

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
October 23, 2023

Supervisor English called to order the Town Board Meeting of October 23, 2023 at 7:05pm.

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 in person:

Chief John Trazino; Ms. Amy Levine, Town Attorney

Other Town Officials Present via Zoom:

Mr. Frank Peverly, Zoning Board Chairman

Public Hearing

A public hearing regarding introductory Local Law entitled “Tax Levy Limit Override – 2024 Fiscal Year” was opened at 7:10pm by Supervisor English.

Open Public Comments

Claudia Bakhtiary said the Board has adopted this local law in the past and seems routine.

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Close Public Hearing

Motion made by Supervisor English seconded by Councilmember Lindsay, that all persons desiring to be heard, having been heard, the Public Hearing regarding Introductory Local entitled “Tax Levy Limit Override – 2024 Fiscal Year” be closed at 7:12pm.

Tuxedo Police Department Update by Chief Trazino

Police Chief John Trazino shared a presentation of recent updates to the department. A copy of his full presentation is attached.

Supervisor English read the following statement:

Esteemed Tuxedo Neighbors,

I'd like to take this opportunity to update you on the issues that are facing our town and the actions taken to address these concerns.

I'd like to briefly summarize the journey over the last four years. The progress this Town Board has made is undeniable. I'm so proud to call Jay Reichgott, Michele Lindsay, Maria May, and Deirdre Murphy, my Town Board colleagues. We give it our all.

Progress...

I've heard since I moved here 20 years ago that nothing happens in Tuxedo, no development, no improvements to our Town Center, no new residents to support the Tuxedo Union Free School District (TUFSD), etc. I was told it would be a miracle if Tuxedo Farms came to be.

Well, the miracle has happened. After almost two years of negotiations, we were able to execute an agreement that kept Related negotiating while we came up with a plan that works for the Town and the Developer. Lennar, the nation's largest builder of quality homes, was engaged by Related, and has now bought the property, just last month. They are before the Planning Board every month submitting the real plans for building. You're welcome to come to any of those meetings to find out for yourself. Related is still a major partner, and will build the new Town Center, called The Commons. This will offer residents a new mixed use commercial area, which includes retail, hospitality, and services and high-end apartments. It will also provide a municipal building with meeting space for 250 people that will accommodate Town Board and community meetings.

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So when will construction begin?

The necessary preparations for spring construction are happening NOW! Filling and grading work that's needed to start construction is on-going. The sewer and water pipes for the first neighborhoods are in the ground. Many of the streets are already laid out. We're poised for action.

Other benefits of Tuxedo Farms...

Along with the Special Permit we approved last year, \$2,500,000 in cash was given to the TUFSD and 40 acres of beautiful property worth a lot of money. In order for the school to survive, like any public school, you need property tax dollars and kids. The Tuxedo Farms development will deliver both and be very cash positive to the school district. From the beginning of our negotiations this Town Board insisted that promises made to the school in 2015 must be honored. Related tried hard to remove these. We got it done, amidst rising interest rates and a deteriorating housing market. *Just in the nick of time!*

Additionally, the Town received hundreds of acres of pristine forest from Related along Warwick Brook Road and Long Meadow Road, now in conservation forever, protecting our Parklands for all to enjoy.

We got Related to start up the new sewer plant, rescuing the 216 properties that connect to it from the brink of losing reliable sewer service. The old plant is well beyond its usable lifespan.

We also got \$1,100,000 for the Tuxedo Local Development Corp (LDC), a Town agency, from Related and Lennar to revitalize the Hamlet business district. There are FIVE projects on Rt.17 underway right now. The train station is being totally renovated, with \$140,000 from Lennar, saving taxpayers big bucks. The old Orange Top Diner will be totally renovated and should have a new tenant very soon! The Tuxedo Historical Society, (THS), was gifted the old Chase Bank building, thanks to THS President Betty Langberg's dogged persistence, and the Tuxedo LDC provided \$100,000 of matching funds which is being used to totally restore this architectural gem.

Additionally, the Karlyn Warehouse building is also undergoing a major facelift necessary to attract a new tenant.

Other actions taken that will build our tax base...

In the south end of town, a new Skylight assembly business is coming to Sterling Mine Road that will bring a \$3,000,000 state of the art commercial building. The building is architecturally beautiful, with an expansive landscaping plan, and will bring dozens of well-paying jobs! It will bring real tax dollars to our town with minimal traffic. The abandoned eyesore there now will be demolished soon. We avoided high traffic options that would have drastically changed the area.

We lowered your taxes by reassessing NYS Parklands, the State pays much more, so our share is much less. We did this through a comprehensive assessment of all NYS park properties in Tuxedo. Here it is! It looks like an old Manhattan phone book. That helped both of our school districts get much needed tax revenue, M/W and TUFSD, as well.

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On the Environment...

We protected the environment, cleaning up the 10,000 truckloads of construction debris dumped, I suspect in the dead of night on the Town's highway Dept. site. That happened before I took office in 2020.

Rob Dollbaum, Highway Superintendent, and his team have moved a mountain of debris, meeting every expectation the NYS Dept. of Environmental Conservation set, avoiding the potential of \$3,000 a day in fines! They screened tons and tons of materials, separating the rocks, concrete, wood, and various plastics and debris, into processed piles for disposal. The job is nearing completion. This property is in the center of our watershed. These actions protect our drinking water. We've shut down any further chance to harm this Town owned property.

We bought 27 acres of undeveloped forest on the Indian Kill Reservoir on Rt. 17A at the County Tax auction, protecting our drinking water, and saving it from developers.

We're developing a plan to restore the sewer pipes in the Hamlet district which are 100 years old and in desperate need of repairs.

We brought accountability to the Town's Municipal service, verifying payroll by installing an electronic timecard system, required for government audits. We restored five days of service; Town Hall was closed on Fridays! Town Hall got a new roof, \$100,000 funded by NYS. New ADA compliant bathrooms were added. New ramp, new accessible doors, making it easier for our seniors to get into the building.

We brought Town meetings into the 21st century, in the height of COVID, adding Zoom technology, making it easy to attend meetings that are recorded for all to see. Now that's real TRANSPARENCY. Marisa Dollbaum, Town Clerk, has totally updated procedures in Town Hall, reorganizing our records, responding to resident's needs, and working hand in hand with the Town Board.

We restored 24/7 Police coverage, hiring four new experienced police officers in 2023! We have a new professional Police Chief, John Trazino, who is preparing Tuxedo for today's world problems. Unfortunately, Tuxedo is not Mayberry anymore. Crime finds the soft targets and we MUST be ready.

Roads are being paved, parks renovated, and we restored the tennis court and basketball court at Tichey Field. We purchased new heavy equipment for our Highway Dept. and are awaiting two new high end Police Cars, expected to be delivered any day.

Our new Account Clerk, Carey Alley, has brought her professional accounting skills and Municipal Government experience to our Fiscal management activities. We've recovered thousands of dollars in uncollected fees and set up systems that will keep this from happening in the future.

As you may know, I am not seeking re-election. My twin brother, Kevin, is fighting Stage IV melanoma cancer, which has spread to his spine and lungs. I must refocus my priorities toward my family.

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I'm thankful for those who came before us. Anyone who has given time in public service should be acknowledged. These members of the Town Board have proven themselves. I'm proud of my service and I hope you will join me in extending a well-deserved Thank You to my fellow Board members.

Public Comment(s) on Agenda Items

There were no public comments.

Agenda Item #1 Resolution to consider adopting Local Law “Tax Levy Limit Override 2024 Fiscal Year”

RESOLUTION OF ADOPTION

“TAX LEVY LIMIT OVERRIDE 2024 FISCAL YEAR”

WHEREAS, an introductory Local Law entitled “Tax Levy Limit Override 2024 Fiscal Year” was introduced before the Town Board of the Town of Tuxedo on September 25, 2023, and upon notice duly published and posted, a hearing was held on October 23, 2023, before the Town Board, and

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

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Tax Levy Limit Override 2024 Fiscal Year” is a Type II Action and is determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Tax Levy Limit Override 2024 Fiscal Year” be and hereby is adopted as Local Law #6 of 2023 of the Town of Tuxedo on October 23, 2023.

On the motion of Supervisor English, seconded by Deputy Supervisor Reichgott, the foregoing resolution was adopted, on a roll call of 5 Ayes, 0 Nays.

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Agenda Item #2 -Resolution to schedule Public Hearing for 2024 Budget

Motion made by Supervisor English, seconded by Councilmember May, that the Town Supervisor and Town Board have delivered to the Clerk the Preliminary Budget and scheduled the public hearing for the 2024 Preliminary Budget on Monday, November 13, 2023 at 7:00pm.

Agenda Item #3 - Resolution to approve Budget Modifications

Motion made by Supervisor English, seconded by Councilmember Murphy, the Town Board of the Town of Tuxedo hereby approves the budget modifications contained in the memo dated September 5, 2023 from Arias Cooper, which are listed below.

TO Tuxedo
Proposed Budget Modifications
September 2023

Account	Description		
Revenues			
		Decrease	Increase
B599	Compensated Absence Reserve		87,630.00
B599	Fund Balance		121,100.00
Expenditures			
		Increase	Decrease
B3120.102	Police - Payout of Unused Time	81,403.00	
B9030.8	Social Security	5,047.00	
B9035.8	Medicare	1,180.00	
B3620.4	Safety Inspection - Contractual	121,100.00	
TOTALS GENERAL B		208,730.00	208,730.00
Expenditures			
		Increase	Decrease
SS8130.1	Sewage Treatment - Personnel	20,000.00	
SS8130.4	Sewage Treatment - Contractual		20,000.00
TOTALS HAMLET SEWER		20,000.00	20,000.00

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Agenda #4 - Resolution to authorize RFP for “Sewer and Manhole Rehabilitation Project”

Whereas the Town of Tuxedo Hamlet Sewer District is in need of procuring services for the Sanitary Sewer and Manhole Rehabilitation Project; and Whereas the Town board has caused a bid package and specifications to be prepared; now therefore Be it Resolved that the Town Board determines that the Sanitary Sewer and Manhole Rehabilitation Project is a Type II action under the State Environmental Quality Review Act (see 6 NYCRR 617.5(c)(2)); and Be it Further Resolved that the Town Board approves the bid package and specifications and authorizes the Town Clerk to advertise for bids, with a bid opening date of Thursday, November 9, 2023 at 11:00am.

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.

Other Business

Whereas the next steps to be taken by the Board require will require the outlay of public funds to prepare plans suitable for public review and Board approval for submission to regulatory authorities, funding sources and collaborative State and County Government agencies, as follows:

- The preparation of a master conceptual planogram by an engineering firm to include:
- a. Landscape concept drawings by a licensed landscape firm
 - b. Parking enhancements
 - c. Streetscape design and enhancements
 - d. Pedestrian safety and circulation

Now, therefore, on a motion by Supervisor English, seconded by Councilmember Lindsay, the Town Board authorizes the Town Planner and the Town Attorney to specify and prepare an RFP as may be required to engage the professional firms needed to accomplish a master planogram.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Discussion – Daylight Savings

The Town Board will have further discussion at the next meeting on November 13th.

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MINUTES

Motion made by Supervisor English, seconded by Councilmember May to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on October 11, 2023.

The foregoing resolution was adopted on a vote of 4 ayes and 1 abstained.

VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922272	IWS of New York	\$32,441.09	Sept 2023 Garbage & Recycling
2012922284	Traffic Safety Service, LLC	\$13,975.00	Vermdac Radar Trailer
2012922292	Tuxedo Silver Dollars	\$6,098.67	2023 Reimbursement for Expenditures
2012922303	H.O. Penn Machinery	\$9,300.00	Bulldozer Rental for Dirt Pile 9/5-10/3/23
2012922317	Fusco Engineering	\$14,000.00	Code Enforcement Officer Sept 2023
2012922320	NYSHIP	\$91,725.98	Police/Retiree Health Insurance Oct/Nov 2023
2012922322	Benistar	\$5,354.14	Retiree Health Insurance- Nov 2023
2012922326	IBEW Local 363	\$13,440.00	Fixed Medical Highway October 2023

On a motion made by Supervisor English, seconded by Councilmember Lindsay, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012922266 through 2012922328

General Fund:	\$61,168.19
Part-Town Fund:	\$113,321.06
Highway Town Wide:	\$14,035.28
Highway Part Town	\$14,611.13
Refuse and Garbage	\$32,441.09
Hamlet Sewer District	\$0
Tuxedo Farms Sewer	\$0
Total Abstract Amount:	\$235,576.75

The foregoing resolution was adopted on a motion of 5 ayes and 0 nays.

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TOWN SUPERVISOR/TOWN BOARD UPDATE:

- Councilmember Reichgott cautioned residents about bears still being in the area and suggested removing bird feeders if they are
- Councilmember Lindsay said the Community Choice Aggregation program is in the process of getting bids for bulk energy.
- Supervisor English announced the tour of the new sewer plant on October 28th from 2-3:30pm.
- Councilmember May, thanked all the volunteers that helped out with the Fall Festival. The Trunk or Treat event is Sunday, October 29th at Powerhouse Park. Chair Yoga in the Community Room is scheduled for Wednesdays on 11/1, 11/8 and 11/15.
- Councilmember Murphy would like to schedule the 2nd workshop to focus on West side of Route 17. The Board chose Tuesday, November 14th at 7:00pm.

Executive Session

Motion made by Supervisor English and seconded by Councilmember May to enter into an Executive Session at 9:34pm for the purpose of discussions regarding proposed, pending or current litigation, as authorized under Public Officers Law 105(d).

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

No action was taken during the Executive Session.

Re-Enter Public Meeting

Motion made by Supervisor English and seconded by Deputy Supervisor Reichgott to re-enter the public meeting at 9:58pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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Resolution to consider approving DeMarino settlement

Motion made by Supervisor English and seconded by Deputy Supervisor Reichgott to approve the DeMarino settlement agreement as presented, and determined that the settlement agreement will not have a significant adverse impact on the environment.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

ADJOURNMENT

Motion made by Supervisor English seconded by Councilmember May, to adjourn the meeting at 10:02 pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Respectfully submitted,

Marisa Dollbaum

Marisa Dollbaum
Town Clerk
Town of Tuxedo