

**Regular Town Board Meeting  
Town of Tuxedo  
1 Temple Dr. , Tuxedo, NY 10987  
And via Zoom  
January 23, 2023**

Deputy Supervisor Lindsay called to order the Town Board Meeting of January 23, 2023 at 7:00pm.

Mayor McFadden called to order the Special Village Board Meeting of January 23, 2023 at 7:00pm

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

Town Board Members Present:	Mrs. Michele Lindsay	Deputy Supervisor
	Ms. Maria May	Councilmember
	Mr. Jay Reichgott	Councilmember
	Ms. Deirdre Murphy	Councilmember

Town Board Member Absent:	Mr. Kenneth English	Supervisor
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Village Board Members Present:	Mr. David McFadden	Mayor
	Ms. Tinka Shaw	Deputy Mayor
	Mr. Chris Kasker	Trustee
	Mr. Paul Brooke	Trustee

Village Board Member Absent:	Mr. Joshua Scherer	Trustee
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**Recording Secretary:** Marisa Dollbaum    Town Clerk

**Other Town Officials Present:**

Mr. Howard Protter, Town Attorney (via Zoom); Mr. Brian Nugent, Village Attorney (via Zoom), Ms. Elizabeth Doherty, Village Clerk (via Zoom) Mr. Robert Dollbaum, Highway Superintendent

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**Resolution to appoint Presiding Officer for Joint Public Hearing**

RESOLVED, Motion made by Councilmember Reichgott, seconded by Councilmember May to appoint Deputy Supervisor Lindsay to serve as the Presiding Officer for the hearing this evening.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

<b>ON ROLL-CALL VOTE;</b>	Mayor:	David McFadden	Aye
	Deputy Mayor:	Tinka Shaw	Aye
	Trustee:	Chris Kasker	Aye
	Trustee:	Paul Brooke	Aye
	Trustee:	Joshua Scherer	Absent

**Open Public Hearing**

RESOLVED, Motion made by Deputy Supervisor Lindsay, seconded by Councilmember May to open the Joint Town and Village Board Public Hearing on the Proposed Annexation of the Lands of Rattlesnake Mountain Preserve.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

<b>ON ROLL-CALL VOTE;</b>	Mayor:	David McFadden	Aye
	Deputy Mayor:	Tinka Shaw	Aye
	Trustee:	Chris Kasker	Aye
	Trustee:	Paul Brooke	Aye
	Trustee:	Joshua Scherer	Absent

**Public Comment**

Resident Sue Scher asked if there was a planned use for the property. Village Attorney responded that there are no plans submitted as of yet and added the land is zoned for residential only.

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**Close Public Hearing**

RESOLVED, Motion made by Deputy Supervisor Lindsay, seconded by Trustee Tinka Shaw that public hearing now be declared close and the record shall remain open until January 30<sup>th</sup> for submission of written comments.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

<b>ON ROLL-CALL VOTE;</b>	Mayor:	David McFadden	Aye
	Deputy Mayor:	Tinka Shaw	Aye
	Trustee:	Chris Kasker	Aye
	Trustee:	Paul Brooke	Aye
	Trustee:	Joshua Scherer	Absent

RESOLVED, Deputy Supervisor Lindsay made a motion, seconded by Councilmember Reichgott for the Town Board to authorize Town legal counsel and Supervisor to prepare necessary Orders, resolutions and agreements for consideration of the Town Board to approve the annexations.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

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RESOLVED, Mayor McFadden made a motion, seconded by Trustee Tinka Shaw for the Village Board to authorize Village legal counsel and Mayor to prepare necessary orders, resolutions and agreements for consideration of the Village Board to approve the annexations.

<b>ON ROLL-CALL VOTE;</b>	Mayor:	David McFadden	Aye
	Deputy Mayor:	Tinka Shaw	Aye
	Trustee:	Chris Kasker	Aye
	Trustee:	Paul Brooke	Aye
	Trustee:	Joshua Scherer	Absent

**Public Comments on Agenda Items**

There were no public comments.

**Agenda Item #1**

Resolution to adopt As Built Permit Fees

RESOLVED, On a motion made by Deputy Supervisor Lindsay, seconded by Councilmember Reichgott, that the Town Board of the Town of Tuxedo hereby approves the following fee with the following effective date of January 1, 2024:

**As Built Permit:      \$2,000.00**

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

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**Agenda Item #2**

Resolution to adopt Fire Inspection Fees (Return or Reinspection)

RESOLVED, Motion made by Deputy Supervisor Lindsay, seconded by Councilmember Murphy, that the Town Board of the Town of Tuxedo hereby approves the following fee:

<b>Fire Safety Reinspection Fee (each inspection)</b>	<b>Amount of the original fee as outlined in the Standard Schedule of Fees of the Town of Tuxedo</b>
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<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

**Agenda Item #3**

Resolution to adopt Escrow Fees

RESOLVED, Motion made by Deputy Supervisor Lindsay, seconded by Councilmember May, that the Town Board of the Town of Tuxedo hereby approves the following fees for the Town's escrow policy:

Planning Board:	Escrow – Private Residential Projects	\$5,000.00*
	Escrow – Commercial Projects/Major Subdivisions	\$10,000.00*
	Escrow - Technical Advisory Committee (TAC) Mtg	\$550.00*
ZBA:	Escrow – Private Residential Projects	\$1,000.00*
	Escrow – Commercial Projects	\$5,000.00*

\* The escrow amount will be evaluated and adjusted by the applicable Board, if necessary, based on the nature and complexity of the application.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

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**Department Updates:**

- Robert Dollbaum, Highway Superintendent, said his crew salted roads last night and today. Tree trimming and pruning continues in Laurel Ridge. They are also working on separating materials in the rock pile on Long Meadow Rd.

**TOWN BOARD UPDATE:**

- Deputy Supervisor Lindsay said the Tuxedo LDC held a meeting on January 17<sup>th</sup> to review the grant application process. The next Tuxedo LDC meeting is scheduled for February 15<sup>th</sup> at 7:00pm. The Community Choice Aggregation Program continues the public outreach phase. Jeff Domansky will present at the next Silver Dollars meeting at Town Hall. There will also be presentations at the library on February 9<sup>th</sup> and March 4<sup>th</sup>. Both of those meetings will be in person at the library as well on the library's Zoom. Another way to see the presentation is at the next Climate Smart Task Force meeting on February 16<sup>th</sup> via the Town's Zoom. She will soon meet with NYS DOT to discuss cross walks and streetscapes along Route 17.
- Councilmember May stated the Town's annual bonfire was a successful event. She is working with Councilmember Murphy on recreation events.
- Councilmember Reichgott is working on an inventory of Town owned properties. He cautioned drivers in the winter weather conditions.
- Councilmember Murphy is working on the Greenway Grant. She is applying for a tourism grant and would like to expand the Town's Art and Music program. A report from the DEC was found stating the plan for Eagle Lake was to drain and seed the area. She is going to research if the Town agreed to that plan. She would like to write a letter to OC DOT to remove the 55mph speed limit sign since the request to reduce the speed to 35mph was denied.

**MINUTES**

RESOLVED, Motion made by Deputy Supervisor Lindsay, seconded by Councilmember Murphy to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on January 9, 2023.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

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**VOUCHERS**

Motion made by Deputy Supervisor Lindsay, seconded by Councilmember Reichgott, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012921056 through 2012921118.

General Fund:	\$190,405.20
Part-Town Fund:	\$28,048.85
Highway Town Wide:	\$8,245.44
Highway Part Town	\$5,609.90
Hamlet Sewer District	\$7,251.20
Refuse and Garbage Disposal	\$31,437.4
Trust and Agency	\$4,869.50
<b>Total Abstract Amount:</b>	<b>\$275,867.33</b>

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

**PUBLIC COMMENTS**

- Resident Dale Mottolla mentioned that Powerhouse Park was not well lit, especially from the parking lot to the field.

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**Executive Session**

Deputy Supervisor Lindsay made a motion and Councilmember May seconded to enter executive session to discuss personnel matters at 8:40pm.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

Deputy Supervisor Lindsay made a motion and Councilmember Reichgott to re-enter public meeting at 9:53pm.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

No action was taken.

**ADJOURNMENT**

RESOLVED, Motion made by Deputy Supervisor Lindsay seconded by Councilmember May, to adjourn the meeting at 9:54pm.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Absent
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

Respectfully submitted,



Marisa Dollbaum  
Town Clerk