

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Supervisor English called to order the Town Board Meeting of June 12, 2023 at 7:04pm.

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

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

Town Board Member Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Howard Protter, Town Attorney (via Zoom); Mr. Robert Dollbaum, Highway Superintendent; Police Chief John Trazino

Public Comment(s) on Agenda Items

There were no public comments.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Agenda Item #1 - Resolution to enter into agreement with TUFSD for Summer Camp

WHEREAS, the Town of Tuxedo desires to enter into the agreement with the Board of Education of the Tuxedo Union Free School District for the 2023 Summer Day Camp;

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

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board hereby approves and authorizes the Supervisor to sign the Agreement in the form annexed with the Board of Education of the Tuxedo Union Free School District.

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

AGREEMENT

BY AND BETWEEN the Board of Education of the Tuxedo Union Free School District, hereinafter referred to as “**the School District**” and the Town of Tuxedo, hereinafter refers to as “**the Town**”.

WHEREBY the School District will arrange for the provision of transportation services by its school bus Contractor (MAT Bus Corp.) for resident children to participate in the 2023 summer camp program at the George Grant Mason Elementary School operated by the Town. Payment for transportation services by MAT Bus will be made by the School District. In turn, the School District will receive full reimbursement from the Town for the payments made.

Extent of Services:

1. The 2023 summer camp program will be held from Wednesday, July 5th to Friday, August 11, 2023, 28 days in total. Camp hours will be from 9:00 am to 3:30 pm.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Primarily. from Monday to Thursday, the summer camp will be held at the George Grant Mason Elementary School. Fridays will be used primarily for field trips. Seven of the 28 days will be used for field trips. This will consist of six Fridays and one Wednesday. A schedule of trips is to be provided by the Town to the School District who will provide the schedule to the bus company.

As part of the summer camp program, from Monday to Thursday the Town will provide a swimming activity for the campers at Wee-Wah Lake. Departure to Wee-Wah Lake will be through two trips utilizing one (1) 65/66-passenger bus.

For the swimming program, the first departure from George Grant Mason Elementary School will be at 12 noon with an anticipated arrival at Wee-Wah Lake at 12:15 pm. The second departure will be at 12:30 pm with an anticipated arrival at the lake at 12:45 pm. The first group of campers will depart from Wee-Wah Lake at 2:30 pm with an anticipated arrival at the George Grant Mason Elementary School at 2:45 pm. The second group will depart from the lake at 3:00 pm with an anticipated arrival at the school at 3:15 pm.

2. Transportation services to/from the Wee-Wah Lake for the Town's Summer Camp swimming program and for field trips will be provided by MAT Bus through this Agreement between the School District and the Town through the use of 65/66-passenger bus(s).
3. Since many passengers will have carrying cases/beach bags or backpacks with them with items for use at Wee-Wah Lake, the maximum number of passengers for each bus is to be 44 (two passengers per bench seat) with 40 being the maximum desirable.
4. Cost of transportation services is as follows:
 - 4.1 The daily rate per bus for transportation to/from Wee-Wah Lake and Friday field trips is \$104.04 per hour for driving time with a minimum payment of one (1) hour and \$89.47 per hour for waiting and/or layover time with a minimum payment of one (1) hour. Trip time is from/to the point of departure at the George Grant Mason Elementary School. It does not include deadhead time from/to MAT Bus's terminal or any other area at which the buses may be parked.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

After the first hour, for driving time and for waiting time (and/or layover time), payment is in 15-minute increments rounded to the nearest quarter-hour.

4.2 For field trips, the following is to apply:

4.2.1 The maximum number of passengers per bus is 40.

4.2.2 For field trips, the Town will reimburse MAT Bus for any tolls and parking fees. The tolls and parking fees are to be paid directly to MAT Bus by the Town upon submission by MAT Bus through an approved voucher.

The present projected (estimated) cost is as follows:

4.3.1 Transportation to/from Wee-Wah Lake will be at a driving rate of \$104.04 per hour for each bus with a daily payment of a minimum of one hour to Wee Wah Lake from the George Grant Mason Elementary School and one hour from Wee-Wah Lake back to the George Grant Mason Elementary School.

Estimated driving costs for transportation to/from Wee-Wah Lake is $\$104.04 \times 2 \text{ daily hours} \times 21 \text{ days} = \$4,369.68$ plus fuel.

4.3.2 Waiting time at Wee-Wah Lake will be at a rate of \$89.47 per hour for a minimum of one hour for each bus used. After one hour, payment will be in 15-minute segments rounded to the nearest quarter-hour.

Estimated waiting (or layover) costs at Wee-Wah Lake is $\$89.47 \times 2 \text{ daily hours} \times 21 \text{ days} = \$3,757.74$.

4.3.3 The hourly rate for field trips for each bus will be the same as that for the trip to/from Wee-Wah Lake with time clocked from the pick-up point at the George Grant Mason Elementary School and back to the drop-off point at the elementary school.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

The above means the driving rate per bus will be \$104.40 per hour with a minimum payment of one hour. The waiting (or layover) time per bus will be \$89.47 per hour with a minimum time payment of one hour. After the first hour of driving and waiting (or layover) time, payment will be in 15-minute segments rounded to the nearest quarter-hour.

Estimated costs for field trips cannot be determined at this time since the driving time, waiting (or layover) time, the cost of fuel, and other related costs (tolls, parking fees, etc.) for each trip are not known.

- 4.3.4 The Town will provide the fuel (diesel and/or gasoline) without any charges (including fees) to the School District or to MAT Bus for the transportation service for the Town's 2023 summer camp program.
- 4.4 Any payment by the Town of entrance fees for the bus driver(s) at the field trip locations is a decision to be made by the Town. If such payment is to be provided, reimbursement(s) to the driver(s) or to MAT Bus will be made by the Town upon submission of an approved voucher.
- 4.5 Payment or reimbursement is not required for any meals (lunch, dinner, or snack(s)) for any driver at any field trip location or at the Wee-Wah Lake swimming location.
- 4.6 The School District will bill the Town for the transportation service provided by MAT Bus, and it will provide a voucher at the end of the summer camp session (August) with payment due within 30 days. Thereafter, late payment shall carry with it a one-percent (1%) per month interest rate for any late payments beyond the fifth day after the payment is due.
5. A minimum of two-hours' notice from the pick-up time is required for any cancellation of field trips and for trips to Wee-Wah Lake. Notification of less than two-hours may result in a late cancellation fee equal to one-hour of driving time if

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

MAT Bus can demonstrate satisfactorily that it incurred labor costs due to the late cancellation.

6. Any need for supervision of campers on the buses will be the responsibility of the Town.
7. Insurance coverage by MAT Bus for the Town will be that which is provided for the School District. The School District will ask MAT Bus to add the Town as an additional insured on its insurance coverage.
8. In return for the arrangement for the provision of transportation services by the School District, an administrative fee of nine-and-a-half percent (9½%) of the total cost of the bus service (the trips to/from Wee-Wah Lake and field trips) is charged by the School District.
9. This Contract is subject to approval by the Tuxedo Union Free School District's Board of Education and the Tuxedo Town Board.
10. This Agreement is entered into pursuant to the provisions of General Municipal law §119-o.
11. The terms of this Agreement shall be construed pursuant to the provisions of New York State Law, and any dispute between the parties shall be subject to adjudication in a court of competent jurisdiction with venue in Orange County, State of New York.
12. If any provision of this Agreement is declared to be null and void, the remainder of the agreement, if practicable, shall remain in full force and effect.
13. This Agreement may only be modified by agreement entered into in writing by the parties hereto.

SO AGREED this ___ day of XXXXX 2023.

THE SCHOOL DISTRICT

By: _____

THE TOWN

By: _____

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Print Name: _____

Print Name: _____

Title: _____

Title: _____

**Agenda Item #2 - INTERMUNICIPAL AGREEMENT FOR USE OF WEE WAH BEACH
AREA**

WHEREAS, the Village of Tuxedo Park owns and maintains the Wee Wah Beach and Lake area in the Village (“Wee Wah Site”); and

WHEREAS, the Town of Tuxedo (“Town”) operates a summer camp (“The Camp”) which desires to utilize the Wee Wah Site to provide additional recreational opportunities to the Camp attendees; and

WHEREAS, the Village and the Town wish to enter into an Inter-Municipal Agreement pursuant to the provisions of NYS General Municipal Law 119-o for the use of the Wee Wah Site by the Camp as described herein.

NOW, THEREFORE, in consideration of the mutual covenants herein contained between the Town, the Village and the District, it is hereby agreed as follows:

THIS AGREEMENT made and entered into by and between by the VILLAGE OF TUXEDO PARK, a municipal corporation having an office located at 80 Lorillard Road, Tuxedo Park, New York 10987 (hereinafter “the VILLAGE”), the TOWN OF TUXEDO, a municipal corporation having offices located at 1 Temple Drive, Tuxedo, New York 10987 (hereinafter “the TOWN”), and with all such municipal corporations being organized under the Laws of the State of New York and authorized to enter into this agreement pursuant to Article 5-G of the New York State General Municipal Law.

W I T N E S S E T H

Section 1. TERM.

This Agreement shall take effect on or about **July 5, 2023** and shall terminate on **August 11, 2023** unless sooner terminated and/or extended by mutual agreement of the parties, in writing.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Either party may terminate earlier without cause, and any termination prior to the expiration of the Initial Term shall only be valid upon no less than thirty (30) days prior written notice.

Section 2. SERVICES.

A. As agreed between the VILLAGE and the TOWN that the Town shall be permitted to utilize the Wee Wah Site for the purposes of the Town's Summer Camp program, including use of the Wee Wah Lake and beach area, beginning July 5, 2023 through August 11, 2023. Hours of use for the lakes swimming area shall be from 12:00 p.m. through 3:00 p.m., Mondays to Thursdays.

B. The Town of Tuxedo shall provide any necessary lifeguard services and the Village shall not be responsible for any supervision of the camp activities and/or use of the Wee Wah Site.

C. The Town of Tuxedo shall not interfere with the Village Beach membership exclusive use of the lakes swimming area between the hours of 1:00 p.m. and 8:00 p.m.

Section 3. FEES FOR SERVICES.

In consideration for the provision of such services, the TOWN shall pay to the VILLAGE **\$5,000** for the use of the Wee Wah Site payable on or before June 30, 2023.

Section 4. BOARD APPROVALS.

This Agreement shall not become effective until execution of the Agreement is approved by a majority vote by the VILLAGE Board of the Village of Tuxedo Park and a majority vote of the TOWN COUNCIL of the Town of Tuxedo.

Section 5. INDEMNIFICATION.

The TOWN agrees to defend and indemnify the VILLAGE against any claims arising out of the use of the Wee Wah Site by the Camp and its attendees. The TOWN shall name the VILLAGE as an additional insured on its general liability, public officer's liability, and excess policies of insurance related to the use of the Wee Wah Site contemplated in this Agreement.

Section 6. MODIFICATION.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Any modification of this Agreement must be in writing and executed with the same formality as the Agreement herein.

Section 7. EXECUTION AND COUNTERPARTS.

This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a PDF format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or PDF signature page were an original thereof.

Section 8. CHOICE OF LAW, CONSENT TO JURISDICTION AND VENUE.

A. This Agreement shall be deemed to be executed in the Town of Tuxedo, New York, County of Orange, and the State of New York and shall be governed by and construed in accordance with the laws of the State of New York without regard to choice of law provisions.

B. The parties agree that any and all claims, controversies or suits asserted by or against the VILLAGE/TOWN arising out of this Agreement or related thereto shall be heard only in the courts of the State of New York located in the County of Orange.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the _____ day of _____, 2023.

On a motion made by Supervisor English, seconded by Councilmember Lindsay, the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Agenda Item #3 - RESOLUTION SCHEDULING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE 2022 SPECIAL USE PERMIT FOR THE TUXEDO FARMS PLANNED INTEGRATED DEVELOPMENT

WHEREAS, on November 15, 2004, the Town Board of the Town of Tuxedo, as Lead Agency, adopted a State Environmental Quality Review Act (“SEQRA”) Findings Statement and issued a Special Permit and approved a Preliminary Plan for the Tuxedo Farms Planned Integrated Development (“Project”) (previously called Tuxedo Reserve), encompassing approximately 2,247 acres in the Town of Tuxedo (and a portion in the Village of Sloatsburg); and

WHEREAS, the Town Board issued amended Special Permits, SEQRA Findings, and related approvals for the Project in 2010, 2015, and, most recently, in 2022; and

WHEREAS, more specifically, on October 24, 2022, the Town Board adopted an Amended SEQRA Findings Statement (“2022 SEQRA Findings”), and on November 22, 2022, the Town Board adopted an amended Special Permit (“2022 Special Permit”); and

WHEREAS, the 2022 SEQRA Findings and 2022 Special Permit were issued in connection with amendments to the 2015 approvals that were intended primarily to facilitate an adjustment in the Project’s unit mix distribution to meet current market demand for what is known as “Missing Middle” housing; and

WHEREAS, in January 2023, LR Tuxedo Development Group, LLC (as successor to Tuxedo Reserve Owner, LLC) (“Applicant”), the developer of the Project, applied to the Town Planning Board for site plan and subdivision approval for portions of the Project; and

WHEREAS, as a result of the Planning Board’s ongoing review process, the Applicant and Planning Board realized that certain additional minor amendments to the 2022 Special Permit are needed to facilitate the implementation and construction of the Project; and

WHEREAS, the amendments relate to (i) the sequencing of Planning Board and Architectural Review Board approval pursuant to Article VIII of the 2022 Special Permit, and (ii) clarifying certain technical matters in the Design Standards appended to the 2022 Special Permit (*i.e.*, Smart Code, Performance Standards, and Architectural and Landscape Design Guidelines), including, but not limited to, an updated Table 8 to the Smart Code and corresponding changes to the Road Hierarchy Plans (which are a component of the Preliminary Plan) to allow for additional

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

on-street parking within the area known as The Commons (collectively, the “Proposed Amendments”); and

WHEREAS, by letter application dated June 6, 2023, the Applicant submitted a formal request to the Town Board to review and adopt the Proposed Amendments; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board directs that a Public Hearing shall be held to hear comments on the Application for the Proposed Amendments to the Tuxedo Farms Planned Integrated Development Special Permit, on Monday, June 26, 2023, at 7:00 p.m., at the Town of Tuxedo Town Hall, 1 Temple Drive, Tuxedo, NY 10987, where public comment will be heard regarding the Application; and

BE IT FURTHER RESOLVED, that the Town Clerk shall to fulfill the public notice requirements for the Public Hearing; and

BE IT FURTHER RESOLVED, that the Town Clerk shall transmit or cause to be transmitted a copy of the Application to the Orange County Department of Planning as required pursuant to NYS Municipal Law § 239-m; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Motion made by Supervisor English, seconded by Councilmember May

On a roll call vote of:

Town Supervisor Kenneth English	Aye
Deputy Supervisor Michele Lindsay	Aye
Councilmember Maria May	Aye
Councilmember Jay Reichgott	Aye
Councilmember Deirdre Murphy	Aye

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Agenda Item #4 - Resolution to approve purchase of Police Vehicles

RESOLED, that the Town Board of the Town of Tuxedo hereby approves the purchase of two (2) Chevy Tahoes under contract with Smithtown Chevrolet, order number BQTPJC with a cost not to exceed \$100,000.00 and allows Supervisor English to sign the contract.

On a motion made by Supervisor English, seconded by Deputy Supervisor Reichgott, the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

Agenda Item #5 - Resolution to approve Energy Audit Proposal from The Daylight Savings Company

RESOLVED, that the Town Board of the Town of Tuxedo hereby accepts the proposal submitted by The Daylight Savings Company for an energy audit on Town Hall for the cost of \$6,000.00 and hereby approves and authorizes the Supervisor to sign the proposal in the form annexed.

On a motion made Supervisor English, seconded by Councilmember Lindsay, the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

**Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023**

Proposal for Town of Tuxedo

1. Company Experience

Daylight Savings Company provides high quality energy efficiency services. Daylight Savings has provided services for thirty (30) years and our work is thoroughly vetted by the U.S. Army Corps of Engineers (USACE), U. S. Environmental Protection Agency (EPA), New York State Energy Research and Development Authority (NYSERDA), New York Power Authority (NYPA), U.S. Department of Housing and Urban Development (HUD), U.S. Department of Veterans Affairs (VA), and many other established institutions enforcing strict adherence to defined engineering methods and codes.

In-house staff has the necessary skills and certifications: Professional Engineer (PE), energy modeling, NYSERDA and O&R programs, NYS/NYC Energy Codes, Existing Building Commissioning Professionals (EBCP), Building Analysts via Building Performance Institute (BPI), Certified Energy Managers (CEM), Distributed Generation / Combined Heat and Power Professionals (DGCHP). We service government, hospitality, commercial, healthcare, educational, multifamily, industrial and retail markets.

2. Fees

The following is Daylight Savings' price (valid for 60 days):

**Daylight Savings fees to
Town of Tuxedo are:.....\$6,000.**

3. Services to Be Provided

Services for one (1) site will be provided directly by our firm: ASHRAE Level II Energy Audits. Each site will receive one report for a total of one report.

- Town Hall, 1 Temple Dr, Tuxedo Park, NY 10987
 - one building 6,500 square feet.

Daylight Savings has successfully completed over 15,000 audits covering over 540 million square feet.

The method for performing ASHRAE Level II audits is as follows:

<ul style="list-style-type: none">• analyze utility data, quantify baseloads, variations, and anomalies	<ul style="list-style-type: none">• model the energy usage of the building and quantify efficiency measures
<ul style="list-style-type: none">• conduct a site visit, evaluate building energy systems, identify energy and water savings measures	<ul style="list-style-type: none">• final report of calculated energy savings, estimated implementation costs and estimated cost savings
<ul style="list-style-type: none">• analyze the building equipment and controls operational characteristics	<ul style="list-style-type: none">• provide "The Energy Audit Report"

Analyzed building equipment and controls include (as applicable): lighting and controls, heating (steam plant, hot water plant, warm air systems), air conditioning (chiller plant, DX systems), cooling towers, ventilation (supply, return, exhaust), distribution systems (ductwork, piping, fans, pumps, steam traps, insulation), building envelope (air sealing, windows, doors, insulation), domestic water (hot and cold), building and equipment controls, energy generation, conveyance systems.

4. Relevant Project Experience

Town of Southampton - Daylight Savings assisted The Town of Southampton in conducting a Comprehensive ASHRAE Level II Energy Audit. The purpose of the Comprehensive Energy Report was to provide a detailed Level II-Energy Survey and Engineering Analysis of the building as defined in ASHRAE 2011. The intent of the energy audit was to identify and provide the savings and cost analyses of all practical Energy Efficiency Measures (EEMs) that meet the owners/facility constraints and economic criteria, along with proposed changes to operation and maintenance (O&M) procedures. The level of analysis provided sufficient information for the customer to act upon the recommendations.

Village of Nyack - The primary purpose of this NYSEDA FlexTech study was to conduct a targeted energy study of specific systems in the village hall and water treatment plant. The objectives included recommendations for reducing overall facility energy-related costs, and a technical assessment of the current utility consumption, for the purpose of prioritizing specific facility improvement measures. A detailed evaluation of the mechanical and electrical equipment and their impact on energy costs was conducted with a focus on analyzing the pumping, heating, ventilation, and air conditioning (HVAC) systems, controls and the lighting systems.

Town of Carmel -The purpose of the Comprehensive Energy Report was to provide a detailed Level II-Energy Survey and Engineering Analysis of the building as defined in ASHRAE 2011. The intent of the energy audit was to identify and provide the savings and cost analyses of all practical Energy Efficiency Measures (EEMs) that meet the owners/facility constraints and economic criteria, along with proposed changes to operation and maintenance (O&M) procedures. Some measures identified had a savings to investment ratio below one, but were included in the package of measures due to facility needs. If all measure identified were implemented, an estimated investment of \$466,708 would be needed. The annual electricity savings would be 101,007 kWh with a 23.0 kW reduction in the peak electrical load, and 3,742 therm/yr reduced natural gas consumption, corresponding to annual cost savings of \$17,163.

5. Project Schedule

The project will be completed within three months of contract signing.

6. Proposal Acceptance

Proposal accepted by (signature): _____

Printed name, title, date: _____

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Other Business:

Memorializing Resolution: Opposition to NYS Bill A 02875: Act to Amend the Real Property Tax Law, In Relation to Telecommunications Equipment Owned by Other Than a Telephone Company

WHEREAS, telecommunications property, unless otherwise exempted in paragraph (i) of subdivision 12 of section 102 of the Real Property Tax Law, in the private rights-of-way is currently assessed by the local municipality where such property is located, and such value is not to exceed the New York State mandated telecommunications ceilings, and

WHEREAS, the State Legislature is considering legislation amending paragraph (i) of subdivision 12 of Section 102 of the Real Property Tax Law to exempt certain telecommunications property owned by other than a telephone company and paragraph (i) of subdivision twelve of section 102 of the Real Property Tax Law to exempt certain property used to provide wireless services, and

WHEREAS, the establishment of such legislation would require that telecommunications equipment used for wireless services be removed from assessment rolls in all municipalities across the State of New York, and

WHEREAS, the removal of this property from assessment rolls would result in the loss of local assessment of telecommunications property and other telecommunications equipment used for wireless services in private rights-of-way, with a substantial loss of tax revenue to local municipalities, as well as exposure to potential property tax refunds,

NOW, THEREFORE, BE IT RESOLVED the entire Town Board of the Town of Tuxedo, NY, in Orange County, that telecommunications property in the private right-of-way, including telecommunications equipment used for wireless services, remain taxable and under the control of the local municipality where such property is located and is hereby opposed to New York State Bill A.02875 and the exemption from real property taxation of telecommunications equipment used for wireless services, and

BE IT FURTHER RESOLVED that the Town Clerk, Marisa Dollbaum, is hereby authorized to forward a copy of said resolution to the following persons:

- Governor Kathy Hochul
- NYS Assemblyman Karl Brabenec, Assembly District 98
- State Senator James Skoufis, NYS 42nd Senate District

On a motion made by Supervisor English, Councilmember May the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Monthly Reports:

Supervisor English is in receipt of the following monthly reports:

- Building Dept.
- Justice Court:
- Town Clerk

Department Updates:

- Marisa Dollbaum, Town Clerk, said no primary election will be held in Tuxedo on June 27th since there are no local, state or federal positions on the ballot. The next election is Tuesday, November 11th for the General Election and she has important deadlines on the Town's website. Town Hall will be closed on Monday, June 19th in observance of Juneteenth. IWS will remain on a regular pick-up schedule for Town residents next week.
- Robert Dollbaum, Highway Superintendent, said the well pump is broken at Tichy Field, which maintains the bathrooms and concession stand. They are in the process of getting that fixed. He requested approval to hire a company for maintenance work at the Eagle Valley Mini Park (see resolution below). Paving in Laurel Ridge is almost completed. Work on the dirt pile on Long Meadow Rd. will resume tomorrow. He gave a reminder that free mulch is available at Quarry Field for residents to take.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

Resolution to approve Young Paving to seal and paint new lines on basketball court at Eagle Valley Mini Park

RESOLVED, that the Town Board of the Town of Tuxedo hereby approves Young Paving to seal and paint new lines on the basketball court at Eagle Valley Mini Park, for a cost not to exceed \$3,260.00.

On a motion made by Supervisor English, Councilmember Murphy the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

TOWN SUPERVISOR/TOWN BOARD UPDATE:

- Supervisor English said four candidates for full-time Police Officer positions were interviewed on Tuesday, June 6th and offers are expected to be made soon. The Related Companies delivered payment on funds needed to support the first three grants issued by the Tuxedo LDC. This will allow the Board to consider additional applications. He has been working with Chief Trazino and Buffy Favata of the Ren Faire, to establish a contract to improve traffic and security for the 2023 Faire. Proposed improvements include the addition of six Traffic Agents, who would work under the supervision and direction of Tuxedo Police. The goal would be to improve through traffic flow on Rt. 17A, to reduce traffic that bottlenecks near Long Meadow Road and to ensure Bramertown Road is not used for Faire access. All costs for this security will be paid for by the Ren Faire. All charges for Police services were fully paid in 2022 by Ren Faire Productions. Additionally, the Ren Faire is also contracting with Orange County Sheriff's Office and NYS Troopers for additional police details, Cleanup of the dirt pile on Long Meadow Rd. will continue soon. The DEC is allowing the materials processed in 2022 to be moved to a holding area in the rear of the site so that screening and sorting can continue. He continues to work on the remediation of the Tuxedo Hamlet Sewer Treatment Collection System with trying to finalize an agreement to begin relining the deteriorating sewer lines. Flow meters are being used to accurately measure the amount of water entering the system at two specific spots. He said specifications for the repairs to the Train Station project are available for interested contractors through the Town Clerk's Office. Bids are scheduled to be opened on June 16th at 10:00am. He has been working Altice Franchise Renewal negotiations with Town Attorney Howard Protter and his colleague Amy Lavine. Progress was made with the installation of a high-speed connection to businesses on Contractors Road that had been on hold for ten years. He received thanks from several business owners who now have access to this vital service.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

- Councilmember Lindsay is working on updating the Town’s investment policy. She is also looking into options for investing Town funds. She is researching NYCLASS, which is similar to a mutual fund for municipalities. The Climate Smart Community Task Force met today. A total of 120 points is needed to obtain Climate Smart certification status. The Town will have approximately 80 points by the end of this year. She and Councilmember Murphy met with Senator Skoufis recently. The Senator is interested in funding “pocket parks” and she would like to discuss potential opportunities for them on Town owned properties.
- Councilmember May recently met with the Senior Committee and she asked Town Clerk Dollbaum to meet with their members to go over ideas to update the senior resources page on the Town website.
- Councilmember Reichgott is working on updating the Town’s procurement policy. He is also working with Rob Dollbaum and Town Engineer, Sean Hoffman, on preparing a Request For Proposals (RFP) for the repairs to the highway garage floors project.
- Councilmember Murphy gave an update to the hamlet revitalization plan. She organized tasks by who would be responsible for them. The NYS DOT would be involved with the school safety zone, sidewalks and lighting along Route 17 as well as installation of crosswalks and traffic lights. The MTA would be involved with the proposed change in the East Village intersection, which includes a proposed traffic light and crosswalk from the commuter parking lot. The Town would have jurisdiction over Town-owned properties to improve walkways, lighting, landscaping and enhance safety to roads.

MINUTES

RESOLVED, to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on May 22, 2023;

On a motion made by Supervisor English, seconded by Councilmember Murphy, the foregoing resolution was adopted on a vote of 5 ayes, 0 nays.

*Councilmember Murphy requested to add the Town Board discussion on how items should be added to the agenda.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

VOUCHERS

Below are any vouchers exceeding \$5000:

2012921666	NYS Dept of Environmental Cons	\$5,535.00	Environmental Monitoring 4/1/23-3/31/24
2012921677	Robert Young & Sons	\$5,805.00	Asphalt for Paving Laurel Ridge
2012921685	Office of the State Comptroller	\$21,160.00	Court Fines and Fees April 2023
2012921686	MVP Healthcare	\$5,661.24	Town Hall and Elected Health Insurance
2012921692	Environmental Consultants LLC	\$9,318.40	Monthly contract Fee- Town Wastewater Treatment Facility April
2012921693	Town of Tuxedo	\$5,405.69	PD Fuel March/April 2023
2012921695	Town of Tuxedo	\$9,057.98	Highway Fuel Charges March/April 2023
2012921705	J.S. Braddock Agency	\$61,781.00	Installment #3/4 Prof Liability/Auto Ins
2012921719	NYS Employees Health Insurance	\$42,120.33	PD Health Insurance July
2012921720	Fleury Risk Management LLC	\$8,800.90	Workers Comp Policy Management
2012921724	New York State Insurance Fund	\$17,213.86	Workers Comp Policy Renewal 25% Deposit
2012921742	Rockland Paramedic Services	\$63,196.50	June Paramedic Services
2012921754	IWS of New York	\$31,507.79	May Garbage/Recycling Collection
2012921755	Arkel motors	\$6,797.82	Parts/ Truck Repairs Highway
2012921757	J&G Law	\$10,996.41	May Legal Fees
2012921758	Everbridge Inc.	\$5,400.00	Nixel Emergency Communication Contract 3/26/23-3/25/24
2012921760	IBEW Local 363	\$13,440.00	Highway Health and Welfare June 2023

RESOLVED, On a 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: is 2012921648 through 2012921765

General Fund:	\$215,353.63
Part-Town Fund:	\$79,866.55
Highway Town Wide:	\$33,181.51
Highway Part Town	\$37,686.75
Hamlet Sewer District	\$9,386.65
Refuse and Garbage Disposal	\$31,507.79
Trust and Agency	\$153.75
Total Abstract Amount:	\$407,136.63

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
June 12, 2023

PUBLIC COMMENTS

There were no public comments.

Discussion:

Short Term Rentals – The Town Board agreed to review the draft of the Short Term rentals Local Law. They will submit any edits to Councilmember Reichgott and be ready to discuss at the meeting on July 10th. This will require a Public Hearing since it is a change to Town code.

Resident Daria Bekersky lives in Clinton Woods and said their development has been dealing with a home rented out on Airbnb and encourages the Board to get feedback from residents before making a decision on a local law.

Resident Sue Scher also lives in Clinton Woods and asked what to do in the meantime if there are issues or complaints about the house currently advertised on Airbnb since establishing a local law will be a process. Attorney Protter said that citations can be given for certain violations like noise complaints, etc.

Resident Mary McFarlane commended Officer Shiloh when he recently responded to a complaint against the Airbnb in Clinton Woods. He cleaned up multiple garbage bags that were left outside.

ADJOURNMENT

RESOLVED, On a Motion made by Supervisor English seconded by Councilmember Lindsay, that the Town Board of the Town of Tuxedo hereby adjourns the meeting at 9:30pm and was adopted on a vote of 5 ayes, 0 nays.

Respectfully submitted,

Marisa Dollbaum

Marisa Dollbaum
Town Clerk