

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, April 12th, via WebEx, and called to order by Supervisor English at 7:01 p.m.

A recording of the meeting will be available on the Tuxedo YouTube site.

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

Town Board Members Present:	Ms. Maria May	Councilmember
	Mr. David McMillen	Councilmember
	Mr. Jay Reichgott	Councilmember
	Mrs. Michele Lindsay	Deputy Supervisor
	Mr. Kenneth English	Supervisor

Town Board Members Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Howard Protter, Esq.; Mr. Robert Dollbaum, Highway Superintendent; Mr. Frank Peverly, Zoning Board Chairman; Dave Maikisch, Building Inspector; Russ Shaver, Zoning Board Member; Deidre Murphy, Planning Board Member; Kristy Apostolides, Planning Board Member; Omar Delgado, Zoning Board Member

Zoning Board Chairman Frank Peverly gave thanks to George Langberg for all of his time serving as a Zoning Board Member.

Deputy Supervisor Michele Lindsay made an announcement for three upcoming Earth Day Events. A recycling webinar will be shown during the school day for 8th grade and high school Science classes. A town wide presentation of the same webinar is on April 22nd at 7pm via the Town's Webex page. Additionally, there will be a webinar hosted by the C-Change Conversations on April 28th at 7pm via the Town's Webex page.

Public Comments on Agenda Items:

- There were no public comments on the agenda items.

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AGENDA ITEMS:

- 1. Approving and Authorizing Supervisor to Sign 2021 Stop-DWI Intermunicipal Agreement with Orange County**

WHEREAS, the Town of Tuxedo desires to enter into the annual agreement with the County of Orange, to provide enforcement patrol funding to the Town for March 1, 2021 through January 11, 2022; and

WHEREAS, the Town of Tuxedo Town Board has reviewed the Agreement.

NOW, THEREFORE, BE IT RESOLVED:

On a motion made by Supervisor English, seconded by Councilmember McMillen

1. The Town Board hereby approves and authorizes the Supervisor to sign the Agreement in the form annexed with the County of Orange, for the period of March 1, 2021 through January 11, 2022

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

2. Resolution to Accept Resignation of Zoning Board of Appeals Member George Langberg, III

Discussion:

Supervisor English read Mr. Langberg's resignation letter. Mr. Langberg sold his property in Tuxedo and is no longer eligible to serve on the Zoning Board. The Town Board voiced appreciation of his twenty years of service and stated that he was a valued member of the Zoning Board.

RESOLVED, Motion made by Supervisor English, seconded by Councilmember McMillen, to accept the resignation of Zoning Board of Appeals Member, George Langberg, III effective April 12, 2021.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

3. Resolution to Appoint Omar Delgado from Alternate Member to Member of Zoning Board of Appeals commencing April 12, 2021

RESOLVED, Motion made by Supervisor English, seconded by Councilmember May, to appoint Zoning Board of Appeals Member, Omar Delgado, effective April 12, 2021 through December 31, 2023.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

4. Petition of relief from the Building Moratorium Local Law – Vishal Taneja

Motion made by Supervisor English, seconded by Councilmember Reichgott to grant to Vishal Taneja, a non-transferable exception to the present land use moratorium imposed by Local Law 3 of 2020, allowing it to proceed before the Planning Board with its present proposed plan for a commercial improvement of the Tuxedo Gulf Gas Station located at 191 NY-17, Tuxedo, New York. This Local Law 3 Section 3(A)(3) exception is based upon a determination that the plan as proposed is consistent with the Town's Comprehensive Plan and zoning requirements. This exception, to remain consistent with the Town's Comprehensive Plan and zoning requirements, is specifically contingent upon (i) the architecture of the plan being complementary to the historical buildings in the Hamlet Business Zoning District, (ii) site plan conditions mitigating the impacts of lighting and gasoline odors to neighboring residential properties, and (iii) addressing the increased traffic and vehicle circulation on the site that will necessarily accompany an expanded utilization of the site as proposed.

Any outstanding fees due to the Town of Tuxedo must be paid prior to any Planning Board proceedings on this revised application.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

Regular Town Board Meeting
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 April 12, 2021

5. Adopt updated changes to Building Department inspection and permit fees

RESOLVED, On a motion made by Supervisor English, seconded by Councilmember May the following inspection and permit fees have been updated to the following:

<u>Residential:</u>	
New Construction	\$1 per square foot of habitable area. Min Fee \$75.00
Addition (anything that adds sq footage)	\$1 per square foot of habitable area. Min Fee \$125
Alterations, repairs, accessory buildings, Demo	\$100 + \$5 for each \$1000 or fraction in cost
Above ground pools	\$100
In ground pools	\$300 + electrical permit of \$75
<u>Commercial:</u>	
New Construction	\$175 min + \$1 per square foot
Additional (anything that adds sq. footage)	\$175 min + \$1 per square ft.
Alterations, repairs, accessory buildings, Demo	\$175 + \$5 for each \$1000 or fraction in cost
Electrical Permit	\$75
Septic	\$150
Wood/Pellet Stove/Fireplace	\$150

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

Fire Safety Inspection	Under 2500 sq. ft. \$50.00 / 2501-100,000 sq. ft. \$100 / Over 100,000 sq. ft. \$250
Places of public assembly	\$50 (non profit exempt from fee but not inspection)
Residential Multiple Dwelling	\$15 per unit + \$50 per building, incl common areas
Mixed Use Bldg - Commercial/Residential	\$50 per common area + \$15 per living & commercial unit
Municipal/Violation Searches	\$250
Residential - Above ground tank Install or Removal	\$100
Residential - Below ground tank (up to 1,000 gallons)	\$100
Commercial Instal/Removal	\$250
Sign Permit	\$25

ON ROLL-CALL VOTE; Supervisor: Kenneth English Aye
Deputy Supervisor: Michele Lindsay Aye
Councilmember: David McMillen Aye
Councilmember: Maria May Aye
Councilmember: Jay Reichgott Aye

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

DISCUSSION ITEM:

1. Town Board priorities for the upcoming year

Supervisor English began the discussion with his list of priorities which consist of the following:

- Continued negotiations to mediate the Police Contract
- Complete the Police Reform Initiative
- Revive the Tuxedo Farms project with the Related Company
- New Wastewater Treatment Plant operational or refurbishing the existing one
- Long Meadow Road cleanup and compliance with DEC
- Plan to prevent misuse of parks, including Powerhouse Park and the area of the East Village
- Update the Zoning Code before the next extension of the Building Moratorium
- Reorganize the Recreation Department and hiring a Recreation Coordinator
- Negotiate Highway Department contract before the end of the year
- Proposed cell phone tower placement
- Proposed Train Station renovation
- Reorganize the Tuxedo LDC and complete PARIS reports

Deputy Supervisor Lindsay stated her list of priorities:

- Revise Zoning Code
- Support revision of Tuxedo Farms special permit
- Push to open Tuxedo Farms Wastewater Treatment Plan
- Establish goals for the Tuxedo LDC
- Revitalize Tuxedo Economic Development Committee
- Maximize the use of Town lands
- Continued work with the Climate Smart Community Task Force
- Finalize ADA projects and bid for a new Town Hall roof with federal grant money
- Hire Recreation Coordinator, Secretary to the Supervisor and a General Clerk
- Plan Summer Camp
- Finalize Police Reform Reinvention

Councilmember Reichgott agreed to the priorities above. His top priority is to resolve the Zoning Code amendments.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

Councilmember McMillen also agreed with the priorities above. He stated finalizing the Zoning code amendments is important. Some of the other items listed are unfortunately not in control of the Town Board and are not action items as of now.

Councilmember May stated the priorities that are time sensitive are establishing the Recreation Department, completing the Police Reform Reinvention, and finalizing Zoning code amendments. She also agrees with the above priorities listed.

TOWN SUPERVISOR UPDATE

- Kenneth English stated that Town Board had a meeting on April 5th to discuss the Recreation Department. An interview for the position of Recreation Coordinator was also held on April 5th. A notice to hire a Recreation Coordinator in newspapers and online and additional interviews will be held April 14th. He has two candidates to interview for the Secretary for the Supervisor position on Wednesday, April 14th. The Tuxedo LDC annual meeting was held on March 29th and they are working on documentation that has been incomplete. Hydroenvironmental Solutions completed Phase 1 testing at the dirt pile on Long Meadow Rd. on April 9th. The results from the testing will be available next week. The Tuxedo Hamlet Wastewater Treatment plant had an inspection and some structural damage was noted. The Police Reinvention committees have been meeting with the Tuxedo Police Department and will present their findings to the Town sometime in May. Tri State Solar Services will submit a revised financing plan for the possible solar panel installation at the Highway Garage.

TOWN BOARD UPDATES

- Maria May, Councilmember, thanked the residents that have been working on the Police Reform Reinvention. She also thanked Lt. Norton for his involvement with the committees.
- Michele Lindsay, Deputy Town Supervisor, also thanked residents for their time and effort with the Police Reform Reinvention.

Regular Town Board Meeting
This meeting was held virtually through WebEx
April 12, 2021

- Jay Reichgott, Councilmember requested to review the analysis from the testing on Long Meadow Rd. He has not received any news about a possible cell tower by the thruway. A different consultant working for Verizon is looking into the possibility of putting a cell tower near the Eagle Valle Fire Dept.
- David McMillen, Councilmember, had nothing to report.

MONTHLY REPORTS

Supervisor English is in receipt of the monthly reports from the Justice Court, Police Department and Town Clerk.

DEPARTMENT UPDATES

- Marisa Dollbaum, Town Clerk, reminded residents that they can obtain fishing licenses at Town Hall and the updated fishing guides were located outside of her office. She is collecting gently used eye glasses along with the Tuxedo Park Library. They can be dropped off at the Town Clerk's Office or the Library and the glasses will be donated to the Lions Club.
- Frank Peverly, Zoning Board Chairman, gave thanks to George Langberg and welcomed Omar Delgado. The next Zoning Board meeting is Tuesday, April 27th.

MINUTES:

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to accept the minutes of the Regular Town Board Meeting held March 22nd.

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

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VOUCHERS:

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

Claim numbers: 2012918217 through 2012918296

Voucher 2012918236 was deleted

General Fund :	\$95,724.76
Part-Town Fund:	\$124,311.47
Highway Town Wide :	\$26,334.52
Highway Part Town	\$1,400.00
Refuse and Garbage Disposal	\$30,323.10
Hamlet Sewer District	\$10,015.15
Trust and Agency	\$118,563.32
Total Abstract Amount:	\$406,672.32

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

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PUBLIC COMMENTS

- Resident Jerry Mottola, asked about the status of the post office parking lot. Deputy Supervisor Lindsay stated that the Post Office is still interested in leasing the area to the Town if it will be developed as a parking lot. The Town Board will have to review the Town Center plans to see if that is a possibility.

Other Business:

RESOLVED, On a motion made by Deputy Supervisor Lindsay, seconded by Councilmember Reichgott , that the Town Board of the Town of Tuxedo join ICLEI (International Council for Local Environmental Initiatives) which provides training, tech support and software tools to build models for Climate Smart goals for the shared cost of \$300.00.

ICLEI provides "the leading online software platform for completing greenhouse gas inventories, forecasts, climate action plans, and monitoring at the community-wide or government-operations scales."

ON ROLL-CALL VOTE;	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Aye
	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye

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ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to adjourn the meeting at 9:44 p.m.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Absent
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Aye

Respectfully submitted,



Marisa Dollbaum
Town Clerk
Town of Tuxedo