott Mine Rd., Tuxedo, NY*

*Home & Gift Items
Artisan Food*

Refreshments - Raffles - Free Coffee

For more info
email: LadiesAuxEVFC@yahoo.com

CDC & NYS COVID guidelines will be followed

Directions from Route 17: take exit in Sloatsburg for Sterling Forest/Ringwood, proceed 2.3 miles to Eagle Valley Road, follow signs to firehouse.

Sponsored by Ladies Auxiliary of the Eagle Valley Volunteer Fire Co.

Agenda Item #3

Approval for purchase of Loader for Highway Department – Hoffman Equipment

Motion made by _____, seconded by _____ The Town is authorized to procure for the Highway Department, the Case Loader from Hoffman Equipment at a cost not to exceed \$130,250.00. The plan of financing is _____?

Agenda Item
#3

	HOFFMAN EQUIPMENT COMPANY, INC. 300 South Randolphville Road - Piscataway NJ 08854 O (732) 752-3600 F (732) 968-8371	www.hoffmanequip.com SALES ORDER

Customer:	TOWN OF TUXEDO	Salesman:	KOCH
Address:	1 TEMPLE DR		
City:	TUXEDO	State:	NY
		Zip Code:	10987

EQUIPMENT DESCRIPTION	New	<input checked="" type="checkbox"/>	New - rental fleet	<input checked="" type="checkbox"/>	Used:	<input type="checkbox"/>
Make:	CASE	Serial Number:	NFK247332			
Model:	721G	Unit Number:	C02919			
Freight Terms:		Finance Terms:	RPO			

STANDARD EQUIPPED AS DESCRIBED:
 721G WHEEL LOADER, COUPLER, L3 RADIAL TIRES

Trade Information		Sale Price:	\$	195,000.00		
Make:	N/A	LESS RENTALS PAID	\$	(81,400.00)		
Model:		Attachment:				
Serial Number:		Total Sale Price:	\$	113,600.00		
Trade Value:		Trade Allowance:	\$	-		
Tax exempt status - based on receipt of certificate		Tax Rate:	EXEMPT	Balance:	\$	113,600.00

Warranty Description		Sales Tax:	\$	-
If no warranty is specified - machine sold "as is where is" - warranty expiration based on hour usage or term limit - whichever comes first		Trade Payoff Amount:	\$	-
Type:	STANDARD FACTORY	Rental Option Interest:	\$	16,575.00
Term:		Non-Refundable Deposit:		
Hour:		Balance Due:	\$	130,175.00

SPECIAL SALE PROVISIONS: RPO CALCULATIONS SEE ADDENDUM.
 TERMS: ASSUMIONMG ALL RENTALS PAID THOUGH OCTOBER BILLING
 CONVERSION TO BE MADE BY 10/12/21
 THIS IS AN OFFER AND IS SUBJECT TO AND INCLUDES THE TERMS AND CONDITIONS OUTLINED. IT SHALL REMAIN OPEN FOR 30 DAYS

Accepted for:	HOFFMAN EQUIPMENT CO.	Accepted for:	TOWN OF TUXEDO
Witness:	<i>Dave Koch</i>	Signature:	
Print:	Dave Koch	Print:	
Title:	Territory Manager/Paving Specialist	Title:	
Date:	9/30/2021	Date:	

Marlboro Branch: 1440 Route 9W - Marlboro NY, 12542 - O (845) 236-3000 F (845) 236-3154

		Town of Tuxedo			
		CONVERSIONS			
C02919	CASE 721G			PRICE	\$ 195,000.00
				TAX	Exempt
				TOTAL	\$ 195,000.00
			Rentals Paid	Months 1-6 @ 100%	\$ (33,000.00)
				Months 6-12 @ 80%	\$ (26,400.00)
				Months 13-17 @ 80%	\$ (22,000.00)
			Assuming all rentals paid through October billing		
				INTEREST @ 6%	\$ 16,575.00
			Interest Calculation = 6% of sale price divided by 12months x months paid = Total Interest charge.		
C02919				CONVERSION UNTIL 10/12/21	\$ 130,175.00

Agenda Item #4

Schedule Public Hearing for 2022 Town Budget

Motion made by _____, seconded by _____. The town supervisor and town board have delivered to the clerk the preliminary budget and now therefore be it resolved that the Town Board hold a hearing on the preliminary budget on November 8th at 7:00pm.

Agenda Item #5

Town Hall roof bid rejection

(FYI one bid was received for \$467,000.00)

Motion made by _____, seconded by _____, that the Town Hall roof bid submitted is rejected and the RFP be put out for re-bid with a new scope.

Agenda Item #6

Budget Modifications

Motion made by _____, seconded by _____, that the Town Board will approve the following Budget Modifications

See attached documentation.

Agenda Item
#6

Budget Modifications October 2021

To: Town Board Members

Monday, October 25th, 2021

From: Ken English, Tuxedo Town Supervisor

Please see the attached Budget Modifications which I am requesting be approved at the October 25th Meeting (pages 4 and 5 of the attachment). All of these transfers have been reviewed and are advised by Andrew Arias. These transfers reflect actual expenses that are difficult to estimate at the beginning of a year. These adjustments will make the 2022 budget more accurate since we base future year's projections on actual expenses from the two years prior.

Note that the cash balance from August 31, 2020 compared to August 31, 2021 INCREASED by \$873,772.

Please note that NO FUND BALANCE is being used to accommodate these transfers. All increases are accommodated by decreases from within the same fund.

The explanation of *major Items* is provided below:

A Fund Revenue

\$162,500 increase in revenues was due to conservative estimates for:

- A1081 PILOT - we received money from the Promenade that was owed since 1999 (\$21,000)
- A1090 Interest and penalties on property taxes - (you can't budget these since you don't know when they're coming) (\$8,000)
- A2610 Fines and forfeited Bail - (you can't budget these since you don't know when they're coming) (\$71,000)
- A2680 Insurance Recoveries - (you can't budget these since you don't know when they're coming) (\$12,000)
- A3005 Mortgage Tax (anticipated/budgeted \$80,000 for 2021 - through September we've received \$212,917) (\$50,000)

A Fund Expenditures \$162,500

- A1620.100.2027 The \$ 100,000 in Operation of plant-Personnel was caused by Highway Workers working on the dirt pile remediation. When we allocated the \$250,000 for this project it was not clear what the split should be between Personnel and Contractual so the full amount was shown as Contractual. We knew this when this was set up. There will be a positive balance in the contractual category, it will be under spent.
- A1680.401 The \$ 12,500 IN Central Data Processing was caused primarily by the Mail Best Friend (email accounts) and Civics Plus (Town Website)
- A9040.8 The \$ 16,000 was caused by an underestimation of Workers Compensation Premium amount by our Insurance provider. This has been adjusted for 2022.

B Fund

Expenditure Decrease:

B3120.1 The \$ 61,000 in Police Personnel is caused primarily by the timing of hiring a new police officer. Officer Gunderman was budgeted for a full year in 2021 and came on board in September.

Expenditure Increase:

B9040.8 The \$ 54,000 was caused by an underestimation of Workers Compensation Premium amount.

DA and DB

DB5110.1 The decrease in Snow Removal Personnel (\$55,000) and DB5110.1 General Repairs Personnel (\$52,000) accounts is do lower than anticipated snow OT and Highway workers working on the Dirt Pile Remediation

\$34,000 - The combined DA9040.8 (\$12,000) + DB9040.8 (\$22,000) increases were caused by an underestimation of Workers Compensation Premium amount.

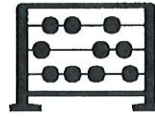
DA5130.401 Machinery Contractual - The increase of \$ 43,000 in was due to the rescheduling of some work in advance of Highway Department mechanic, Joe Dunko's october 31st, 2021 retirement

DB5110.401 The increase of \$ 30,000 in General Repairs Contractual was caused primarily from the use of Two Vendors Sealmaster and 3-D Sweeping.

It is important to note that these Modifications are not the last that will be required for 2021, and they do not rely on using any fund balance. All increases are offset by corresponding decreases.

Cooper Arias, LLP

Accounting & Accountability



Agenda Item
#6

September 23, 2021

Town Supervisor and Board Members,

I have reviewed and analyzed the Revenue Control Reports – Budget to Actual and Expense Control Reports -Budget to Actual for the eight month period ended August 31, 2021. My comments are as follows:

- 1) When looking at the Expense Control Reports note that salaries (.1), equipment purchases (.2), employee benefits (.8) and debt service (.6/.7) are shown on individual lines, but contractual expenses (.4) are subtotaled at the bottom of each functional expense category. Therefore, when reviewing the budget, you should look at the line titled "Total Contractual" to better identify whether the line item is within the budget.
- 2) When looking at the Budget to Actual Reports consider that eight months should account for about 67% of annual expenses for the categories that expend funds evenly over the course of the year, such as payroll, benefits, utilities, etc.
- 3) Note the budget variances identified below, which are either over budget already or much closer to the budget than they should be at this time of the year.

Fund	Account Code	Budget	Expenditures	(Over)/ Under Budget	Comments
General A	1010.4 – Town Board	1,000	1,931	(931)	Association of Towns Membership - \$1,350
General A	1220.1 – Supervisor – Payroll <i>Payroll correction - Accounts Clerk Secretary to Supervisor (payroll + civil service)</i>	115,373	89,168	26,205	77% of Budget – Bi weekly payroll amount doubled beginning in May 2021
General A	1220.4 – Supervisor – Contractual	53,100	51,634	1,466 – 97% of Budget	
General A	1620.100 – Dirt Pile Remediation - Payroll	0	78,093	(78,093)	Nothing included in original budget
General A	1620.4 – Buildings – Contractual	404,280	321,124	83,156	75% of Budget – Significant dirt pile remediation expenses

Agenda item
#6

General A	1670.4 – Central Printing and Mailing	4,200	8,023	(3,823)	
General A	1680.4 – Central Computer Services	1,500	12,065	(10,565)	Budget appears too low based on prior year expenses
General A	5010.4 – Supt. of Highways	5,200	6,266	(1,066)	\$3,741 expended on IT services
General A	5132.1 – Garage – Payroll	77,778	58,605	19,173	75% of Budget
General A	5132.2 – Garage – Equipment	0	2,955	(2,955)	Snow Blower Power Broom
General A	5650.4 – Off Street Parking – Contractual	0	2,145	(2,145)	Repairs to steps
General A	A7310.4 – Youth Programs – Contractual	8,050	14,282	(6,232)	\$9,200 for bus rentals
General A	9040.8 – Workers Compensation	12,750	22,943	(10,193)	Budget appears too low based on prior year expenses
General B	1980.4 – MTA Commuter Tax	0	1,304	(1,304)	
General B	8010.4 – Zoning – Contractual	0	3,003	(3,003)	
General B	9040.8 – Workers Compensation	39,950	67,213	(27,263)	Budget appears too low based on prior year expenses
Highway DA	5130.4 – Machinery	100,000	128,988	(28,988)	
Highway DA	5140.4 – Brush & Weeds – Contractual	7,000	(7,117)	(117)	
Highway DA	9040.8 – Workers Compensation	21,250	21,481	(231)	Budget appears too low based on prior year expenses
Highway DA	9060.8 – Health Insurance	64,214	66,619	(2,405)	
Highway DA	9070.8 – Union Welfare Benefits	5,714	4,808	906	84% of Budget
Highway DB	5110.4 – General Repairs	70,000	64,016	5,984	91% of Budget
Highway DB	9040.8 – Workers Compensation	11,050	20,564	(9,514)	Budget appears too low based on prior year expenses

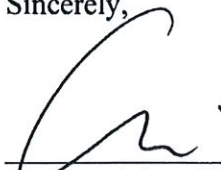
Page 3
September 23, 2021

- 4) I have attached a schedule of proposed budget modifications. The Board should review the proposed adjustments and, if you agree with them, approve them at the next meeting.
- 5) The following is a schedule of the year to year change in cash balances for each Fund.

Fund	Cash Balance August 31, 2021	Cash Balance August 31, 2020	Increase/ (Decrease)
General A	2,687,067	2,407,601	279,466
General B	2,558,054	2,022,346	535,708
Highway DA	656,965	811,091	(154,126)
Highway DB	712,834	525,001	187,833
Refuse (SR 2)	336,852	387,595	(50,743)
Hamlet Sewer	606,617	530,983	75,634
Tuxedo Farms Sewer	0	0	0
Drainage	60,294	60,294	0
Capital	101	101	0
TOTAL	7,618,784	6,745,012	873,772

If you have any questions on specific items in this report feel free to contact me at any time.

Sincerely,



Andrew Arias, CPA, CRFAC
Audit Partner

Increase in cash balance

A fund

TO Tuxedo
Proposed Budget Modifications
September 2021

Account	Description		
Revenues		Decrease	Increase
A1081	Payments I Lieu of Taxes		21,000.00
A1090	Interest & Penalties on Property Tax		8,000.00
A2610	Fines and Forfeited Bail		71,500.00
A2680	Insurance Recoveries		12,000.00
A3005	Mortgage Tax		50,000.00
Expenditures		Increase	Decrease
A1010.401	Town Board - Contractual	1,500.00	
A1620.100.2027	Operation of Plant - Personnel <i>drift pile</i>	100,000.00	
A1670.401	Central Printing and Mailing	7,000.00	
A1680.401	Central Data Processing - Contractual	12,500.00	
A5010.401	Supt. of Highways - Contractual	4,000.00	
A5132.100	Garage -Personnel	8,000.00	
A5132.200	Garage - Equipment	3,000.00	
A5650.401	Off-Street Parking - Contractual	3,000.00	
A7310.401	Youth Programs - Contractual	7,500.00	
A9040.800	Workers Compensation	16,000.00	
TOTALS GENERAL A FUND		162,500.00	162,500.00

Andrew Arias' recommendations
Resolution To authorize the posting of
 the attached budget modifications

Agenda
 Item #6

Note: No fund balance is being used to accommodate
 these transfers

Goal:
 Add accuracy
 to actual expenses
 for 2021 and
 projections for 2022

TO Tuxedo
 Proposed Budget Modifications
 September 2021

underspent
 expenditures
 ↓
 General Services
 Sept Hire
 Uncertain Contract - only 2%

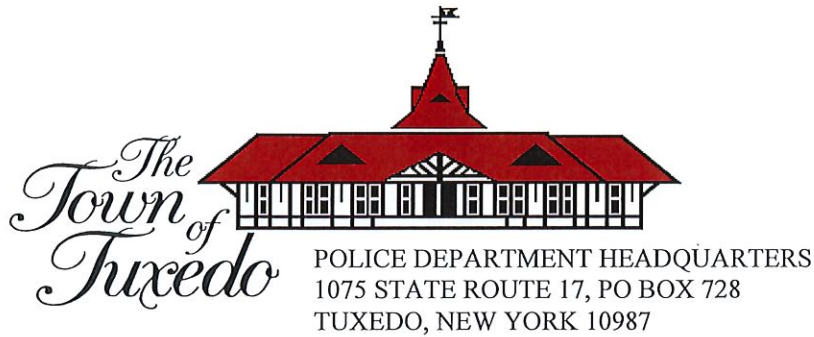
B Fund

Expenditures		Increase	Decrease
B1980.401	MTA Commuter Tax	3,000.00	
B3120.100	Police - Personnel		61,000.00
B8010.401	Zoning - Contractual	4,000.00	
B9040.800	Workers Compensation	54,000.00	
TOTALS GENERAL B FUND		61,000.00	61,000.00
Expenditures		Increase	Decrease
DA5130.401	Machinery - Contractual	43,000.00	
DA5142.100	Snow Removal - Personnel		55,000.00
DA9040.800	Workers Compensation	12,000.00	
TOTALS HIGHWAY DA FUND		55,000.00	55,000.00
Expenditures		Increase	Decrease
DB5110.100	General Repairs - Personnel <i>dirt pile personnel</i>		52,000.00
DB5110.401	General Repairs - Contractual	30,000.00	
DB9040.800	Workers Compensation	22,000.00	
TOTALS HIGHWAY DB FUND		52,000.00	52,000.00

MONTHLY REPORTS

Supervisor English is in receipt of the following monthly report:

- Police Department



Monthly Report for September 2021

Officers attended NARCAN Training for opioid overdose incidents

- **NYS Commission of Correction evaluated the Tuxedo Police Department's adult lockup and detention areas for compliance. Adult lockups and Juvenile detention areas were in compliance.**
- PO Andrew Markunas and PO Cliff Weeks arrested a 22 year old from Philadelphia for Driving While Intoxicated.
- Officers attended evening Firearms Training with the Town of Woodbury and Village of Harriman Officers.
- **PO Girard Shiloh conducted in house Taser training for PO Gundermann and PO Weeks.**
- PO Andrew Markunas and PO Kevin Bonkowski arrested a 32 year old from Staten Island for Driving with a Suspended Driver's License and Possessing a Forged Inspection Sticker.
- **PO William Hall attended Domestic Violence Instructor Course at the Police Academy.**
- Det. Stefan Christian conducted a welfare check on a 16 year old that did not show up for school.
- Sgt. Michael Eichengreen and Det. Stefan Christian responded to a 17 year old overdosed on Zanax and Percocet. The Parents administered two doses of NARCAN. The 17 year old was transported to Good Samaritan hospital.
- Lt. Norton, Sgt. Eichengreen, PO Gundermann and PO Markunas investigated a motor cycle vs pick-up truck accident on Route 17. The operator of the motorcycle was unconscious and bleeding from the head. The operator was airlifted to Westchester Medical Center.
- PO William Hall and PO Alexandra Gundermann assisted the Orange County Sheriff's deputies with a motor vehicle accident on Eagle Valley Road. The driver struck a utility pole knocking it over causing a power outage.
- PO William Hall arrested a 31 year old from Staten Island for Driving with a Suspended Driver License. The driver was suspended seven times.
- Tuxedo Police assisted Tuxedo FD and Park Police with an injured biker on a trail off Long Meadow Road.
- Officers assisted Town of Chester Police with a BOLO for a vehicle that left the scene of a Domestic Incident. Officers stop the vehicle on Route 17 and the Tuxedo Motel. Subject turned over to Chester Police.

Vehicle Information – Monthly total

Vehicle #	Year	Monthly Mileage	Total Mileage
962	2014	5605	148452
963	2016	2247	118935
964	2014	1028	187329
965	2020	2020	11029
966	2020	3049	19232
967	2013	2604	111220
968	2013	2147	111219
969	2016	957	104171

Monthly Statistics

See attached report

Respectfully submitted,

Arthur P. Abbott
Chief of Police

DEPARTMENT UPDATES

TOWN SUPERVISOR/TOWN BOARD UPDATE:

Resolution Accepting Minutes

Motions made by _____, seconded by _____ to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on October 13th.

VOUCHERS

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

Claim numbers: 2012919152 through 2012919206

General Fund :	\$66,515.35
Part-Town Fund:	\$3,810.63
Highway Town Wide :	\$17,615.03
Highway Part Town	\$33,715.89
Refuse and Garbage Disposal	\$0
Hamlet Sewer District	\$5,853.50
Total Abstract Amount:	\$127,510.40

PUBLIC COMMENTS

OTHER BUSINESS

Approval of Axis body cameras for Police Department

Motion made by _____, seconded by _____ that the Town procure six (6) Axis_W100 body cameras and related equipment from Hudson Valley Computer Guys pursuant to their proposal dated May 4, 2021 at a cost not to exceed \$10,000.00.

ADJOURNMENT

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