

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, March 28th, at the Tuxedo Town Hall, One Temple Dr., Tuxedo, New York, and called to order by Supervisor English at 7:05p.m.

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

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

Town Board Member Absent:	Mr. Jay Reichgott	Councilmember
---------------------------	-------------------	---------------

**Recording Secretary:** Marisa Dollbaum    Town Clerk

**Other Town Officials Present:**

Mr. Howard Protter, Town Attorney (via telephone); Chief Tamara Dryer and Lt. John Norton

1. Public Hearing - Creating Community Choice Aggregation Program

Notice of Public Hearing having been posted, distributed by electronic mail and published on the Town website, and proof of publication of notice in the *Times Herald Record* having been furnished, a Public Hearing regarding “Creating Community Choice Aggregation Program” was held before the Town Board of the Town of Tuxedo on Monday, March 28, 2022 and called to order by Supervisor English at 7:10pm.

Community Choice Aggregation is a policy enabling municipalities to determine default energy offerings on behalf of residents, small businesses, and other organizations.

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

Public Comments -

Francine Liza, resident and Woodlands HOA Board Member, commented that she is in favor for this type of program.

RESOLVED, On a motion made by Supervisor English, seconded by Deputy Supervisor Lindsay, that all persons desiring to be heard, having been heard, the Public Hearing regarding “Creating Community Choice Aggregation Program” be closed at 7:22pm.

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

2. Public Hearing - Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations

Notice of Public Hearing having been posted, distributed by electronic mail and published on the Town website, and proof of publication of notice in the *Times Herald Record* having been furnished, a Public Hearing regarding “Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations” was held before the Town Board of the Town of Tuxedo on Monday, March 28, 2022 and called to order by Supervisor English at 7:22pm.

The Code of the Town of Tuxedo will be amended by revising Section 51 Subsection D, titled “Individual standards for special uses. Automotive gas station,” of Chapter 98, titled “Zoning,” to delete the following sentence: “Nothing herein shall allow any increase in the amount of fuel stored on-site.” The purpose of this local law is to remove a sentence within the current special use permit regulations for existing automotive gas stations that limits the expansion of fuel storage. It is the belief of the Town Board that limiting the amount of fuel on-site does not adequately allow for existing gas stations to replace existing tanks and make site improvements as technology advances, as newer technology tanks often have increased fuel capacity. The Town Board acknowledges that removing this prohibition does not automatically allow an existing station to increase fuel capacity and that existing site limitations and Planning Board review of any proposed site plan/special use permit amendments are sufficient to limit and control proposed increased fuel storage at existing sites. As existing stations within the Town are limited, the Town Board also recognizes that the impact of this zoning code amendment will be

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

minimal, yet still incentivize existing stations to update their fuel storage tanks as technology advances and safety measures are improved. There are no anticipated environmental impacts from this revision.

There were no public comments.

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember May, that all persons desiring to be heard, having been heard, the Public Hearing regarding “Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations” be closed at 7:29pm.

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

**Public Comments on Agenda Items**

There were no public comments.

Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022

Agenda Item #1

**RESOLUTION OF ADOPTION  
LOCAL LAW NO. 1 OF 2022  
CREATING COMMUNITY CHOICE AGGREGATION PROGRAM**

WHEREAS, an introductory Local Law, entitled “Creating Community Choice Aggregation Program” was introduced before the Town Board of the Town of Tuxedo on February 28, 2022, and upon notice duly published and posted, a hearing was held on March 28, 2022, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law,

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Creating Community Choice Aggregation Program” is a Type II action under SEQR and is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Creating Community Choice Aggregation Program” of the Town of Tuxedo be and hereby is adopted as Local Law #1 of 2022 of the Town of Tuxedo on March 28, 2022.

On the motion of Deputy Supervisor Lindsay seconded by Councilmember Murphy, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 1 Absent

Agenda Item #2

**TOWN OF TUXEDO  
INTRODUCTORY LOCAL LAW NO. 2 OF 2022**

**A LOCAL LAW AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF  
TUXEDO TO REVISE SPECIAL USE PERMIT REGULATIONS  
FOR EXISTING AUTOMOTIVE GAS STATIONS**

WHEREAS, an introductory Local Law, entitled “A Local Law Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations” was introduced before the Town Board of the Town of Tuxedo on March 14, 2022, and upon notice duly published and posted, a hearing was held on March 28, 2022, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law,

WHEREAS, the Orange County Department of Planning finds no intermunicipal or countywide impacts, and

WHEREAS, the Town of Tuxedo Planning Board had no comments or objections to the proposal.

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “A Local Law Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations” is an Unlisted action under SEQR and is hereby determined not to have a significant effect on the environment.

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “A Local Law Amending Chapter 98 of the Code of the Town of Tuxedo to Revise Special Use Permit Regulations for Existing Automotive Gas Stations” of the Town of Tuxedo be and hereby is adopted as Local Law #2 of 2022 of the Town of Tuxedo on March 28, 2022.

On the motion of Councilmember May, seconded by Supervisor English the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 1 Absent

**Agenda Item #3**

Resolution to approve change order for Town Hall roof project - TABLED

**Agenda Item #4**

**Resolution Authorizing Execution of Agreement with Warwick Humane Society for 2022 Animal Shelter Services.**

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember Murphy, that the Town Board hereby authorizes to enter into an agreement with the Warwick Valley Humane Society for animal control services for the period January 1, 2022 through December 31, 2022.

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

Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022

**Agenda Item #5**

**Resolution to retain Gary Rich, Licensed Land Surveyor, for survey of sewer system**

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember Murphy, the Town Board of the Town of Tuxedo hereby approves hiring Gary Rich according to the attached proposal dated March 16, 2022 with the following costs:

- \$12,000 for the Boundary and Topographic Survey and
- \$600 per easement map.

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

**Agenda Item #6**

Earth Day Cleanup suggested by Tuxedo Union Free student, Marley Vaught.

Councilmember May will work with Marley and the Environmental Club to coordinate the cleanup. No action was taken.

**Department Updates:**

- Chief Dreyer stated the policy for body cameras is in the process of being written and should be in place by this May. The speed radar trailers will be placed around Town and the Police Department will learn how to download the data. She has been in contact with the Renaissance Faire and will reach out to the Orange County Sheriff's office to help with traffic control. The Officers will participate with the "U Drive. U Text. U Pay. campaign to help aid law enforcement in their efforts to keep texting and distracted drivers off the road.

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

- Lt. Norton gave a reminder to residents to lock their homes and cars.
- Marisa Dollbaum, Town Clerk, said the MTA will have a temporary road set up to get in and out of the East Village starting April 8<sup>th</sup> – April 10<sup>th</sup> to change the railroad crossing. The bid opening for the Tichy Field renovation is Monday, April 4<sup>th</sup> at 1pm. Recreation Coordinator, Claire Dougher, is hosting an Earth Day 5k on Saturday April 23<sup>rd</sup> at Quarry Field. She is asking participants to donate items to Warwick Humane Society. The bond refinance paperwork was signed and received by Delafield and Hawkins. She received a call from a resident with a potential scam alert from a cable company that does not operate in Tuxedo. She is working with General Code to get the Town's code book and e-code up to date.

**TOWN SUPERVISOR/TOWN BOARD UPDATE:**

- Supervisor English - A site inspection was held at Tichy Field on March 18<sup>th</sup> to review the renovation project for the tennis and basketball court. Bids are due Monday, April 4<sup>th</sup>, 1:00pm. On Monday, March 21<sup>st</sup> he attended a comprehensive employee health insurance review with Labor Consultant, Michael Richardson, to perform an annual review of all employee health insurance needs. The audit ensures that our policies and premiums are accurate and up to date and that any corrections are made. The Tuxedo Farms LDC (Wastewater Treatment Plant owner), held an annual meeting on Monday, March 21<sup>st</sup>. All required reviews and reporting were completed. The required NYS PARIS filing was then completed on Friday. The LDC is now up to date in all required reporting. He met with TUFSD Superintendent, Jeff White on March 22<sup>nd</sup>. They discussed communications with Related and pending tax certiorari matters. A candidate for the Account Clerk/Bookkeeper position was interviewed on March 22<sup>nd</sup> since Brian Sullivan is retiring as Account Clerk. Another interview is scheduled for Tuesday. He met with Chief Tamara Dreyer on March 24<sup>th</sup> to set goals for hiring part-time police officers, the rollout of body cameras, and setting a date for the Police Reinvention Committee to regroup at Tuxedo PD headquarters. The Town Board held a special meeting on Tuxedo Farms on March 24<sup>th</sup>. The Board shared comments in response to the Tech Memo submitted by Related.



**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

- Deputy Supervisor Lindsay said the bond refinance closing will be on April 15<sup>th</sup>. The refinancing will help save the Town money. She is working to get the remainder of the street lights converted to LED. The Tuxedo LDC is drafting a request for bids for Train Station repairs.
  
- Councilmember May would like to meet with the Orange County Office of Aging to help provide services to Tuxedo residents. She announced there is a Dog Easter Egg Hunt on April 10<sup>th</sup> hosted by the Friends of Sterling Forest. She continues to work on ARPA reporting.
  
- Councilmember Murphy stated the Town of Warwick approved a resolution to request lowering the speed limit on Long Meadow Rd. The resolution the Town Board approved and the one from Warwick will be sent to Orange County DPW for review. She would like to present a marketing strategy for Tuxedo at the next meeting. She is concerned with Eagle Lake since Sterling State Forest has drained the water. She is going to send a letter to Sterling State Forest along with pictures to request that the lake be restored.

**Resolution Accepting Minutes**

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember Murphy to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on March 14, 2022.

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

**Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022**

**VOUCHERS**

Motion made by Supervisor English, seconded by Councilmember May, that the following vouchers, having been audited by the Town Board, are hereby approved for payment

Claim numbers: 2012919808 through 3012919860  
Voucher 2012919855 was deleted at the request of Rob Dollbaum

General Fund :	\$73,730.27
Part-Town Fund:	\$3,234.30
Highway Town Wide :	\$41,347.40
Highway Part Town	\$215.94
Hamlet Sewer District	\$2,307.13
Refuse and Garbage	\$30,516.24
Trust and Agency	\$7,121.00
Total Abstract Amount:	\$158,472.28

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

**PUBLIC COMMENTS**

There were no public comments.

Regular Town Board Meeting  
Town of Tuxedo  
March 28, 2022

**ADJOURNMENT**

RESOLVED, On a motion made by Supervisor English seconded by Deputy Supervisor Lindsay, to adjourn the meeting at 8:28 pm.

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

Respectfully submitted,



Marisa Dollbaum  
Town Clerk  
Town of Tuxedo