

**Regular Town Board Meeting  
Town of Tuxedo  
June 28, 2021**

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, June 28th, at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York and via WebEx, and called to order by Supervisor English at 7:02 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:	Mr. Kenneth English	Supervisor
	Ms. Maria May	Councilmember
	Mr. Jay Reichgott	Councilmember

Town Board Member via WebEx	Mrs. Michele Lindsay	Deputy Supervisor
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Town Board Member Absent:	Mr. David McMillen	Councilmember
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**Recording Secretary:** Marisa Dollbaum    Town Clerk

**Other Town Officials Present:**

Ms. Marissa Weiss, Esq.; Mr. Arthur Abbott, Police Chief; Mr. Robert Dollbaum, Highway Superintendent;

**Other Town Officials Present via WebEx:**

Mr. Frank Peverly, Zoning Board Chairman; Deirdre Murphy, Planning Board Member

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**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 “Moratorium on Development Approvals” was held before the Town Board of the Town of Tuxedo on Monday May 24th, 2021 at One Temple Dr., Tuxedo, NY and via WebEx and called to order by Supervisor English at 7:03pm.

Councilmember Reichgott explained the Town Board is in the final stages of updating the zoning code. A presentation of the new zoning code will be in the next couple of weeks. There is a moratorium in place to make sure that any new construction is in compliance with the current and intent of the new zoning codes.

Attorney Marissa Weiss added this is the same law currently on the books since the zoning code revisions have taken time to be completed. The local law allows for one extension of six months and then has to be adopted again.

Comments:

Resident Evelyn David agrees with this approach and feels that it is reasonable.

Robert Dollbaum stated the zoning revisions have been going on for a while and it is nice to see it moving forward.

Resident Jerry Mottola asked if this had any effect on Tuxedo Farms. Councilman Reichgott answered no since they were granted a special permit for their work.

Resolved, motion made by Supervisor English, seconded by Councilmember Reichgott, that all persons desiring to be heard, having been heard, the Public Hearing regarding “Moratorium on Development Approvals” be closed at 7:13pm.

The Town Board agreed to vote on the proposed Local Law “Moratorium on Development Approvals”.

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**RESOLUTION OF ADOPTION  
MORATORIUM ON DEVELOPMENT APPROVALS**

WHEREAS, an introductory Local Law, entitled “Moratorium on Development Approvals” was introduced before the Town Board of the Town of Tuxedo on June 17, 2021, and upon notice duly published and posted, a hearing was held on June 28, 2021, before the Town Board, and

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

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Moratorium on Development Approvals” 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 “Moratorium on Development Approvals” of the Town of Tuxedo be and hereby is adopted as Local Law # 3 of 2021 of the Town of Tuxedo on June 28, 2021.

On the motion of Supervisor English, seconded by Councilmember May, the foregoing resolution was adopted; on a roll call of 4 Ayes, 1 Abstention.

The Supervisor declared the resolution adopted.

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**PRESENTATION:**

Attorney Marissa Weiss gave an in depth presentation on the cannabis opt-out authorization pursuant to the Marijuana Regulation and Taxation Act. Municipalities have the option to opt-out of allowing cannabis dispensaries and/or on site consumption facilities by passing a local law. The deadline to opt-out is December 31, 2021; however, municipalities can choose to opt in at a later time. If The Town Board adopts an opt-out local law by the July 26<sup>th</sup> meeting, a referendum would be on the ballot for the November 2<sup>nd</sup> election. The referendum would allow residents to vote on whether or not they oppose the Town opting out of cannabis dispensaries and/or on site consumption facilities.

The Town Board agreed for Attorney Weiss to draft different versions of the opt-out law to review at the next meeting on July 12<sup>th</sup>.

Resolved, Motion made by Councilmember Reichgott, seconded by Supervisor English to authorize Marissa Weiss of Jacobowitz and Gubits to prepare drafts of the Cannabis Opt-Out Local Law for the Town Board to review.

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

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**DEPARTMENT UPDATES**

- Robert Dollbaum, Highway Superintendent, said they will begin sweeping up the loose stones from the chip sealing. They are getting caught up with road trimming and lawn work. The repairs on catch basins and ditch cleaning are almost complete. There is mulch and compost at Quarry Field for residents to take. There is also one bin of stone left over from chip sealing that is available. Work on the dirt pile on Long Meadow Rd. with the assistance of the Watchtower group will begin soon.
- Chief Abbott said the Police Reform Reinvention Committee is meeting tomorrow at Eagle Valley Fire House from 7-9pm. They are also meeting via the Town's WebEx on June 30th from 7-9pm. Tuxedo Police Officers attended firearm training and Sgt. Russell assisted with the training. The also attended de-escalation training in Orange County and completed the required online sexual harassment training.
- Marisa Dollbaum, Town Clerk, stated Town hall will be closed Monday July 5<sup>th</sup>. She will let residents know if the IWS pick up schedule will run normally next week. She will send out an email with the information and also have it posted on the website. She announced the Silver Dollars Annual BBQ is on July 23<sup>rd</sup> from 4-7pm at Murphy Field. The flyer is posted on the website.

**TOWN SUPERVISOR UPDATE**

- Supervisor English announced the passing of former Police Chief, Patrick Welsh, on June 19th. He served the Town for twenty one years and retired in 2016. He was also a member of the Sterling Forest Fire Company. He offered condolences to his family and friends. The Tuxedo Farms LDC board meeting was on June 24<sup>th</sup>. The LDC has been working on getting the new Wastewater Treatment Plant up and running. The existing sewer plant in Tuxedo is deteriorating and at risk of failing so it is important to get connected to the new WWTP. Executive Vice President of Related, Greg Gushee, was in attendance of the meeting. He is now overseeing the Tuxedo Farms project and stated they will work with the LDC to get the WWTP operational by the end of this year. Supervisor English toured the new WWTP on June 25<sup>th</sup>. The Town Board is currently recruiting a full time police officer, and interviews will be scheduled soon. There will be two Police Reform Reinvention meetings coming up. One will be in person at the Eagle Valley Fire House on June 29<sup>th</sup> and the other via the Town's WebEx on June 30<sup>th</sup>.

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**TOWN BOARD UPDATES**

- Maria May, Councilmember, worked with Deputy Supervisor Lindsay to apply for the American Rescue Plan Act. Money will be diverted through NY State to local municipalities to help recover from the pandemic. There are four areas that the money could potentially be used for; sewer, water, infrastructure or ADA improvements. The deadline to apply is July 9<sup>th</sup>.
  
- Jay Reichgott, Councilmember, has been working with Town Planner Bonnie Franson and Town Attorney Howard Protter to finalize Zoning draft. A Public Hearing presenting the draft sometime in August. He asked for residents to reach out to him regarding any questions, concerns or comments on the Cannabis Opt-out Law.
  
- Michele Lindsay, Deputy Supervisor, thanked everyone for the support of the Plein Air event. The next volunteer work day at the pollinator meadow is July 10<sup>th</sup>. Email [tuxedobutterflies@gmail.com](mailto:tuxedobutterflies@gmail.com) for additional information.

**Minutes**

Motion made by Supervisor English, seconded by Councilmember May to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on June 14th.

<b>ON ROLL-CALL VOTE;</b>	Supervisor:	Kenneth English	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Councilmember:	David McMillen	Absent
	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: 2012918608 through 2012918642

General Fund :	\$62,350.59
Part-Town Fund:	\$1,556.52
Highway Town Wide :	\$2,073.33
Highway Part Town	\$16,229.27
<b>Total Abstract Amount:</b>	<b>\$82,209.71</b>

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

Motion made by Supervisor English, seconded by Councilmember Reichgott

Voucher 2012918614 was approved separately for Deputy Supervisor Lindsay's Association of Town training for the amount of \$100.00.

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

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**PUBLIC COMMENTS**

- Jerry Mottola inquired how long the work would take to get the new wastewater treatment plant up and running. Councilmember Reichgott said a detailed timeline will be submitted by Related, but the work should be completed by the end of the year.
  
- Resident Deirdre Murphy stated 55mph speed limit signs were recently placed on Long Meadow Rd. near the Woodlands development entrance. Residents feel there is safety concern, and would like the speed limit to be reduced. The Town Board will look into the issue.

**OTHER BUSINESS**

1. Submit RFP for the solar project at highway garage

RESOLVED, motion made by Deputy Supervisor Lindsay, seconded by Councilmember May that the Town Board of the Town of Tuxedo hereby authorizes the Town Clerk to submit a RFP for solar project at the highway garage.

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

2. Councilmember Reichgott brought up the joint Public Hearing with the Village of Tuxedo Park on the Annexation of Rattlesnake Mountain. He will work with Village officials on the date.



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**ADJOURNMENT**

**RESOLVED**, motion made by Supervisor English, seconded by Councilmember May to adjourn the meeting at 9:14 p.m.

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

Respectfully submitted,

*Marisa Dollbaum*

Marisa Dollbaum  
Town Clerk  
Town of Tuxedo