

**Regular Town Board Meeting
Town of Tuxedo
Via WebEx
June 13, 2022**

Supervisor English called to order the Town Board Meeting of June 13, 2022 at 7:03pm.

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
	Mr. Jay Reichgott	Councilmember
	Ms. Deirdre Murphy	Councilmember

Town Board Member Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Larry Wolinsky, Town Attorney; Highway Superintendent Robert Dollbaum

AGENDA ITEM:

1. Resolution Approving and Authorizing Supervisor to Sign Mobile Data Terminal INTERMUNICIPAL AGREEMENT with Orange County

Introduced by: Supervisor English

Seconded by: Deputy Supervisor Lindsay

Date of Adoption: June 13, 2022

WHEREAS, the Town of Tuxedo desires to enter into the annual agreement with the County of Orange, to provide a MDT (mobile data terminal consisting of a **Havis Docking station, a AP-Cell GPS, a Panasonic Toughbook CF-55 and Installation of the Equipment** for a vehicle at no cost to Tuxedo Town; and

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 County of Orange.

Vote: Resolution carried by a vote of 5 to 0.

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

DISCUSSION ITEMS:

1. Public Hearing Procedure for June 16th and June 23rd

Attorney Larry Wolinsky prepared the following procedures to follow at the upcoming Public Hearings:

PUBLIC HEARING PROCESS
Tuxedo Farms

- A. Open the Special Meeting – a public hearing on Tuxedo Farms application for proposed amendments to its 2015 Planned Integrated Development Special Permit.
- B. Pledge of Allegiance
- ~~C. Town Clerk reads the Public Hearing Notice.~~
- D. Confirm publication of the hearing notice and that any required mailings have been made.
- E. Announce rules for conduct of the public hearing as follows:
 - Everyone who wishes to comment will be given a chance to comment
 - For those who will comment, please see the Town Clerk and put your name on the sign-up sheet. You will be called to speak in the order you signed up.
 - When your name is called come up to the podium.
 - First, please state your name and address then proceed to make your comment.
 - To ensure everyone who wants to have a chance to speak your comments should be limited to 5 minutes or less. We encourage you to submit your comments in writing as well.

- We have a stenographer present so everyone's comments will be taken down verbatim. Please do not speak too fast so we can be sure the stenographer can record your entire comment.
- Please do not repeat comments that have already been made by other commentors and make your comment as targeted and specific as possible.
- There will be no interaction between the public and the applicant. Please direct your comments to the Town Board. Please rest assured that the Town Board will carefully consider each comment and satisfy itself that the comment has been addressed to the Town Board's satisfaction.
- The hearing will end at 9 PM and will be continued on June 23 at the same time and location as tonight's hearing
- Please let's all be respectful and keep a civil decorum at all times during the hearing,

F. At this time, I would like to ask our Town counsel to review the current posture of the application and the ongoing process the Town Board has taken and will continue to take to reach a decision point on this application.

G. At this time, we invite Tuxedo Farms to make a brief presentation of its application.

H. Commence public comment.

2. Summer Camp Agreement

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 2022 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 Councilmember Reichgott, seconded by Councilmember May the resolution was adopted on a vote of 5 Ayes, 0 Nays.

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

2. Police Vehicles

Supervisor English read the list of their current fleet and their condition prepared by Lt. Norton. The board will request Lt. Norton to obtain quotes for two vehicles to replace the older vehicles with high mileage.

1) The mileage condition of our vehicles is as follows:

962 is a 2013 Ford Police Interceptor all-wheel drive with 157,000 miles.

963 is a 2015 Ford Police Interceptor all-wheel drive with 133,300.

964 is a 2013 Ford Police Interceptor all-wheel drive with 190,971 miles.

965 is a 2020 Ford Police Utility (SUV) all-wheel drive with 18,046 miles.

966 is a 2020 Ford Police Utility (SUV) all-wheel drive with 31,229 miles.

9767 is a 2012 Chevrolet Tahoe SUV 4-wheel drive with 120,000 miles.

968 is a 2012 Chevrolet Tahoe SUV 4-wheel drive with 115,145 miles.

969 is a 2015 Ford Police Interceptor all-wheel drive with 121,585 miles.

970 is a 2021 Chevrolet Tahoe SSV (Special Services Vehicle) 4 wheel drive with 13,700 miles.

2) Condition

- a. 962 is out of service for fuel pump and sensor issues, Highway Mechanic Travis Artrip has been waiting for replacement parts for 2 weeks.
- b. 963 is in service.
- c. 964 has been out for repairs at the time of your reading this document, at Mahwah Ford for about a month, after repeated repairs to various breakdowns including turbos, and transmission issues.
- d. 965 is in service.
- e. 966 is in service but has a check engine light on, Artrip is scheduling repair but vehicle is drivable.
- f. 967 is in service.
- g. 968 just went out of service 6/3/22 and needs a transmission.
- h. 969 has been out of service for about 1 week awaiting repairs for a transfer case.
- i. 970 is in service.

3. Police Station Roof

The roof leak at the Police Station was recently repaired by Precision Roofing. Service Pro also did a mold remediation. The Highway Department cleaned the gutters on the building. Precision Roofing also noted another area to repair on the roof and quoted \$4800.00 for that work.

4. Consolidation

Supervisor English read the proposed resolution from Attorney Protter. The board agreed to discuss this further at the next meeting when Attorney Protter was present. The resolution is listed below, but no action was taken.

Resolution Regarding the dual incorporation and consolidation proceeding of the Village of Tuxedo

Whereas pursuant to the N.Y. Government Reorganization and Citizen Empowerment Act (Article 17-A of the General Municipal Law (“GML”)), the electorate of the Town of Tuxedo therefore determined that 1) a new village, the Village of Tuxedo, should be formed with the same boundaries as the existing Town outside of the Village of Tuxedo Park, following Village Law incorporation procedures, and 2) that the new village should be immediately consolidated with the existing Town in accordance with a consolidation plan to create a town of Tuxedo with certain Village powers as set forth in the plan following GML Article 17-A Consolidation procedures. The consolidation proceeding was added to the village incorporation proceeding to avoid the overlapping governance structure of a Town of Tuxedo and Village of Tuxedo, which the public did not want to occur; and

Whereas the purpose of the proceeding was to allow for the consolidated Town entity to exercise specific additional village powers e.g., the prevention of certain infrastructure, including pipelines, from traveling through the Town’s geographical borders pursuant to Village Law § 7-700, since the statutory power to exclude pipelines from the Town is a power that cities and villages possess, but not towns. In Tuxedo, there was town-wide concern that the proposed Pilgrim Pipeline would be sited in the most important undeveloped residential lands with the Town; and

Whereas, once the July 2019 referendum vote required for the dual incorporation and consolidation proceeding was approved by overwhelming majority vote, the Town Board was duty bound to act in accordance with their wishes and the mandate imposed by the favorable vote; and

Whereas the Town acted in accordance with the vote of the people taken in pursuant to the N.Y. Government Reorganization and Citizen Empowerment Act, and filed all required documents with New York State Department of State and the County of Orange as required by law; and

Whereas questions have arisen that the consolidated Town-Village entity is not permitted and the Village of Tuxedo dissolved upon the approval of the consolidation plan.; and

Whereas the Town does not want to (nor believes the electorate would support) expending the Town's limited financial resources in continuing to advance the validity of the consolidated entity in view of the fact that the resulting Town of Tuxedo with the enumerated Village powers in the Consolidation Plan is, at this point, a less costly means to achieve the same or similar goals.

Now, therefore, Town Board declares that the dual incorporation and consolidation proceeding failed in creating a Consolidated Town-Village entity and the Town of Tuxedo exists as a town with one existing village (Tuxedo Park); and be it further

Resolved that in accordance with the Consolidation Plan, approved by the electorate and the Town Board, the Town shall take all steps reasonable and necessary to prevent pipelines from being installed the Town of Tuxedo's geographical borders and to limit redundant government operations within the Town.

5. Lucky Skate Park Clean Up

Officer Gundermann suggested hosting a community event to clean up the skate ramps located at the Lucky Park in the East Village. Councilmember Reichgott spoke with Highway Superintendent Dollbaum to supply paint, brushes and garbage bags. Highway Superintendent Dollbaum added that the Town has an account with Sherwin Williams to get paint and supplies.

RESOLVED, On a motion made by Councilmember Reichgott, seconded by Councilmember Murphy, the Town Board hereby approves holding a clean up event at Lucky Skate Park.

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

6. Update on Hamlet Revitalization

Councilmember Murphy and Deputy Supervisor Lindsay met with Burgis Associates, which is the company that conducted a study on the Hamlet area around twenty years ago. Councilmember Murphy and Deputy Supervisor Lindsay have discussed a concept plan for the Hamlet, mainly on Store Rd. Burgis Associates will provide a quote for an updated plan for the board to review at the next Town Board meeting.

Monthly Reports

Supervisor English is in receipt of the following monthly reports:

- Justice Court
- Town Clerk

Department Updates:

- Marisa Dollbaum, Town Clerk, said the last piece of equipment for the Zoom Room has finally shipped and installation should begin soon. primary election is Tuesday, June 28th. All three polling locations in Tuxedo will be open from 6am – 9pm. Early voting begins Saturday, June 18th and the closest location is Monroe or Warwick. She said Town Hall will be closed on Monday, June 20th in observance of Juneteenth.
- Robert Dollbaum, Highway Superintendent, said the septic tank was pumped at the Police Station. They have started work again on the dirt pile on Long Meadow Rd. The County is interested in taking the screened materials, but the DEC said they are only allowed to use it for site approved projects and cannot take it all at once. Someone recently dumped garbage near the mulch and compost at Quarry Field and gave a reminder that the area is not a dump site.

TOWN SUPERVISOR/TOWN BOARD UPDATE

- On June 1st, Supervisor English, Robert Dollbaum, Dave Maikisch toured the Tuxedo Police Department with Lt. Norton to examine a leaking roof that caused a small amount of mold. Precision Roofing completed the initial required emergency work on the roof for \$7,750. The mold remediation has been addressed by Service Pro. In the process, additional needed repairs were identified by Precision Roofing and the additional work is quoted for \$4,800. He met with Lt. Norton and Buffy Marie Favata of the Renaissance Faire on June 2nd. They reviewed plans for traffic and security expected for the upcoming season. Planning is underway with the Orange County Sheriff's Office and the Renaissance Faire Security Team. A Tuxedo Farms Special Workshop was held focusing on the Design Guidelines for the project. A Special Town Board meeting was held on June 9th to schedule a public hearing on a proposed Local Law that would amend the Tuxedo Farms special permit unit mix and set a minimum number of units for single family homes and cap the number of multi-family units. That hearing is set for Thursday, June 23rd. The first "Discover Tuxedo" event was held at PowerHouse Park on June 11th. The event gave local organizations, municipal services, and businesses an opportunity to promote and educate residents about what's going on in Tuxedo. More than twenty groups participated. He gave a reminder that two Public Hearings are set for the Tuxedo Farms project on June 16th, and June 23rd from 6:00pm-9:00pm. These will be in-person meetings at the TUFSD in the George Grant Mason Elementary School Multipurpose Room. There will not be a WebEx simulcast.
 - Deputy Supervisor Lindsay said the Climate Smart Community Task Force had a table at Discover Tuxedo Day. She mentioned many of the visitors of their table were unaware the IWS no longer accepts glass for recycling. She would like to work on getting that information out to residents. She is working with Councilmember Reichgott to go through the two bid responses for the Community Choice Aggregation Administrator. Deputy Supervisor Lindsay asked for the board's support to renew services with the company ICLEI. They assist with the reporting process, which helps the Town earn points toward certification through the Climate Smart Community program.
 - Councilmember May thanked the Tuxedo Activity Council members, Kimberly Breiland, Meg Vaught, Claudia Bhaktiary, and Sue Scher for organizing Discover Tuxedo Day. She also thanked those who organized the Tuxedo Memorial Day parade and picnic.
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- Councilmember Murphy said the new design of the billboard is complete and the cost is around \$900.00. The Highway Department can install the new billboard when it is ready and repair the area that was damaged. She and Highway Superintendent met with PIPC at Eagle Lake. PIPC is working on possible solutions to help prevent the site from becoming a "mud pit". She is waiting to hear back from Orange County DPW to get the results of the survey done on Long Meadow Rd. that is being done in response to the Town requesting a speed limit reduction.

Other Business

RESOLVED, Motion made by Supervisor English, seconded by Councilmember Reichgott, that the Town Board of the Town of Tuxedo continue with ICLEI (International Council for Local Environmental Initiatives) which provides training, tech support and software tools to build models for Climate Smart goals for the cost of up to \$600.00.

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:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Councilmember:	Deirdre Murphy	Aye

Resolution Accepting Minutes

~~RESOLVED, Motion made by Supervisor English, seconded by Councilmember Murphy to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on June 13, 2022.~~

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

VOUCHERS

RESOLVED, 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: 2012920094 through 2012920195.

Voucher 2012920143 was deleted

General Fund :	\$357,687.82
Part-Town Fund:	\$53,396.31
Highway Town Wide :	\$8,616.29
Highway Part Town	\$43,827.64
Hamlet Sewer District	\$8,775.34
Refuse and Garbage	\$0
Trust and Agency	\$8,857.25
Total Abstract Amount:	\$519,160.65

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

RESOLVED, Motion made by Supervisor English, seconded by Councilmember May, to adjourn the meeting at 9:50pm

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

Respectfully submitted,
Marisa Dollbaum
Marisa Dollbaum
Town Clerk
Town of Tuxedo