

Regular Town Board Meeting
This meeting was held virtually through WebEx
May 24, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, May 24th, via WebEx, and called to order by Supervisor English at 7:05 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; Deirdre Murphy, Planning Board Member

Public Hearing

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 “Establishment Schedule of Fees; Categories” and “Civil Penalty Amendments” was held before the Town Board of the Town of Tuxedo on Monday May 24th, 2021 via Webex and called to order by Supervisor English at 7:07pm.

Attorney Protter explained the Town Board has been discussing the subject of re-inspections and building permits that were not applied for properly prior to work being done. A Local Law must be adopted to be able to add new categories of fees. One of the new categories proposed are re-inspections to cover the cost of the Building Inspector’s time when an inspection is scheduled and the owner or contractor does not show up.

Attorney Protter addressed questions that were submitted prior to the meeting from resident Shaun Neal.

1. Who is the sponsor of this law? There is no sponsor for this law. The Town follows Municipal Home Rule Law so there is no sponsor required.
2. What is the purpose of this law? The purpose is to add new categories of fees and add to the civil penalty list that already exists in the code book.
3. Why does the town feel that the current remedies (e.g. stop work order and as-built penalty) are insufficient? An as built penalty does not currently exist. The Town is trying to adopt the laws now to create an as built penalty to hopefully help prevent the issue.

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Supervisor English added that a stop work order wouldn't help much in this instance since most of this work is being done without notice.

Resident John McNamara commented that the law may make it more difficult to build and not encourage growth in Tuxedo. Councilmember McMillen clarified that the Building Inspector brought these issues before the Board and asked for the Town Board to assist. The fee would cover the costs for the Building Inspector's time and not create revenue for the Town.

Supervisor English added the re-inspection fee would be more of a "no show" fee and the Building Inspector would have the discretion to determine when the fee would be applied.

There were no further public comments.

Resolved, motion made by Supervisor English, seconded by Councilmember Reichgott, that all persons desiring to be heard, having been heard, the Public Hearing regarding Fee Schedule Amendments and Civil Penalty Amendments be closed at 7:38pm.

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

The Town Board agreed they were ready to adopt both Local Laws.

Whereas the Local Law entitled "Fee Schedule Amendments" has been before the Board and subject to a Public Hearing, the Board finds this is a Type II Action under the State Environmental Review Act and therefore is ready for adoption and shall be adopted as a Local Law in the Town of Tuxedo;

On a motion made by Supervisor English, seconded by Councilmember May the resolution was adopted on a vote of 5 Ayes, 0 Nays.

Whereas the Local Law entitled "Civil Penalty Amendments" has been before the Board and subject to a Public Hearing, the Board finds this is a Type II Action under the State Environmental Review Act and therefore is ready for adoption and shall be adopted as a Local Law in the Town of Tuxedo;

On a motion made by Supervisor English, seconded by Deputy Supervisor Lindsay, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

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Public Comments on Agenda Items:

- There were no public comments on the agenda items.

AGENDA ITEM:

1. Resolution for Town Clerk to put Town Vehicles and Equipment out to Surplus:

Resolved, motion made by Supervisor English, seconded by Councilmember McMillen, that the Town Board of the Town of Tuxedo hereby declares the following as surplus and authorizes the Town Clerk to put them out to bid with Auction International:

Police Department

2010 Ford Crown Vic; mileage 212,724
2010 Ford Crown Vic; mileage 104,699
2012 Ford Taurus; mileage 193,483

Highway Department

2008 Ford Expedition; mileage 168,378
(2) DEK 5,000 watt Generators
Brigs & Stratton 8,000 watt Generator
Generac 10,000 watt Generator
Troy Bilt Snow Thrower

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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2. Approval of NY/NJ Trail Conference Race Permit Application

Motion made by Supervisor English, seconded by Councilmember May, that the Town Board of the Town of Tuxedo hereby approves the permit application submitted by the NY/NJ Trail Conference to utilize the Powerhouse Park on Saturday, July 31, 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

Minutes

Motion made by Supervisor English, seconded by Deputy Supervisor Lindsay to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on May 10th and the Zoning Workshops held on May 3rd and May 13th.

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

MONTHLY REPORTS

Supervisor English is in receipt of the April monthly report from the Police Department.

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DEPARTMENT UPDATES

- Robert Dollbaum, Highway Superintendent, reminded residents about the mulch and compost at Quarry Field. They are currently working on crack sealing in the Hamlet and making their way through Town in preparation of chip sealing. They are also cleaning the sidewalks in preparation of the Memorial Day Parade and continuing to maintain Town properties including the fields. He added the recent passing of Charlie Jones, who was a Tuxedo Highway Superintendent and Tuxedo Fire Chief for many years.

Supervisor English asked for a moment of silence.

- Marisa Dollbaum, Town Clerk, stated the Primary Election is Tuesday, June 22nd. All voters registered in Tuxedo will vote in Town Hall. Applications for absentee ballots are available in her office, online or at the Board of Elections. Interstate Waste Services will push back garbage and recycling pick by one day next week, due to Memorial Day.

TOWN SUPERVISOR UPDATE

- On May 13th Supervisor English attended a demonstration on the BoloWrap at the Department of Emergency Medical Services in Goshen. It is a non-lethal restraint used by Police Departments. He also met with John Banyo, Planning Board Chairman, regarding potential construction impacts on Sterling Mine Rd. from the proposed Watchtower project. John Banyo will attend the Public Hearing to represent Tuxedo and he will give an update at the next Town Board meeting. Supervisor English invited Claire Dougher, Recreation Coordinator, to give a quick presentation on the Tuxedo Summer Camp. She hired Jhanya Squires as Recreation Leader and Morgan Honor as the Medical Director. Camp starts on July 7th and will be held at Murphy Field and the kids will swim at Highlands Natural Springs two days a week. A main focus of the Camp will be enrichment and socialization. They will follow the COVID guidelines as they change. Supervisor English added that they will be renting a tent to place at Murphy Field. He attended the TUFSD presentation on their Summer Program and encouraged parents to sign up for both. Camp registration packets will be sent out this week. On June 15th the Highway Department will resume the screening of materials on Long Meadow Road. The test results from HES came back from the Phase 1 testing and the DEC will determine what can be removed from the location.

TOWN BOARD UPDATES

- Michele Lindsay, Deputy Town Supervisor, posted information on how to preorder compost bins. They can be picked up on June 12th at the first day of the Tuxedo Farmer's Market. The Plein Air Event has received a good amount of sponsors. The artists will be painting around Tuxedo starting on June 16th. The artwork will be on display at the reception will be held at the Tuxedo Train Station on Friday, June 18th. Artwork will be for sale from June 18th to June 20th. The Village of Tuxedo Park is suggesting June 28th at 6pm for the joint Public Hearing for the Annexation of Rattlesnake Mountain Preserve.

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- Maria May, Councilmember, had nothing to report

- Jay Reichgott, Councilmember, has been working with Town Planner, Bonnie Franson and Attorney Protter on the Zoning modifications. There does not seem to be further interest in a cell tower across from the Eagle Valley Fire Station. Verizon is getting approval to place towers along the thruway and may not end up in Tuxedo's jurisdiction. He will keep everyone informed if there are any changes on that.

- David McMillen, Councilmember, spoke with an executive at Optimum regarding the lack of internet service in the area of Contractors Road. There are restrictions with wires placed over the railroad tracks. Optimum is trying to get permission from the MTA to run wires underneath the train tracks. The Franchise Agreement between the Town and Optimum will be up for negotiation soon and he feels this is a good time to put pressure on them. He will keep everyone posted on the progress.

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VOUCHERS:

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

Claim numbers: 2012918428 through 2012918496

Voucher 2012918426 was deleted

General Fund :	\$160,254.66
Part-Town Fund:	\$38,807.60
Highway Town Wide :	\$21,084.68
Highway Part Town	\$20,911
Hamlet Sewer District	\$595.75
Total Abstract Amount:	\$241,653.69

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

PUBLIC COMMENTS

- Resident Evelyn David stated there is a large branch in the Ramapo River and she is concerned that it will cause an issue. Supervisor English stated he would look into it.

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ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen to adjourn the meeting at 9:03 p.m.

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

Respectfully submitted,



Marisa Dollbaum
Town Clerk
Town of Tuxedo