



Meeting of the Village of Tivoli Board of Trustees

AGENDA

August 21, 2024 - 7:00 PM
The Historic Watts dePeyster Hall

- 1. Call Meeting to Order**
 - Pledge Allegiance to the Flag
- 2. Village Clerk's Report**
 - Schedule of Upcoming Events
- 3. Approve Minutes from previous meeting(s)**
June 19 Regular Meeting Minutes, July 17 Public Hearing Minutes, July 17 Executive Session/Workshop Minutes, July 17 Regular Meeting Minutes, and July 24 Special Meeting Minutes
- 4. Treasurer's Report**
 - Payment of Bills
- 5. Zoning Report**
- 6. Public Comment on Agenda items only**
- 7. Regular Business**
 - MOTION Accept 2023 Year End Village of Tivoli Justice Court Audit
 - RESOLUTION Authorizing Execution and Distribution of LOSAP Plan Documents
 - RESOLUTION Authorizing Building Department Fee Schedule
 - RESOLUTION Authorizing Submission of an Application for Funding from the Justice Court Assistance Program

The next Board Meeting will be held Wednesday, September 18, 2024 at 7:00 PM (workshop 6:00 PM) at the Historic Watts dePeyster Hall. Regular Workshop: September 11, 2024 at 6:00 PM.

8. Committee Reports

9. Trustee Reports

B. Shilling

- LOSAP Coordinator, Fire Department, Solid Waste, and Buildings and Grounds

P. Baldino

- Justice Court, and Economic Development

E. Mangieri

- Landlord & Tenant Services, Celebrations, and Parks and Recreation

E. Majer

- Library, Architecture and Historical Resources, Natural Resources and Environment, Trail Development

J. Griffith

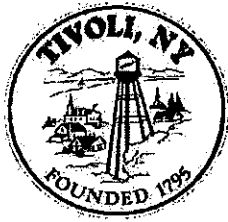
- Police and Law Enforcement, Riverfront Project, Climate Smart Communities Task Force, Tree Committee, Planning & Zoning, Senior & Veteran's Affairs, and All Municipal Departments

10. Other Business

11. Non-Agenda / Public Comment

12. Adjourn Meeting

* *Note – agenda is subject to change*



VILLAGE OF TIVOLI
HISTORIC WATTS DEPEYSTER HALL
PO Box 397 ~ TIVOLI, NY 12583-0397

BUILDING & ZONING DEPARTMENT
EMAIL: BIZEO@TIVOLINY.ORG
OFFICE: 845.757.2021 ~ FAX: 845.757.5416

Gary E. Beck, Jr.
Building Inspector

August 20, 2024

Mayor & Board of Trustees
86 Broadway
Tivoli, NY 12583

RE: Monthly Report

Dear Village Board,

Below are the activities from the Code Enforcement Department for the above-mentioned time frame.

- Building Permits Reviewed - 14
- Building Permits issued – 6
- Complaints - 1
- Complaints investigated - 1
- Zoning/Property Maintenance Violations – 0
- Appearance Tickets - 0
- Municipal Searches – 5
- Inspections – 7
- Code Enforcement Training – **Provided by Z3**
- Fire Inspections – 0

Thank you,

Gary E. Beck, Jr.
Code Enforcement Officer

Village of Tivoli, New York

Justice Court Audit

Statement of Cash Receipts, Cash Disbursements, and Cash Balances

Period Covered:

June 1, 2023- May 31, 2024

RECEIVED
AUG 19 2024

BY:

Independent Review

Dear Village Officials:

I have audited the accompanying statements of cash receipts, cash disbursements, and cash balances of Justice Cordier & Justice Daetwyler Court of the Village of Tivoli, New York, for the period covering June 1, 2023 through May 31, 2024. These financial statements are the responsibility of Village management. It is my responsibility, to express my analysis and conclusion, of these financial statements based on my audit.

This audit was conducted in accordance with generally accepted government auditing standards. Those standards require that the audit is planned and performed to obtain sufficient evidence to provide a reasonable basis for the findings and conclusions of the audit. This evidence should provide reasonable assurance about whether the financial statements are free from material misstatements. I believe that the evidence obtained provides a reasonable basis for the audit findings and conclusions.

In conclusion, the statements of cash receipts, cash disbursements, and cash balances present fairly, in all material respects, the cash received, disbursed, and the cash balances of Justice Daetwyler Court and Justice Cordier's Court of the Village of Tivoli, New York for the period covering June 1, 2023 through May 31, 2024, on the cash basis of accounting.

Respectfully Submitted,

Michele Zagorski

Village of Tivoli

6/1/2023-5/31/2024

Statement of Cash Receipts and Disbursements

	Justice Cordier	Justice Daetwyler
Receipts		
Bail	\$ 200	\$ 0
Cash Disposed	\$ 32,346	
Total Receipts	\$ 32,546	\$ 0
Disbursements		
NYS Fines	\$ 31,638	\$ 0
Refunds of Bail & Fines	\$ 0	\$ -
Misc Disbursement	\$	
Total Disbursements	\$ 31,638	\$ 0
Excess of Cash Receipts & Disbursements	\$ 908	\$ 0
Cash Balance 6/01/2023	\$ 2,588	\$ 0
Cash Balance 5/31/2024	\$ 3,157	\$ 0
Amount Due New York State- May CC Dispositions	\$ 3,096	\$ 0
Bail Liability - June 1,2024	\$ 200	\$ 0
Corrections	\$ -139	\$ 0
Cash Balances - May 31, 2024	\$ 3,157	\$ 0

Background

Village Justices are responsible for adjudicating all cases brought before their Courts and properly accounting for and reporting all related Court financial activities. Each Justice is required to report monthly to the Office of the State Comptroller's Justice Court Fund (JCF) on the financial activities of the preceding month. The monthly reports, together with the checks drawn on the Justices' official bank account, represents the monies collected by the Justices for closed cases. These reports are forwarded to the Village Treasurer.

The management of the Village, and particularly the Village Justices are responsible for the Village Court's financial affairs and for safeguarding its resources. This includes establishing and maintaining an internal control structure to provide reasonable assurance that resources are safeguarded against loss from unauthorized use; transactions are executed in accordance with managements authorization and properly recorded; that applicable laws, rules, and regulations are observed; and that appropriate corrective action is taken in response to any audit findings.

Objectives and Scope of Audit

The objective of this audit was to review the court financial records of Justice Daetwyler and Justice Cordier to determine if court monies were properly accounted for the period June 1, 2023 through May 31, 2024. The audit addressed the following questions:

- Were receipts properly recorded and deposited?
- Were book cash balances reconciled monthly to fines and bail bank accounts net balances and also to known liabilities?
- Were disbursements properly made?

Audit Findings

Based on the audit tests and procedures, there were no deficiencies with court receipts and disbursements. The bank account was reconciled to the bank statements on a monthly basis, with the exception of two months, due to not receiving bank statements in a timely manner. Deposits and disbursements were processed in a timely manner. No material misstatements were discovered during the audit.

Recommendations

The Village Board should perform the required annual audit of the Justices' records or engage the services of an independent accountant to perform the audits. As every Village justice is required to present his/her records and dockets at least once each year to be examined by the Board, or by an independent accountant. Evidence of an audit indicating the audit tests performed, the records reviewed, and the results of the audit should be retained and noted in the minutes.

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 21, 2024**

AUTHORIZING EXECUTION AND DISTRIBUTION OF LOSAP PLAN DOCUMENTS

WHEREAS, eligible voters of the Village of Tivoli approved a proposition to establish a Service Award Program for active volunteer firefighter members of the Tivoli Fire Company, Inc. effective January 1, 2007, as amended by Resolution No. 66 adopted September 13, 2023, approved by referendum October 24, 2023 and effective January 1, 2024, in accordance with Article 11-A of the New York State General Municipal Law (herein NYS GML); and

WHEREAS, under the Village of Tivoli Service Award Program, Participants are paid a lump-sum Accrued Service Award after reaching the Entitlement Age of 65, unless and until the Village Board subsequently approves by resolution other actuarially equivalent forms permitted by General Municipal Law Section 217(h); and

WHEREAS, updated plan documents for the Tivoli Service Award Program effective January 1, 2025 have been provided by Penflex, Inc. and on are file with the Village Clerk; and

WHEREAS, the updated plan documents reflect the changes approved by resolution dated July 17, 2024.

NOW THEREFORE BE IT RESOLVED, by the Board of the Village of Tivoli, Dutchess County, New York as follows:

1. The Mayor, or in his absence the Deputy Mayor, is hereby authorized and directed on behalf of the Village to execute such updated plan documents and cause a copy of such executed document to be provided to Penflex, Inc. to be distributed to plan members.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 21, 2024 at 7 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith	Mayor
Emily Majer	Deputy Mayor
Peter Baldino	Trustee
Emily Mangieri	Trustee
D. William Shilling	Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

VILLAGE OF TIVOLI RESOLUTION NO. ____ DATED AUGUST 21, 2024

AUTHORIZING EXECUTION AND DISTRIBUTION OF LOSAP PLAN DOCUMENTS

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

Joel Griffith	Voting ____
Emily Majer	Voting ____
Peter Baldino	Voting ____
Emily Mangieri	Voting ____
D. William Shilling	Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 21st day of August 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 21, 2024**

AUTHORIZING EXECUTION AND DISTRIBUTION OF LOSAP PLAN DOCUMENTS

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of August, 2024.

-SEAL-

Robin Bruno
Village Clerk

**VILLAGE OF TIVOLI
RESOLUTION NO. _____
DATED AUGUST 21, 2024**

AUTHORIZING BUILDING DEPARTMENT FEE SCHEDULE

WHEREAS, the attached fee schedule has been reviewed by the Board of Trustees of the Village of Tivoli as being reasonably related to the estimated costs of the Village in light of the time and expertise required to perform certain duties of the Code Enforcement Official as described in Chapter 98 and Chapter 180 of the Village Code, including but not limited to: reviewing applications; conducting of fire safety and property maintenance inspections; and issuing building permits, amended building permits, renewed building permits, certificates of occupancy/certificates of compliance, temporary certificates, and operating permits. This new fee schedule incorporates the new annual short term rental permit.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Tivoli, Dutchess County, New York (by the favorable vote of not less than a majority of all of the Trustees), the fee schedule for the Building Department is hereby approved in the form on file with the Village Clerk.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 21, 2024 at 7:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith
Emily Majer
Peter Baldino
Emily Mangieri
D. William Shilling

Mayor
Deputy Mayor
Trustee
Trustee
Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

VILLAGE OF TIVOLI RESOLUTION NO. _____ DATED AUGUST 21, 2024

AUTHORIZING BUILDING DEPARTMENT FEE SCHEDULE

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

Joel Griffith	Voting __
Emily Majer	Voting __
Peter Baldino	Voting __
D. William Shilling	Voting __
Emily Mangieri	Voting __

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village ") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 21st day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. _____
DATED AUGUST 21, 2024**

AUTHORIZING BUILDING DEPARTMENT FEE SCHEDULE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

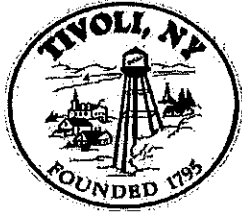
(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this __ day of August, 2024.

-SEAL-

Robin Bruno
Village Clerk

Last amended 8/21/24



VILLAGE OF TIVOLI

Web: www.tivoliny.org

1 TIVOLI COMMONS ~ PO Box 397 ~ TIVOLI, NY 12583
Building & Zoning Department

Office: 845.757.2021 ~ Fax: 845.757.5416
bizeo@tivoliny.org

Tivoli Fee Schedule Type of Work or Service	Fees
Building Permits. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the authorized work is commenced or 18 months after the date of issuance of the building permit, whichever shall occur first.	Renewals Half of Original Cost
Administrative (in addition to applicable fees below) Residential Commercial	 \$100.00 \$250.00
Residential (One & Two Family): New Construction, Reconstruction, Reconfiguration, Additions, Decks, etc. Alterations, Renovations & Repairs	\$0.75 per sq. ft all work
Commercial & Multifamily: New Construction, Reconstruction, Reconfiguration, Additions, Decks, etc. Alterations, Renovations & Repairs	\$0.95 per sq. ft all work
Demolition Residential Commercial	 \$0.25 per sq. ft \$0.50 per sq. ft
Windows and Doors Residential Commercial	 \$50.00 \$150.00
Roofing Residential Commercial	 \$50.00 \$0.25 per sq. ft
Siding Residential Commercial	 \$50.00 \$100.00
Parking Area Residential Commercial	 \$50.00 \$100.00
Fence Residential Commercial	 \$50.00 \$100.00

Last amended 8/21/24

Pools (One & Two Family): Commercial & Multifamily:	(above ground or in-ground) \$125.00 \$250.00
Hot Tub	\$90.00
Electrical Residential Commercial	\$25.00 \$50.00
Staff Review Fee (review of proposed projects prior to submission of a complete application)	\$125.00/hr.
Type of Work or Service	Fees
Temporary Certificate of Occupancy (valid for up to 3 months, as set by CEO) Residential Commercial	\$500.00 \$1000.00
Certificate of Occupancy Residential Commercial	\$100.00 \$250.00
Request for or Re-inspection Residential Commercial	\$100.00 \$250.00
C.O. & Violation Search, Municipal Search: One & Two Family Commercial & Multi Family Revised Report	\$250.00 \$500.00 Half of Original Cost
Compliance Letters – e.g., certificate of compliance in connection with state licensing Residential Commercial	\$250.00 \$500.00
Sprinkler or Standpipe Service up to 2"	\$35.00
Sprinkler or Standpipe Service 3" & greater	\$55.00
Plumbing Fixture Schedule – water closet, urinal, lavatory, bathtub, shower stall, kitchen sink, dishwasher, clothes washer, service sink, drinking fountain, sewage injector, indirect waste, sewer drain, floor drain, roof drain, backflow preventer, water heater installation/connection & other	Residential \$10.00 per fixture Commercial \$20.00 per fixture
Heating Schedule – gas piping, backflow preventer, indirect water heater, boiler water feed connection, gas/oil/electric hot water heater	Residential \$10.00 per fixture Commercial \$20.00 per fixture
HVAC – furnace gas/oil, boiler gas/oil, indirect water heater	Residential \$10.00 per fixture Commercial \$20.00 per fixture
Misc. – fireplace, space heater, chimney, air conditioning, hydro air, duct work extension, generator etc.	\$25.00 each
Commercial Alarms, Fire Sprinklers	\$50.00
Change of Use Application	Residential \$100.00 Commercial \$250.00

Last amended 8/21/24

Landlord/Agent Registration	\$50
Annual Short Term Rental Permit	\$250.00
WORK STARTED BEFORE THE ISSUANCE OF A PERMIT	ADD Residential \$500.00 + Fees Commercial \$1000.00 + Fees
Blasting Permit (per site – valid 3 months)	\$500.00
Re-inspection to Lift a Stop Work Order Residential Commercial	\$150.00 \$250.00
FIRE INSPECTIONS	
Place of Public Assembly – 50 or more persons	\$275.00
Multi-Family Dwelling – First three units	\$275.00
Each additional unit – 4 or more units	\$50.00
Operating Permits – not to exceed 3 years	\$375.00

VILLAGE OF TIVOLI
RESOLUTION NO. _____
DATED: AUGUST 21, 2024

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR
FUNDING FROM THE JUSTICE COURT ASSISTANCE PROGRAM**

WHEREAS, the Village of Tivoli ("Village") is requesting authorization from the village board to apply for funding from the justice Court Assistance Program during the upcoming grant cycle which is a competitive, statewide grant program open to municipalities for eligible court improvements, including security enhancements, renovations, and furnishings; and

WHEREAS, it is in the best interests of the Village to submit a Justice Court Assistance Program Grant application to improve its services and facilities; and

WHEREAS, the maximum amount of the Grant Application to be applied for is \$30,000;

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

1. The Board of Trustees of the Village of Tivoli authorizes the Tivoli Village Court to apply for a JCAP grant in the 2024-25 grant cycle **up to \$30,000.00**.
2. The Board of Trustees hereby authorizes the Mayor or, in his absence or unavailability, the Deputy Mayor, to execute and submit the Grant Application.
3. The officers, employees and agents of the Village are hereby authorized and directed for and in the name and on behalf of the Village to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.
4. This resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 21, 2024, at 7:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith	Mayor
Emily Majer	Deputy Mayor
Peter Baldino	Trustee
Emily Mangieri	Trustee
D. William Shilling	Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**VILLAGE OF TIVOLI
RESOLUTION NO. _____
DATED: AUGUST 21, 2024**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR
FUNDING FROM THE JUSTICE COURT ASSISTANCE PROGRAM**

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

Joel Griffith	Voting ____
Emily Majer	Voting ____
Peter Baldino	Voting ____
Emily Mangieri	Voting ____
D. William Shilling	Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 21st day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. _____
DATED: AUGUST 21, 2024**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR
FUNDING FROM THE JUSTICE COURT ASSISTANCE PROGRAM**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of August, 2024.

-SEAL-

Robin Bruno
Village Clerk