

DONNA AKERLEY

*Town Clerk, Registrar
Tax Collector
and Marriage Officer*

www.townoffallsburg.com



TOWN CLERK'S OFFICE
TOWN OF FALLSBURG

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LEGAL NOTICE OF THE TOWN OF FALLSBURG TOWN BOARD

Notice is hereby given: The Town of Fallsburg Town Board will hold a Public Hearing relative to proposed Local Law # _____ of 2020 relative to Amending Town of Fallsburg Municipal Code Section 257-11 entitled "Town Road Specifications". Said Public Hearing will commence on Monday, May 11, 2020 @ 5:55 pm via **ZOOM**: <https://zoom.us/j/548420343> Meeting ID: 548 420 343 –

One tap mobile - +19292056099,548420343# US (New York)

The public will have the opportunity to comment during the public hearing as well as comment prior to the hearing and the Town Board will incorporate those comments into the record once the Public Hearing is opened on the new date.

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD

Dated: Friday, May 1, 2020

Donna Akerley
Town of Fallsburg
Town Clerk, Tax Collector,
Registrar, Marriage Officer, RMO,
FOIL Officer & Notary Public
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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Fallsburg

Local Law No. of the year 2020

A local law to amend §257-11 of Article II Minimum Specifications for Highways to be Dedicated to the Town.

Be it enacted by the Town Board of the Town of Fallsburg that §257-11 shall be amended as follows:

The Town shall not accept any property for highway purposes, until and unless the following specifications have been complied with:

- A. Width. Right-of-way width shall be not less than 50 feet. The graded roadbed shall be ~~28-30~~ feet wide, consisting of a pavement of at least 20 feet in width, and 4 feet wide shoulders, exclusive of ditches, of at least five feet in width. Ditches shall have a front slope of 1 on 3, two (2) foot deep with a two (2) foot bottom. The back slope shall be 1 on 2. The roadway shall be cleared of all trees and brush for the full width of the right-of-way.
- B. Line and Grade. The line and grade shall be constructed so as to maintain a minimum sight distance of 300 feet. Grades shall be no less than 0.50% or more than 10% without ~~special consideration~~ Town approval.
- C. ~~Road Section.~~ Pavement Subbase.
 1. The type of subbase required for each use shall be as follows: The source of the material shall be one approved for use by the New York State Department of Transportation. Material supplied for use as subbase shall have 100% passing the 2 inch sieve, 30% to 65% passing the 1/4 inch sieve, 5% to 40% passing the No. 40 sieve and 0% to 10% passing the No. 200 Sieve.
 2. If imported material is required for the subgrade, the source and a random composite sample shall be provided to and reviewed by the Town prior to being brought to the site. Imported material shall have 100% passing the 6-inch sieve for fill up to 1 foot of subgrade and 100% passing the 2 inch sieve for fills within 1 foot of subgrade. The imported material shall have no more than 40% passing the No. 40 sieve and 15% passing the No. 200 Sieve.
 3. All final subgrade under proposed pavement shall be proof rolled for identifying of soft areas with a 10 ton roller or a loaded 10 wheel dump truck. Soft areas shall be scarified. Dried, and recompacted prior to fill being placed. Retest by proof roll as necessary. As an

option the Contractor can remove soft areas and replace with suitable material and retest by proof roll.

4. Prior to placing subbase two (2) - five (5) gallon pails of the proposed subbase material shall be provided to the Town for gradation and proctor testing.

5. Subbase shall be placed in lifts not to exceed 12 inches and compacted to the requirements stated in the soils report. If not stated, the compaction requirement shall be 95% of maximum dry density per ASTM D1557 (Modified Proctor).

6. Final grading of subbase shall be to ± 1 inch of that designated on the drawings and ± 1 inch of the required thickness for thickness of 8 inches or greater and $\pm 1/2$ inch for thickness less than 8 inches.

D. Drainage. The road shall be constructed with adequate ditches, culverts and other structures to provide suitable drainage under all conditions. Culverts shall be at least 12 inches in diameter and installed with a grade of at least 1%.

E. Surfacing. Paving. ~~Surfacing of the twenty foot wide pavement shall consist of a double surface treatment of bituminous material. The first application shall be at the rate of at least 0.40 a gallon per square yard and shall be uniformly covered with washed gravel or stone chips 1/2 inch to 3/4 inch in size at the rate of 40 to 50 pounds per square yard. The second application shall be at the rate of at least 0.50 a gallon per square yard and shall be uniformly covered with washed gravel or stone chips 1/8 to 1/2 inch in size at the rate of 25 to 40 pounds per square yard. Pavement of the two ten foot wide lanes shall consist of 3" NYSDOT Type 1 Asphalt Base Course (if applicable), 2 1/2" NYSDOT Type 3 Binder Course, 1 1/2" NYSDOT Type 7 Top Course.~~

F. Concrete Sidewalk. The width of the concrete sidewalk will vary and be approved by the Town. The depth of the concrete and subbase will be determined by the approved width in accordance with the Concrete Walk Detail indicated on the Typical Roadway Cross Section Detail. The concrete mix design is to achieve a minimum 4,500 psi compressive strength within 28 days. The Gravel Subbase is to meet the requirements of the Pavement Subbase above. The subgrade shall be compacted to 95% of the maximum density as determined by modified proctor ASTM D1557. Expansion Joints Control Joints and Nominal Cross Slope to be as indicated below:

1. Expansion Joint Spacing: 20' Max. In Runs of Walks
30' Max. Where Walks Abut
Concrete Curbs, Structures or Other
Fixed Objects.

2. Control Joint Spacing: 5' O.C. (U.N.O.)
3. Nominal Cross Slope: 1/8" Min. To 1/4" Max. Per Foot

Sidewalks required to be accessible must meet all applicable accessibility guidelines.

This local law shall take effect immediately. (Use this form to file a local law with the Secretary of State)

REV699

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Fallsburg

Local Law No. of the year 2020

A local law to amend §2.2 of Article II of Chapter 310 of the Town of Fallsburg Code relating to Substantial Construction.

Be it enacted by the Town Board of the Town of Fallsburg that a new definition be added "Substantial Construction" as follows:

Substantial Construction

Following the issuance of site plan approval and all necessary building permits, substantial construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Substantial Construction does not include land preparation (including clearing, excavation, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations or the erection of temporary forms or the installation of accessory buildings such as garages or sheds.

1. This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the Town of Fallsburg was duly passed by the Town Board on May ____, 2020 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 2020, in accordance with the applicable provisions of law.

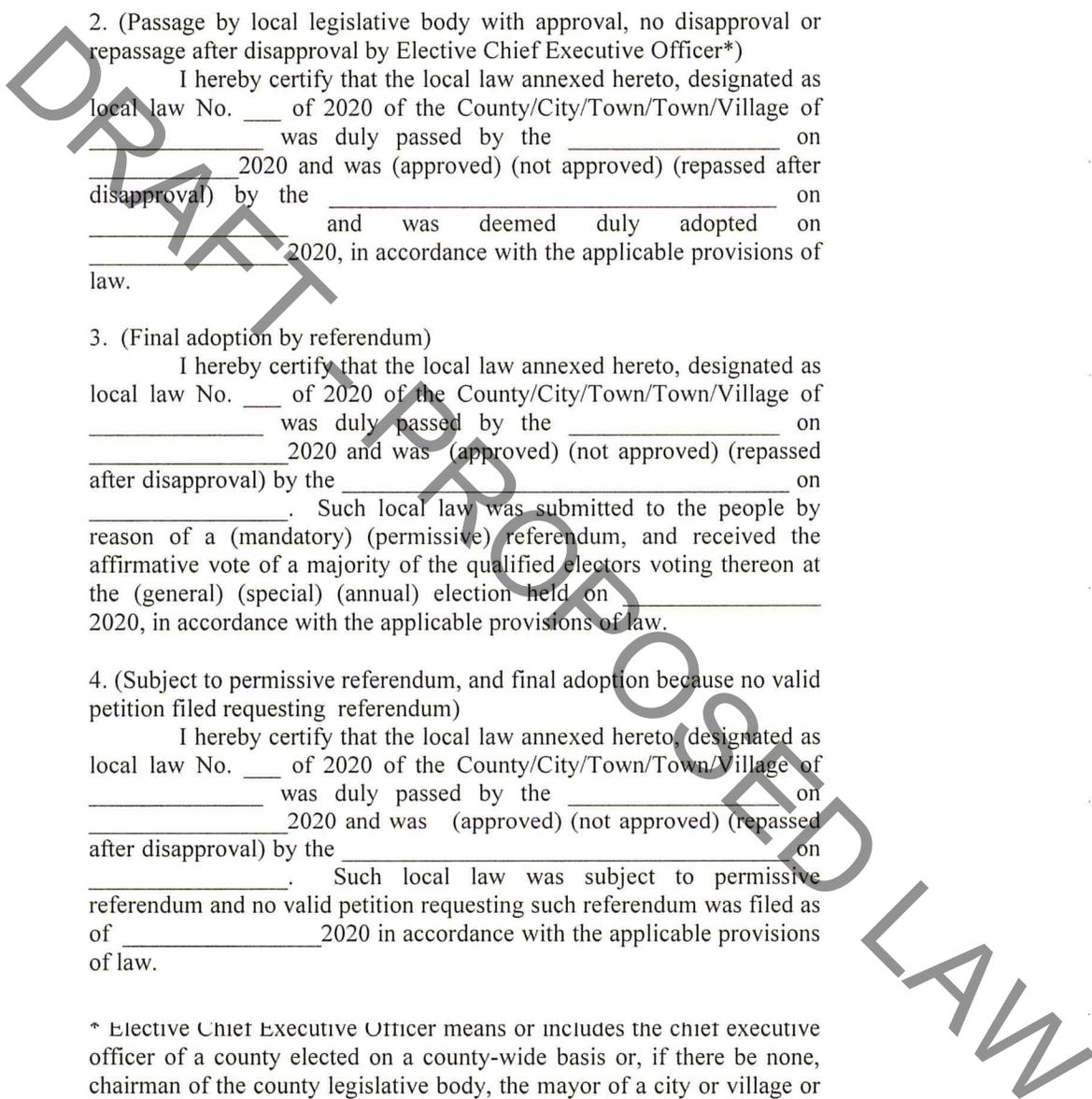
3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 2020, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2020 in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the City of _____ having been submitted to referendum pursuant to the provisions of sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on _____ 2020 became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County of _____, State of New York, having been submitted to the electors at the General Election of November ___ 2020, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the Town

Date: May _____, 2020

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: May _____, 2020

Paula Elaine Kay
Attorney for the
Town