

Regular Town Board Meeting  
Town of Tuxedo  
1 Temple Dr., Tuxedo, NY 10987  
And via Zoom  
January 8, 2024

Supervisor McMillen called to order the Town Board Meeting of January 8, 2024 at 7:00pm.

The meeting was opened by a pledge of allegiance to the flag.

Town Board Members Present:	Mr. Dave McMillen	Supervisor
	Mr. Jay Reichgott	Councilmember
	Ms. Deirdre Murphy	Councilmember (via Zoom)
	Mr. Chris Kasker	Councilmember
	Mr. Rick Marsh	Councilmember

Town Board Member Absent: None

**Recording Secretary:** Marisa Dollbaum Town Clerk

**Other Town Officials Present in person:**

Ms. Amy Levine, Town Attorney; Mr. Robert Dollbaum, Highway Superintendent

Supervisor McMillen asked for a Moment of Silence for Kirk Eberling, who was a long-time resident and owner of Take-a-Break on Route 17

Town Clerk Marisa Dollbaum administered the Oath of Office to the following:

Councilmember Chris Kasker  
Councilmember Rick Marsh  
Supervisor Dave McMillen

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

- Resident Tony Davidson welcomed the new board members. He is the President of the Tuxedo Park Library Board and invited the board members to meet with the Library Board.

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**Agenda Item #1 - Reappointment of Fire Commissioners**

Motion made by Supervisor McMillen, seconded by Councilperson Marsh that the Town Board of the Town of Tuxedo hereby approves the reappointment of the following Fire Commissioners for a five-year term, beginning on January 1, 2024 through December 31, 2028:

Peter Dedel  
Jason Poggioli

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

**Agenda Item #2 - Schedule Special Town Board Meeting for Planning and Zoning Board Interviews**

Motion made by Supervisor McMillen, seconded by Councilmember Marsh, that the Town Board of the Town of Tuxedo hereby schedules a Special Town Board meeting to interview applicants for open positions on the Planning and Zoning Boards on Thursday, January 11<sup>th</sup> at 7:00pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

**Agenda Item #3 - Authorize Town Engineer to draft RFP for Improvements to Town Hall HVAC System**

Motion made by Supervisor McMillen, seconded by Councilmember Murphy, that the Town Board of the Town of Tuxedo hereby authorizes the Town Engineer to draft an RFP for improvements to the Town Hall HVAC system.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

**Agenda Item #4 - Authorize Town Attorney to draft RFP to solicit Grant Writer**

Motion made by Supervisor McMillen, seconded by Councilmember Marsh, that the Town Board of the Town of Tuxedo hereby authorizes the Town Attorney to draft an RFP to solicit a grant writer.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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**Discussion Items**

1. Hamlet Revitalization RFP specifications

Motion made by Councilmember Murphy and seconded by Councilmember Kasker to authorize posting of the Request for Proposals (RFP) for a Master Plan for Tuxedo Hamlet Revitalization with a bid opening date of Thursday, February 8, 2024 at 3:00PM.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

2. Hamlet Sewer District Improvement

Supervisor McMillen will speak with Attorney Ben Gailey and David Gubits to review the next steps to apply for a bond for the Hamlet Sewer District Improvement project.

3. Repairs needed at Police Station

Councilmember Marsh met with Chief Trazino to discuss various repairs needed at the Police Station in Southfields. The Board agreed that Town Engineer Sean Hoffman would be contacted to see if he's available to put a Request For Proposals (RFP) together for the project.

4. Commuter Parking Lot Fees – will research further (set up meeting with ParkMobile)

Councilmember Marsh proposed increasing the daily rates in the Commuter Parking Lot off of East Village Rd. The current rate is \$3.00 a day. The Board discussed options, including increasing the rate on the weekends. The Board agreed to do additional research and also look into possible updates to the Town Code.

5. School Resource Officer

Councilmember Marsh reported the Tuxedo Union Free School District is interested in hiring Tuxedo Police Officers to serve as their School Resource Officer. Certain details need to be worked out and they will continue conversations with the school.

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**Executive Session**

Supervisor McMillen made a motion and Councilmember Reichgott seconded to enter into an Executive Session for the purpose of discussing personnel matters at 8:07pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Supervisor McMillen made a motion and to exit the Executive Session and re-enter Public Meeting at 9:53pm.

**Town Reorganization 2024**

**Office of the Town Supervisor**

As per Town Law, the Supervisor as an elected official appointed the following positions:

Deputy Supervisor (Unclassified)	Rick Marsh
Budget Officer divided between the two positions)	Dave McMillen and Rick Marsh (\$10,000.00 to be
Secretary to Supervisor - Part-Time (Civil Service - Exempt)	Lori Cosgrove

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

**Lorraine Cosgrove** in the part-time position of **Secretary to Supervisor** (Civil Service #1576 - Exempt) be paid at the hourly rate of \$35.03 per hour for 30 hours per week (1560 hours annually). Budget Code A1220.1 for \$54,646.80

**Carey Alley** is appointed to the full-time position of **Account Clerk** in the Office of the Town Supervisor (Civil Service #1001 - Competitive) at the hourly rate of \$40.00 per hour for 35 hours per week (1820 hours annually). Budget Code A1220.1 for \$72,800.00

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**Office of the Town Clerk**

As per Town Law, the Town Clerk as an elected official appointed the following positions:

Deputy Town Clerk/Deputy Registrar/Deputy Tax Collector - Part-Time (Civil Service - Exempt) Marianna Evans

Supervisor Dave McMillen offered the following reorganization meeting resolution and moved its adoption.

**Marianna Evans** in the part-time position of **Deputy Town Clerk** (Civil Service #1215 - Exempt) be paid at the hourly rate of \$24.00 per hour for 30 hours per week (1560 hours annually). Budget Code A1410.1 for \$37,440.00

**Building Department**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

TBD is appointed to the part-time position of **Building Inspector III** (Civil Service #1104 - Competitive) at the hourly rate of TBD per hour for TBD hours per week (TBD hours annually). Budget Code B3620.1 for TBD

**Deborah Villanueva** is re-appointed to the full-time position of **Project Coordinator** (Civil Service #1488 - Non-Competitive) at the hourly rate of \$35.04 per hour for 35 hours per week (1820 hours annually). Budget Code B3620.1 for \$63,773.00

**Lisa Decker** is appointed to the part-time position of **Project Coordinator** (Civil Service #1488 - Non-Competitive) at the hourly rate of \$24.00 per hour for 30 hours per week (1560 hours annually). Budget Code B3620.1 for \$37,440.00.

**Highway Department**

Supervisor Dave McMillen offered the following reorganization meeting resolution and moved its adoption.

The wage rates of bargaining unit employees in the Highway Department are as negotiated in the Collective Bargaining Agreement with the International Brotherhood of Electrical Workers. The current contract runs January 1, 2022 through December 31, 2024.

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**Other Town Offices**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

**Kathleen Metcalf-Rooney** is re-appointed to **Recreation Director** on a provisional basis pending results of civil service exam #1522 – Competitive) at the salary of \$30.94 for 17.5 hours/week for 42 weeks and 35 hours/week for 10 weeks. (1085 hours annually). Budget Code A.7020.1 for \$33,570.

**Hugh Davies** is re-appointed to the part-time position of **Assessor** (Civil Service #1025 - Non-Competitive) at the salary of \$40,000 and that the minimum hours be 1040 per annum scheduled as needed seasonally for this position. Budget Code A1355.1

**John Trazino** is re-appointed to the part-time position of **Police Chief** (Civil Service #1470 - Competitive). Budget Code B3120.1 for \$35,000.

The wage rates of bargaining unit employees in the **Police Department** are as negotiated in the Collective Bargaining Agreement with Teamsters Local 445. The current five-year contract runs January 1, 2021 through December 31, 2025.

The position of part-time **Animal/Dog Control Officer** (Civil Service #1020 - Non-Competitive) to be appointed at a later date. Budget Code A3510.1 for \$8,221.00.

**Justice Court**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

**Claire Squillini** is re-appointed - with the advice and consent of the Town Justices - to the full-time position of **Clerk to Town Justice** (Civil Service #1175 - Exempt) at the hourly rate of \$31.80 per hour for 35 hours per week (1820 hours annually). Budget Code A1110.1 for \$57,876.00

**Tracy Peplowski** is re-appointed - with the advice and consent of the Town Justices - to the full-time position of **Clerk to Town Justice** (Civil Service #1175 - Exempt) at the hourly rate of \$27.00 per hour for 35 hours per week (1820 hours annually). Budget Code A1110.1 for \$49,140.00

**Catherine Flynn** be appointed to the part-time position of **Assistant Court Clerk** (Civil Service #1052 - Non-Competitive) at the hourly rate of \$24.00 per hour for 30 hours per week (1560 hours annually). Budget Code A1110.1 for \$37,440.00

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**Elected Officials**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

The yearly salaries be approved as stated for the following Town Officials:

Supervisor Dave McMillen	\$46,350.00	Term: 12/31/2025
Deputy Supervisor Rick Marsh	\$13,412.96	Term: 12/31/2027
Town Board Member Chris Kasker	\$ 8,002.37	Term: 12/31/2027
Town Board Member Deirdre Murphy	\$ 8,002.37	Term: 12/31/2025
Town Board Member Jay Reichgott	\$ 8,002.37	Term: 12/31/2025
Town Clerk/Tax Collector Marisa Dollbaum	\$73,774.78	Term: 12/31/2027
Highway Superintendent Robert Dollbaum	\$103,515.14	Term: 12/31/2027
Town Justice Shawn Brown	\$31,649.56	Term: 12/31/2025
Town Justice Alyse McCathern	\$31,649.56	Term: 12/31/2026

**Boards**

The annual salaries of the **Planning Board** Chairman and six Members are as indicated below, and that the Chair of the Planning Board be named at a later date, and that such board be comprised of the following individuals through the term expiration dates indicated (as per Chapter 16 of the Town Code, Article V, Section 16-22) or until a successor is appointed:

Chairman TBD	\$6,865.39	Term: 12/31/2028
Susan Reif	\$3,117.01	Term: 12/31/2027
TBD	\$3,117.01	Term: 12/31/2028
William Lemanski	\$3,117.01	Term: 12/31/2024
William Friedlich	\$3,117.01	Term: 12/31/2025
Susan Boyle	\$3,117.01	Term: 12/31/2026
Ned Kugel	\$3,117.01	Term: 12/31/2026
Alternate TBD	\$3,117.01	Term: 12/31/2024

Note: The Chairman of the Planning Board is appointed annually by the Town Board.

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The salaries of the **Zoning Board of Appeals** Chairman and four Members are as indicated below, and that **Francis Peverly** is appointed as Chair of the Zoning Board of Appeals, and that such board be comprised of the following individuals through the term expiration dates indicated or until a successor is appointed:

Francis Peverly	\$1,887.42	Term: 12/31/2025
TBD	\$1,364.24	Term: 12/31/2027
Sharon Radulov	\$1,364.24	Term: 12/31/2028
Russell Shaver	\$1,364.24	Term: 12/31/2024
Christopher Dollbaum	\$1,364.24	Term: 12/31/2026
(Alternate to be named)	\$1,364.24	Term: 12/31/2024

Note: The Chairman of the Zoning Board of Appeals is appointed annually by the Town Board.

The salary of the **Board of Assessment Review** Chair is \$1799.13 and the four Members are each \$624.72 and that such board be comprised of the following individuals through the term expiration dates indicated (as per Real Property Tax Law, Section 523(c)) or until a successor is appointed:

Marie Warniaha	Term: 9/30/2027
Howard Zukof	Term: 9/30/2028
Edward Mattes	Term: 9/30/2024
Edward Brennan	Term: 9/30/2025
Michael Witt	Term: 9/30/2024

Note: The Chair of the Board of Assessment Review is determined by the Members of the BAR as per Real Property Tax Law.

The **Tuxedo Climate Smart Community Task Force**, whose members serve without compensation, be comprised of individuals to be appointed by the Town Board later in 2024. The Task Force Manager, to be chosen by the Town Board, shall serve for a two-year term. The Town Board has chosen Michele Lindsay to serve as Manager for the term ending December 31, 2024 under the direction of Town Supervisor.

The **Parks & Recreation Advisory Board**, whose members serve without compensation, be comprised of seven individuals to be appointed by the Town Board for terms of three years. The Town Board shall make appointments so as to stagger the terms of members so that no more than three, nor less than two, terms expire each year. The Town Board appoints **Maria May as Chairman of the Parks & Recreation Advisory Board**, with the intention of filling the other openings at a later time this year.



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**Professional Services**

**Jacobowitz and Gubits, LLP** is appointed as **Attorneys for the Town** and that payment for services be pursuant to the professional services agreement for 2024 which is to be on file with the Town Clerk.

**Hoffman Engineering** is appointed as **Engineer** for the Town of Tuxedo and that payment for services be pursuant to the professional services agreement for 2024 which is to be on file with the Town Clerk.

**Michael Richardson** is appointed as **Municipal Consultant for Workforce Planning and Labor Relations** and that payment for services be pursuant to the professional services agreement for 2021 which is to be on file with the Town Clerk.

**Andrew Arias** with Cooper Arias, LLP is appointed for Town Financial Consultant Services budgeted under the Supervisor's Professional Services Account (A.1220.425) to review financial reports on a monthly basis, and assist in accounting and financial matters which arise during fiscal year 2023. The monthly services are billed at \$2,000 per month.

Additionally, Cooper Arias, LLP is appointed to prepare the Annual Update Document (AUD) and that payment for services be pursuant to the three-year professional services agreement for audit years 2021-2023 which is to be on file with the Town Clerk. The fee for the Audit services will be \$22,000 for the year ending December 31, 2023. The Town Board has already approved this agreement as per the engagement letter dated November 9<sup>th</sup> 2021. The Audit Services are budgeted in Acct (A.1320.401.0000)

**Naughton & Torre, LLP** is appointed as **Legal Counsel** to the **Planning Board** and that payment for services be pursuant to the professional services agreement for 2021 which is to be on file with the Town Clerk.

**Naughton & Torre** is appointed as **Legal Counsel** to the **Zoning Board of Appeals** and that payment for services be pursuant to the professional services agreement for 2021 which is to be on file with the Town Clerk.

**Nelson, Pope, Voorhis** is appointed as **Town Planner** and that payment for services be pursuant to the professional services agreement for 2021 which is to be on file with the Town Clerk.

**George Langberg** is appointed as **Town Historian** and that payment for services to the Tuxedo Historical Society be conveyed as per the contract for services for 2021 which is to be on file with the Town Clerk.

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At a Town Board meeting, awarded July 27, 2020 to Interstate Waste Services, Inc., not to exceed \$363,877.20 for the year commencing September 1, 2020, and ending August 31, 2021. The contract may be extended annually at the Town's sole option for one (1) to four (4) additional one-year terms (Years 2, 3, 4 and 5) at the contract rate of \$366,877.20 (2021-2022), \$374,747.40 (2022-2023), \$385,947.00 (2023-2024) and \$397,476.00 (2024-2025).

At a Town Board meeting, awarded January 9th, 2023 to Rockland Paramedic Services, Inc., not to exceed \$758,358.00 for the year commencing January 1, 2023, and ending December 31, 2023. The agreement will be extended by the municipality for an additional (1) year period commencing January 1, 2024, and ending December 31, 2024 at the stated annual contract price plus 4%.

At a Town Board meeting, awarded August 24th, 2020 to Cleaning Services of the Hudson Valley, Inc., not to exceed \$24,300.00 for the year 2020-2021, and \$25,500.00 for the year 2021-2022, with extension options as follows: **(1) \$27,000.00 for the year 2022-2023;** (2) \$28,500.00 for the year 2023-2024; and (3) \$30,000.00 for the year 2024-2025.

### **Town Meetings and Notices**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

The Regular Bi-Monthly **Town Board Meetings** be held on the second and fourth Mondays of each month at 7:00 p.m. at the Town Hall and, when circumstances deem it desirable, be held at other locations in other parts of the Town. Should a meeting date fall on an observed holiday, the meeting will be held on the Wednesday of that week.

The approved calendar of dates for 2024 Town Board Meetings is as follows:

January 8th and 22nd	May 13 <sup>th</sup> and 29th	September 9 <sup>th</sup> and 23rd
February 12 <sup>th</sup> and 26th	June 10 <sup>th</sup> and 24th	October 16 <sup>th</sup> and 28 <sup>th</sup>
March 11 <sup>th</sup> and 25 <sup>th</sup>	July 8 <sup>th</sup> and 22nd	November 13 <sup>th</sup> and 25th
April 8 <sup>th</sup> and 24 <sup>th</sup>	August 12 <sup>th</sup> and 26th	December 9 <sup>th</sup> and 23rd

*Times Herald Record* be named the **official newspaper** of the Town of Tuxedo for the calendar year 2024.

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**Human Resources**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

The **standard workweek** for **Town Hall** is five days per week, Monday through Friday, during which a 35-hour employee is to work five seven-hour days (excluding meal periods), a 30-hour employee is to work five six-hour days (excluding meal periods), and an employee scheduled to work less than 30 hours per week is to disperse their work hours throughout the five-day workweek as assigned by the Department Head.

The **standard workday** is as specified in the schedule of standard workdays, as updated and filed with the Town Clerk, for elected and appointed officials, and such days worked will be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by those officials to the Town Clerk and/or official time cards completed and submitted to the Office of the Town Supervisor.

The **holidays** listed below be observed on the day designated by the Town Board at its organizational meeting in January of each year.

- New Year's Day (Monday, January 1st)
- Martin Luther King Day (Monday, January 15th)
- Presidents' Day (Monday, February 19th)
- Memorial Day (Monday, May 27th)
- Juneteenth (Wednesday, June 19th)
- Independence Day (Thursday, July 4th)
- Labor Day (Monday, September 2nd)
- Columbus / Indigenous Peoples Day (Monday, October 14th)
- Veterans' Day (Monday, November 11th)
- Thanksgiving Day (Thursday, November 28th)
- Day after Thanksgiving (Friday, November 29th)
- Christmas Day (Wednesday, December 25th)

Employees be paid on a bi-weekly basis. The **payroll period** begins Saturday at 12:00:01 a.m. and ends fourteen calendar days later on Friday at 11:59:59 p.m. An employee's paycheck is based on the amount earned during the preceding payroll period. Certain employees may be paid on a different schedule as established by the Town Board. Under normal circumstances, paychecks are issued on the Friday following the end of the payroll period. In the event the payday is a designated holiday, paychecks are distributed on the previous workday.

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The **mileage reimbursement** for personal car usage for Town business is .67 cents per mile for 2024, to be adjusted as promulgated by the Internal Revenue Service.

**Finance**

Supervisor Dave McMillen offered the following reorganization meeting resolutions and moved their adoption.

JP Morgan Chase is appointed as the **official depository** (checking and savings accounts) for the Town of Tuxedo for the calendar year 2024.

The Town Supervisor and the Account Clerk in the Office of the Town Supervisor are authorized to make **withdrawals** from the bank accounts at JP Morgan Chase and that the Town Clerk is authorized to make transfers for **BAN payments**, and that the Town Supervisor and the Account Clerk in the Office of the Town Supervisor are authorized to **transfer funds** among the Town's accounts.

The Town Supervisor and the Account Clerk in the Office of the Town Supervisor are authorized to **make payment** for payroll, medical insurance, dental insurance, vision plans, retirement plans, Workers' Compensation, gas, electric, telephone, cellular telephone, cable service for internet access, water, postage, express mail, garbage contract and debt service **without prior audit** by the Town Board.

All **Official Undertakings** and bonds by the officers, clerks or employees of the Town of Tuxedo may be in the form of a blanket undertaking from **National Union Fire Insurance Company**, a duly-authorized corporate surety, and said blanket undertaking shall indemnify the Town of Tuxedo against the loss of the type more particularly set forth in Article 2, Section 11 of the Public Officers Law and shall constitute a guarantee for elected and appointed officials, officers and employees of the Town of Tuxedo for the faithful performance of their duties and the prompt and proper account for paying over all money received by said employees in their official capacities.

**Town Investment Policy**, originally adopted on May 11, 1994, a copy of which is annexed hereto, is reaffirmed as the Town's official investment policy for the fiscal year 2024.

**Town Procurement Policy**, as updated by amendment adopted on March 1, 2011, a copy of which is annexed hereto, is reaffirmed as the Town's official procurement policy for the fiscal year 2024.

**Town Credit Card Use Policy**, originally adopted on September 26, 2011, a copy of which is annexed hereto, is reaffirmed as the Town's official credit card use policy for the fiscal year 2024.

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**Town Fees**

RESOLVED, that the annual **parking permit** fee for municipal parking lot at the train station is as follows, plus applicable taxes.

	Daily	3 month	6 month	12 month
Resident	\$3.00	\$50.00	\$96.00	\$190.00
Non-resident	\$3.00	\$78.00	\$146.00	\$250.00

The rental fees for residents for use of the **train station** is \$250.00 per event, up to four hours. Each additional hour will be billed at \$50 per hour or part thereof.

The rental fee for non-resident use of the **train station** is \$500.00 per event, up to four hours. Each additional hour will be billed at \$100 per hour or part thereof.

The adoption of the foregoing resolutions was seconded by Councilmember Marsh and duly put to a vote on roll call which resulted as follows:

Supervisor McMillen	Aye
Councilmember Marsh	Aye
Councilmember Murphy	Aye
Councilmember Reichgott	Aye
Councilmember Kasker	Aye

**Minutes**

Motion made by Supervisor McMillen and seconded by Councilmember Marsh to accept the minutes as written for the meeting on December 27, 2023.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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**VOUCHERS**

Below are the vouchers totaling \$5000 or greater:

2012922662	Global Montello Group	\$9,560.04	Fuel & Diesel December 2023
2012922687	Office of the State Comptroller	\$21,029.00	November 2023 Court Fines & Fees
2012922710	NYS Employees Health Insurance Plan	\$46,163.49	PD & Retiree Health Insurance January 2024

On a motion made by Supervisor McMillen, seconded by Councilmember Marsh, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012922659 through 2012922715

Vouchers number 2012922665 and 2012922688 were held for further investigation.

General Fund:	\$74,982.33
Part-Town Fund:	\$46,202.48
Highway Town Wide:	\$8,237.47
Highway Part Town	\$1,727.85
Refuse and Garbage	\$1,256.63
Hamlet Sewer District	\$241.24
Trust and Agency	\$0
<b>Total Abstract Amount:</b>	<b>\$132,648.00</b>

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

**ADJOURNMENT**

Motion made by Supervisor McMillen and seconded by Councilmember Marsh, to adjourn the meeting at 10:03pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Respectfully submitted,

*Marisa Dollbaum*

Town Clerk  
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