

**TUXEDO FARMS LOCAL DEVELOPMENT CORPORATION**  
**MINUTES OF MEETING OF THE BOARD OF DIRECTORS**  
**June 24, 2021 at 10:00 AM EST**

**Call to Order**

Town Supervisor and Tuxedo Farms LDC Chairman Kenneth English called the meeting to order via teleconference in accordance with New York State Executive Order 202.1 at 10:00 AM and led the Pledge of Allegiance. In addition to Mr. English, participating in the meeting were LDC Board Members Michele Lindsay and Jay Reichgott.

Also present at the meeting were Sean Hoffman, Marissa Dollbaum and Robert Dollbaum from the Town of Tuxedo, Christopher Andreucci, Esq., Lana Ivy, Esq., and Julie Marshall from Harris Beach, Howard Protter, Esq., from Jacobowicz & Gubits, Jaymie Sheehan from MuniCap, Amy Montanez from the New York State Office of State Comptroller, Greg Gushee and Chris McKenna from The Related Companies, and various members of the public.

Mr. English welcomed all to the meeting and stated that the LDC operates under New York State Open Meetings Law and introduced those participating in the meeting. Mr. English further stated that the purpose of the LDC as articulated in the December 30, 2019 annual disclosure report prepared by MuniCap Inc. is as follows: The Tuxedo Farms Local Development Corp. was established under Section 1411 of the NYS Not-For-Profit Corporation Law pursuant to a resolution adopted by the Town of Tuxedo on January 7, 2015. The Corporation was formed for the purpose of assisting in the financing, construction, acquisition and operation of the sewer system improvements and the role of the board is to perform its oversight duties in the interests of the public consistent with the mission of the authority, The Tuxedo Farms LDC. The goal of this meeting are to follow up on the work (performance goals) of the previous LDC Board as outlined in the 2019 Mission Statement and Measurement Report.

**Performance Goal #1:**

Finance the construction of a WasteWater Treatment Plant and related piping and pump stations in the Town of Tuxedo, NY

**Performance Goal #2:**

Negotiate and finalize all agreements necessary for the financing and construction of the WasteWater Treatment Plant as may be required and for the ongoing operations and maintenance of the system

**Performance Goal #3:**

Fully comply with the requirements of the Public Authorities Reporting Information System ("PARIS") as required by the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009

Mr. English also stated that on September 10, 2020, the reconstituted Tuxedo Farms LDC Board passed a resolution to initiate operation of the WasteWater Treatment Plant (“WWTP”), with a target date of July 1, 2021. The resolution stated that the Town of Tuxedo's existing Hamlet WWTP is beyond its useful lifespan, its failure may be imminent without the infusion of large capital investment and it needs to be replaced as was contemplated and provided for within the framework of the 2015 Agreements between and among the Tuxedo Farms LDC, the Wilmington Trust, National Association as Trustee, the Town of Tuxedo on behalf of itself and on behalf of the Hamlet of Tuxedo Sewer District, the Tuxedo Reserve Owner, LLC and the Tuxedo Sewage Works Corporation. The Tuxedo Farms LDC Board, constituted in early 2020, has diligently met its’ responsibilities and continues to strive for the ultimate goal, to get the Tuxedo Farms Wastewater Treatment plant up and running.

The importance of this project is enormous. The area known as the Tuxedo Hamlet which includes the East Village and parts of Tuxedo Park, are served by this outdated and deteriorating sewer plant. If it were to fail, the homes and businesses in the district would have no viable plan for dealing with the thousands of gallons of waste that is produced every day which would significantly impact both the property owners and the Town. The Town is responsible for the aging plant and the delivery of sewer services to this district and is obligated to resolve this problem. As a result of these conditions, there has been a moratorium on new hookups to the plant which is stifling development, a long standing goal of the Town’s Comprehensive Plan.

#### **Wastewater Treatment Plant Update**

Mr. English provided an update on the status of the WWTP. He stated that the Town Board made positive progress in communicating with The Related Companies (“Related”) in connection with completing construction of and making operational the new wastewater treatment plant.

Mr. Gushee stated that he is new to the Related team working on this project and that Related is committed to moving forward to complete the facility. Related’s engineers are reviewing the construction plans and updating the construction schedule. In addition to construction of the plant, which has been completed, plumbing hookups, software installation, testing and commissioning will take place. It is expected that all will be completed no later than December 1, 2021.

Mr. English stated that a non-public site visit to the plant is scheduled for Friday, June 25, 2021.

#### **New Business**

There was no new business.

#### **Approval of Minutes**

Motion by Michele Lindsay, seconded by Jay Reichgott Lindsay to approve the minutes of the March 18, 2021 meeting.

Motion unanimously carried.

**ADJOURNMENT**

Motion by Ken English, seconded by Michele Lindsay to adjourn meeting at 10:30 AM.  
Motion unanimously adopted.

Respectfully submitted by,

Julie Marshall