

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
November 27, 2023

Supervisor English called to order the Town Board Meeting of November 27, 2023 at 7:03pm.

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:

Ms. Amy Levine, Town Attorney; Mr. Robert Dollbaum, Highway Superintendent, Police Chief John Trazino

Supervisor English swore in the following:

Promotion of Detective Shiloh
Police Officer Savino Citriniti
Police Officer Michael Tierney
Police Officer Colin Cooper

Public Hearing

A Public Hearing regarding the FRANCHISE RENEWAL AGREEMENT between the Town of Tuxedo, Orange County, State of New York and Cablevision of Rockland/Ramapo, LLC was opened by Supervisor English at 7:14pm.

Open Public Comments

- Resident Jerry Mottola asked if there was a way to allow options for residents to choose from different companies.
- Resident Irene Denaro thought that cable companies “own” territories and that is why there are not multiple companies to choose from in one area.
- Town Attorney Levine explained the Franchise Agreements are not exclusive and cable providers have to abide by the same regulations.

Close Public Hearing

Motion made by Supervisor English, seconded by Councilmember Reichgott, that all persons desiring to be heard, having been heard, the Public Hearing regarding the FRANCHISE RENEWAL AGREEMENT between the Town of Tuxedo, Orange County, State of New York and Cablevision of Rockland/Ramapo, LLC be closed at 7:20pm.

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

RESOLUTION AUTHORIZING EXECUTION OF FRANCHISE RENEWAL AGREEMENT BETWEEN THE TOWN AND CABLEVISION OF ROCKLANDIRAMAPO, LLC

Supervisor English offered the following resolution and moved its adoption; Councilmember May seconded its adoption:

WHEREAS, the Town of Tuxedo (hereinafter referred to as "Town") has requisite authority to grant franchises permitting and regulating the use of its streets, rights of way, and public grounds; and

WHEREAS, Cablevision of Rockland/Ramapo, LLC (hereinafter referred to as "Franchisee"), or, if applicable, Franchisee's predecessor(s) in interest, having previously secured the permission of the Town to use such streets, rights of way, and public grounds under a franchise agreement that has since expired, has petitioned the Town for a renewal of such franchise according to the terms contained in a Franchise Renewal Agreement; and

WHEREAS, the Town has determined that Franchisee is and has been in substantial compliance with all terms and provisions of its existing franchise and applicable law; and

WHEREAS, the Town and Franchisee have complied with all Federal- and State-mandated procedural and substantive requirements pertinent to the renewal of the existing franchise; and

WHEREAS, the Town has, after consideration in a full public proceeding affording due process to all parties, approved the character, financial condition and technical ability of Franchisee; and

WHEREAS, the Town has, after consideration in a full public proceeding affording due process to all parties, determined that Franchisee's cable system is adequate and feasible; and

WHEREAS, the franchise renewal is granted pursuant to processes and procedures consistent with applicable law, and the Town and Franchisee will not raise any claim to the contrary during the term of the Franchise Renewal Agreement relating to same; and

WHEREAS, the franchise renewal is non-exclusive and complies with the franchise standards of the New York State Public Service Commission; and

WHEREAS, imposition of the same burdens and costs on other franchised competitors by the Town is a basic assumption of the parties in the Franchise Renewal Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby authorizes the Town Supervisor, Kenneth English, to enter into and execute on behalf of the Town a Franchise Renewal Agreement with Cablevision of Rockland/Ramapo, LLC, effective on the date such Franchise Renewal Agreement is granted a certificate of confirmation by the New York State Public Service Commission and continuing for a period of ten years thereafter.

The resolution was declared unanimously adopted by a vote of 5 Ayes to 0 Nays

Public Comment(s) on Agenda Items

There were no public comments.

Agenda Item #1 Resolution to approve purchase of Chevy Tahoe(s) for Police Department

Motion made by Supervisor English, seconded by Deputy Supervisor Reichgott, that the Town Board hereby approves the purchase of two Chevy Tahoe(s) from Chevrolet of Smithtown for a cost of up to \$100,000.00 for the Police Department.

(BOCES Bid #19/20-045 ex.2C)

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

Agenda Item #2 -Resolution to Introduce Local Law entitled “Low Income Senior Exemption” and set Public Hearing

BE IT RESOLVED that an introductory Local Law, entitled, “**REAL PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS**” be and it hereby is introduced by Supervisor English, before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Town Hall, One Temple Drive, Tuxedo, New York at 7:00 P.M. on December 11, 2023, and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least ten (10) days prior thereto.

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

Agenda Item #3 - Resolution to consider bid proposal for Sewer and Manhole Project

Motion made by Supervisor English, seconded by Councilmember Reichgott, that the Town Board of the Town of Tuxedo hereby accepts bid proposal for Sewer & Manhole Rehabilitation submitted by TAM Enterprises, Inc. in the amount of \$837,866.30, and allows Supervisor English to sign the contract, pending approval of the source of funding.

Roll call vote:

Supervisor English	Aye
Deputy Supervisor Reichgott	Aye
Councilmember Lindsay	Aye
Councilmember May	Aye
Councilmember Murphy	Aye

Other Business

Resolution authorizing transfer of 88-acre Parcel in accord with Tuxedo Farms Special Permit – tabled until the meeting on December 11th

Whereas the Tuxedo Farms Special Permit Article XX.D requires the Town Board consent to the transfer of the 88-acre LIO Zoned land from LR Tuxedo Development Group, LLC (“TDG”) to the Open Space Institute Land Trust, Inc. (“OSI”) for its preservation purposes; and

Whereas Ultimately, OSI intends to transfer the Property to the Palisades Interstate Park Commission (“PIPC”).

Now therefore, the Town Board consents to the transfer upon the following two conditions;

1. The real property remains taxable on the real property tax rolls and that taxes continue to be paid by OSI until transfer of the property to PIPC;
 - a. In accordance with the special permit upon transfer to OSI there will thereafter be no PILOT payments.
2. Upon transfer to OSI the Town receive payment of the sum of \$50,000.00 as a voluntary contribution from TDG;

Department Updates:

- Rob Dollbaum, Highway Superintendent, said they will be picking up leaves for the next two and a half weeks. They will work on putting out the manger, Menorah, and lights on the tree in preparation of the Christmas Tree Lighting Ceremony on Friday, 12/1.

TOWN SUPERVISOR/TOWN BOARD UPDATE:

- Councilmember Lindsay said Peggy Kurtz from Joule Energy will record her educational presentation on Community Choice Aggregation, which will be posted on the Town’s website. She is attending the OC Department of Planning meeting tomorrow. She is meeting with NYPA on Thursday to get an update on options for energy savings.
- Councilmember Murphy said a permit application is required by NYSDOT to install flashing lights signaling a school zone on Route 17. A survey also needs to be done to determine right of way along with a site plan and engineering drawings. Councilmember Murphy would like to schedule a preapplication meeting with NYSDOT with Sean Hoffman and Rob Dollbaum.

- Councilmember May updated the Board on ARPA funds that have been spent so far. There is a remainder of \$177,707.20 left that needs to be spent by 2024. There were around 50 participants at the Turkey Trot and it was a successful event. The tree lighting ceremony is on Friday, December 1st. The Chanukah celebration is Monday, December 11th. She would like to write a letter of congratulations to the TUFSD girls volleyball team for making it to the finals.

MINUTES

Motion made by Supervisor English, seconded by Councilmember Lindsay to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on November 13, 2023.

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

VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922454	H2O Innovation O&M	\$6,606.40	Monthly Fee
2012922454	Town of Tuxedo	\$7,235.91	PD Fuel Sept/Oct
2012922491	MVP Healthcare	\$5,661.24	Dec 23 Town Hall & Elected insurance Premiums
2012922494	J&G Law	\$26,705.59	October 23 Legal Fees
2012922503	Robert Young & Sons Paving	\$5,778.50	Asphalt
2012922512	IBEW Local 363	\$13,440.00	Highway health insurance November 2023

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: 2012922447 through 2012922512

General Fund:	\$54,766.98
Part-Town Fund:	\$11,475.54
Highway Town Wide:	\$10,072.32
Highway Part Town	\$29,080.89
Refuse and Garbage	\$0
Hamlet Sewer District	\$12,493.40
Tuxedo Farms Sewer	\$0
Total Abstract Amount:	\$117,889.13

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion made by Supervisor English seconded by Councilmember Lindsay, to adjourn the meeting at 9:28pm.

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