

REGULAR TOWN BOARD MEETING
TOWN OF TUXEDO
Tuxedo Town Hall
1 Temple Dr.
And via Zoom
December 11, 2023

Supervisor English called to order the Town Board Meeting of December 11, 2023 at 7:00pm.

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 (via Zoom)

Town Board Member Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Public Hearing

A Public Hearing regarding “Real Property Tax Exemption for Senior Citizens” was opened by Supervisor English at 7:03pm

Open Public Comments

Resident Irene Denaro asked if there were any changes to the existing exemptions and Deputy Supervisor Reichgott said the Local Law is aligning with what the State allows.

Closed 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 “Real Property Tax Exemption for Senior Citizens” be closed at 7:05pm.

Resolution of Adoption if ready

Introduced by: Supervisor English
Seconded by: Deputy Supervisor Reichgott

WHEREAS, an introductory Local Law entitled " **REAL PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS** " was introduced before the Town Board of the Town of Tuxedo on November 27, 2023, and upon notice duly published and posted, a hearing was held on December 11, 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 " **REAL PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS** " is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled " **REAL PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS** " of the Town of Tuxedo be and hereby is adopted as Local Law #7 of the Town of Tuxedo on December 11, 2023.

Upon Roll Call Vote:

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

Agenda Item #1 RESOLUTION AUTHORIZING TRANSFER OF 88 acre Parcel in accord with Tuxedo Farms Special Permit

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 Tuxedo Reserve Investment Partners, L.P. (“TRIP”) (an affiliate of 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”).

Whereas, it is the practice of OSI to continue to pay real property taxes on property it holds and intends to transfer to PIPC, when PIPC is required to pay real property taxes under the New York Real Property Tax Law.

Whereas, pursuant to Real Property Tax Law §532, lands purchased by PIPC in the Town of Tuxedo, Orange County are subject to taxation for all purposes.

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

- a. At the time of transfer, the real property will remain taxable on the real property tax rolls and it there will thereafter be no PILOT payments.
2. Upon transfer to OSI the Town receive payment of the sum of \$100,000.00 as a voluntary contribution from TRIP and/or TDG;

On a Motion by Supervisor English, seconded by Councilmember May, the foregoing RESOLUTION WAS ADOPTED on a vote of 5 ayes and 0 nays.

Upon Roll Call Vote:

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

Agenda Item #6 Budget Modifications

Motion made by Supervisor English, seconded by Councilmember May, that the Town Board of the Town of Tuxedo hereby authorizes the budget modifications as proposed by the letter from Andrew Arias dated December 1, 2023, which are listed below.

Upon Roll Call Vote:

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

**TO Tuxedo
Proposed Budget Modifications
December 2023**

Account	Description		
Revenues			
		Decrease	Increase
A2653	Sale of Fuel		33,000.00
A2401	Interest & Earnings		11,000.00
A2001	Park & Recreation Charges		51,000.00
A599	Fund Balance		205,000.00
Expenditures			
		Increase	Decrease
A1010.4	Town Board - Contractual	1,000.00	
A1220.1	Supervisor - Personnel	22,000.00	
A1220.4	Supervisor - Contractual	13,000.00	
A1340.1	Budget - Personnel		10,000.00
A1355.4	Assessor - Contractual		15,000.00
A1410.1	Town Clerk - Personnel	25,000.00	
A1420.4	Attorney - Contractual	30,000.00	
A1440.4	Engineer - Contractual	15,000.00	
A1620.1	Dirt Pile - Personnel	65,000.00	
A1620.2	Buildings Contractual	3,000.00	
A1690.4	Central Fuel Services		20,000.00
A1910.4	Unallocated Insurance	12,000.00	
A3310.4	Traffic Control - Contractual	35,000.00	
A3510.1	Control of Dogs - Personnel		8,000.00
A5010.4	Supt of Highways - Contractual	8,000.00	
A5132.1	Garage - Personnel	4,000.00	
A5132.4	Garage - Contractual	13,000.00	
A7020.1	Recreation Admin - Personnel		16,000.00
A7020.4	Recreation - Contractual	3,000.00	
A7140.4	Playgrounds& Rec - Contractual	4,000.00	
A7310.1	Youth Programs - Personnel	66,000.00	
A7989.4	Other Culture & Recreation	10,000.00	
A8510.4	Beautification - Contractual	3,000.00	
A9030.8	Social Security	11,000.00	
A9035.8	Medicare	2,000.00	
A9040.8	Workers Compensation	4,000.00	
A9060.8	Health Insurance	20,000.00	
TOTALS GENERAL A FUND		369,000.00	369,000.00
Revenues			
		Decrease	Increase
B1120	Sales Tax		175,000.00
B1520	Police Fees		25,000.00
B1560	Safety Inspection Fees		49,000.00
B599	Fund Balance		70,000.00

**TO Tuxedo
Proposed Budget Modifications
December 2023**

Expenditures		Increase	Decrease
B3120.1	Police - Personnel	170,000.00	
B3120.2	Police - Equipment	110,000.00	
B3620.1	Safety Inspection - Personnel		28,000.00
B9030.8	Social Security	10,000.00	
B9040.8	Workers Compensation		20,000.00
B9035.8	Medicare	2,000.00	
B9060.8	Health Insurance	75,000.00	
TOTALS GENERAL B FUND		367,000.00	367,000.00
Revenues		Decrease	Increase
DA599	Fund Balance		24,000.00
Expenditures		Increase	Decrease
DA5130.2	Machinery - Contractual		
DA5130.4	Machinery - Contractual	28,000.00	
DA5140.4	Brush & Weeds - Contractual		4,000.00
DA5142.1	Snow Removal - Personnel		
DA5142.4	Snow Removal - Contractual	10,000.00	
DA9040.8	Workers Compensation		10,000.00
DA9785.6	Installment Debt Principal		
TOTALS HIGHWAY DA FUND		38,000.00	38,000.00
Expenditures		Increase	Decrease
DB5110.1	General Repairs - Personnel		60,000.00
DB5110.4	General Repairs - Contractual	40,000.00	
DB9040.8	Workers Compensation	15,000.00	
DB9070.8	Union Welfare Benefits	5,000.00	
TOTALS HIGHWAY DB FUND		60,000.00	60,000.00
Expenditures		Increase	Decrease
SS8130.1	Sewage Treatment - Personnel	5,000.00	
SS8130.4	Sewage Treatment - Contractual		5,000.00
TOTALS SEWER FUND		5,000.00	5,000.00

Agenda Item #3 - Resolution to consider entering into contract with Pitney Bowes for postage machine in Town Hall

Whereas the Town is in need of a postage machine for Town Hall; and
Whereas the Town Board has received two quotes for the same and has determined that Pitney Bowes provides pricing and the type of postage machine that would work best for the Town;

NOW THEREFORE BE IT RESOLVED

That the Town Board determines that the procurement of a postage machine for Town Hall is a Type II action under the State Environmental Quality Review Act; and

Be it Further Resolved that the Town Supervisor is hereby authorized to enter in an agreement with Pitney Bower for the provision of a postage machine at a cost not to exceed \$100.00 per month (not including postage).

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

Agenda Item #4 - Resolution to schedule Public Hearing on the proposed improvements to the Hamlet Sewer District

**RESOLUTION
PROPOSED IMPROVEMENTS OF FACILITIES
TUXEDO HAMLET SEWER DISTRICT**

WHEREAS, in order to address inflow and infiltration (I&I) PROBLEMS WITH THE Hamlet Sewer District sewer system, the Board has determined to authorize proposed improvements to the Sewer District facilities, which include installation of approximately 4,700 linear feet of cast-in-place pipe (CIPP), approximately 500 linear feet of open-cut sanitary sewer pipe replacement and approximately 32 manholes to be rehabilitated through sealing, plugging and/or patching, as shown on a map and plan prepared by Hoffman Engineering, a competent engineering firm licensed in the State of New York.

THEREFORE, IT IS RESOLVED that a public hearing to consider public comments on the proposed improvements of the facilities of the Tuxedo Hamlet Sewer District shall be held on December 27, 2023 at 7:00 PM, at the Town Hall, located at 1 Temple Drive, Tuxedo, New York 10987. All persons interested will be heard by the Town Board at the public hearing.

On a motion 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 consider entering into contract with MVP for 2024 Employee Health Benefits

Whereas the Town wishes to provide affordable health care insurance to Town employees and has negotiated an agreement with MVP Health Care to provide affordable employee health care insurance for 2024;

NOW THEREFORE BE IT RESOLVED

That the Town Board determines that the procurement of employee health care benefits for 2024 is a Type II action under the State Environmental Quality Review Act; and

Be it Further Resolved that the Town Supervisor is hereby authorized to enter in an agreement with MVP Health Care as the 2024 health care provider for Town employees.

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

Agenda Item #6 - Resolution to consider appointment of Board of Assessment Review member

Motion made by Supervisor English and seconded by Councilmember May,

Whereas there is an open position on the Board of Assessment Review for a term expiring on September 30, 2028; and

Whereas Howard Zukoff has expressed interest in filling that position and assuming the responsibilities of training and participation associated with a Board of Assessment Review membership.

NOW THEREFORE BE IT RESOLVED

That Howard Zukoff is hereby appointed to the Board of Assessment Review with a term ending 09/30/2028.

MONTHLY REPORTS:

Supervisor English is in receipt of the following monthly reports:

- Justice Court
- Town Clerk

Department Updates:

- Chief Trazino said the Search and Rescue Team recently assisted Town of Woodbury in locating a suspect and also helped find a lost couple. He said there is an increase in weather related incidents and cautioned residents to be careful.
- Town Clerk Marisa Dollbaum reminded everyone that the last day of the Tuxedo Toy Collection is Friday, December 15th.

TOWN SUPERVISOR/TOWN BOARD UPDATE:

- Supervisor English wished everyone that celebrates a Happy Chanukah. He attended the celebration at train station this evening and thanked Rabbi Pesch for hosting the event.
- Councilmember May thanked Recreation Director, Kathleen Metcalf-Rooney for the successful Tree Lighting and Chanukah celebrations.
- Councilmember Lindsay requested the RFP to be drafted for the HVAC system for Town Hall.
- Councilmember Reichgott announced the ATM is up and running at the train station. He wished everyone a Happy Chanukah and Merry Christmas.

MINUTES

Motion made by Supervisor English, seconded by Councilmember May, to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on November 27, 2023.

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

VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922522	Global Montello Group	\$10,027.77	Fuel & Diesel November Delivery 2/2
2012922529	Office of the State Comptroller	\$22,608.00	October 2023 Court Fines & Fees
2012922537	Rockland Paramedic Services	\$63,196.50	December 2023 Paramedic Services
2012922543	Hoffman Engineering	\$5,272.50	Tuxedo Farms Escrow February & August
2012922545	Hoffman Engineering	\$6,895.28	Billable Fees to Applicants February & August
2012922546	Hoffman Engineering	\$7,633.50	Monthly Contractual Consultant Charges
2012922547	NYS Employees Health PD & Retiree	\$45,314.71	NYS Employees Health insurance Pending Account
2012922556	NYS Insurance Fund	\$5,747.95	Nov 2023 Workers Comp
2012922577	Commissioner of Finance	\$103,171.89	2022-2023 Chargebacks

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: 2012922521 through 2012922578

General Fund:	\$183,364.93
Part-Town Fund:	\$73,358.08
Highway Town Wide:	\$14,209.77
Highway Part Town	\$715.67
Refuse and Garbage	\$288.38
Hamlet Sewer District	\$5,700.86
Trust and Agency	\$28,527.84
<u>Total Abstract Amount:</u>	\$306,165.53

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

PUBLIC COMMENTS

There were no public comments.

OTHER BUSINESS:

Motion made by Supervisor English, and seconded by Councilmember Lindsay, to approve updates to the current Town of Tuxedo Employee Manual as listed below:

Section 3.1.1 Designated Holidays: The holidays listed below are observed on the day designated by the Town Board at its organizational meeting in January of each year.

- *New Year's Day
- *Columbus Day
- *Martin Luther King Day
- *Veterans' Day
- *Presidents' Day
- *Thanksgiving Day
- *Memorial Day
- *Day after Thanksgiving
- *Independence Day
- *Christmas Day
- *Labor Day
- *Day after Christmas

The new update to the Compensation and Benefits Manual to reflect the following change:

Section 3.1.1 Designated Holidays: The holidays listed below are observed on the day designated by the Town Board at its organizational meeting in January of each year.

- *New Year’s Day
- *Martin Luther King Day
- *Presidents’ Day
- *Memorial Day
- *Juneteenth
- *Independence Day
- *Labor Day
- *Columbus Day
- *Veterans’ Day
- *Thanksgiving Day
- *Day after Thanksgiving
- *Christmas Day

Correction: The Day after Christmas was removed and replaced with Juneteenth at the Town Board Re-Org meeting in January 2022 although was not formally updated in the compensation and benefits manual. This is only an update to the current employee manual.

Section 3.2 Vacation leave

3.2.1 Allowance (bi-weekly accrual): A full time employee is credited with paid vacation leave on a bi-weekly basis starting from the date of hire in accordance with the following schedule.

A part-time employee regularly scheduled to work at least seventeen and one-half hours per week is credited with vacation leave in accordance with the vacation schedule prorated by the average number of hours the employee works in a workweek, with thirty-five hours equal to 100%

A part-time employee regularly scheduled to work less than seventeen and one-half hours per week, temporary employee, or seasonal employee is not eligible for paid vacation leave but may be allowed to take time off without pay provided the individual has prior approval from the appropriate Department Head.

	Credits per Pay Period
Upon hire thru 1 year Of continuous service	0.81 hours (equals 21 hours/year)
After completion of 1 year Of continuous service	2.69 hours (equals 70 hours/year)
After completion of 5 years Of continuous service	4.04 hours (equals 105 hours/year)
After completion of 12 years Of continuous service	5.39 hours (equals 140 hours/year)

For example, an employee who completes one year of continuous service on February 26th receives an increase in the number of hours credited from 0.81 hours per week to 2.69 hours per week; similarly, an employee who completes 12 years of continuous service on September 5th receives an increase from 4.04 hours per week to 5.39 hours per week.

The new update to the Compensation and Benefits Manual to reflect the following change

Section 3.2 Vacation leave

3.2.1 Allowance (bi-weekly accrual): A full time employee is credited with paid vacation leave on a bi-weekly basis starting from the date of hire in accordance with the following schedule.

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A part-time employee regularly scheduled to work less than seventeen and one-half hours per week, temporary employee, or seasonal employee is not eligible for paid vacation leave but may be allowed to take time off without pay provided the individual has prior approval from the appropriate Department Head.

	Credits per Pay Period
Upon hire thru completion of 5 years of continuous service	2.69 hours (equals 70 hours/year)
After completion of 5 years Of continuous service	4.04 hours (equals 105 hours/year)
After completion of 10 years of continuous service	5.39 hours (equals 140 hours/year)
After completion of 15 years of continuous service	6.73 hours (equals 175 hours/year)
After completion of 20 years of continuous service	8.08 hours (equals 210 hours/year)

For example, an employee who completes five years of continuous service on February 26th receives an increase in the number of hours credited from 2.69 hours per week to 4.04 hours per week; similarly, an employee who completes 10 years of continuous service on September 5th receives an increase from 4.04 hours per week to 5.39 hours per week.

Change: Removes the accrual rate of up to 3 days in the first year worked and replaces it with the regular 70 hour accrual rate beginning on day one of employment. Adds 2 additional tiers of paid vacation.

Section 3.2.3 Vacation Leave- Accumulation

Current: Section 3.2.3 Accumulation: An employee may accumulate vacation leave credits to a maximum of 140 hours. Any vacation credits in excess of one-hundred forty are cancelled. However, in the event an employee is unable to take vacation leave due to no fault of the employee, the employee may “carry” the excess for one hundred twenty calendar days.

Revised: Section 3.2.3 Accumulation: An employee may accumulate vacation leave credits to a maximum of 210 hours. Any vacation credits in excess of two-hundred ten are cancelled. However, in the event an employee is unable to take vacation leave due to no fault of the employee, the employee may “carry” the excess for one hundred twenty calendar days.

Change: Reflects the updated vacation tiers in 3.2.1

Section 3.4 Bereavement leave

Current: Section 3.4.1 Immediate family: in the event of a death of a full-time employee’s immediate family member, the employee may take a leave of absence without loss of pay or leave credits for up to three scheduled workdays between date of death and the day after the memorial service.

For purposes of bereavement leave, “immediate family member” means the following:

Spouse or Domestic Partner	Spouse’s Parent
Child (including step-child and foster child)	Grandparent
Parent (including step-parent)	Grandchild
Sibling	

Revised: Section 3.4.1 Immediate family: in the event of a death of a full-time or regular part-time employee’s immediate family member, the employee may take a leave of absence without loss of pay or leave credits for up to three scheduled workdays between date of death and the day after the memorial service.

For purposes of bereavement leave, “immediate family member” means the following:

Spouse or Domestic Partner	Spouse’s Parent
Child (including step-child and foster child)	Grandparent (including step-grandparent and grandparent-in-law)
Parent (including step-parent and parent-in-law)	Grandchild (including step-grandchild)
Sibling (including step-sibling and sibling-in-law) son-in-law)	Child’s spouse (daughter-in-law,

In the event of a death of a full-time or regular part-time employee's extended family member, the employee may take a leave of absence without loss of pay or leave credits for up to two scheduled workdays between date of death and the day after the memorial service.

For purposes of bereavement leave, "extended family member" means the following:

Aunt Uncle
Niece Nephew

Change: Provided paid leave benefits for part-time employees; included leave for extended family members; changed immediate family members to include step and in-laws.

Medical Insurance Program for Employees and Elected Officials

Current: 5.1.7 Premium Payment: The Town will pay seventy percent of the premium for individual coverage, sixty-five percent of the premium for two-person coverage, or fifty percent of the premium for family coverage, as the case may be.

The employee's contribution to the medical insurance premium will be deducted from the employee's regular paycheck.

The employee may elect to have such deduction made on a pre-tax basis

Revised: 5.1.7 Premium Payment: The Town will pay seventy percent of the premium for individual coverage, sixty-five percent of the premium for two-person coverage, or fifty percent of the premium for family coverage, as the case may be up to a maximum contribution of \$6500 per year.

The employee's contribution to the medical insurance premium will be deducted from the employee's regular paycheck.

The employee may elect to have such deduction made on a pre-tax basis

Change: Included employee max contribution of \$6500/year

(Currently there is no policy available to employees)

Dental Plan

Eligibility- All full-time employees including the Town Clerk and Superintendent of Highways , and the employee's eligible family. Domestic partners are not eligible. The Town will pay the full premium for an individual or family dental plan.

Change: Dental insurance was added to the employee benefit package

(Currently there is no policy available to employee's)

Optical plan

Eligibility- All full-time employees including the Town Clerk and Superintendent of Highways , and the employee's eligible family. Domestic partners are not eligible. The Town will pay the full premium for an individual or family optical plan.

Change: Optical insurance was added to the employee benefit package

Insurance- Optional

The Town makes available optional life, dental, disability, cancer, accidental, or other forms of insurance. The full cost of such insurance shall be borne by the employee, the premiums of which may be voluntarily withheld from the employee's salary.

Change: No change, Aflac is currently offered to employees although there is no mention in the current Compensation and Benefits Manual

Leave for Cancer Screening

The Town of Tuxedo complies with New York State Civil Service Law SS159-b which entitles all Town employees to paid leave to undertake screening for cancer. This leave will not be charged against any available sick, vacation, personal or other leave to accruals. This does not preclude an employee's option to use other available paid leave.

Allowance- All full-time and part time employee's will be allowed four (4) hours of paid leave per year for the purpose of undergoing a screening procedure for cancer. If the employee does not exercise his/her rights to the leave, those hours are not carried forward to the next year. The allowed leave time may include the travel time to and from the appointment and any subsequent follow up consultation visits. In addition, the allowed leave may be staggered throughout the year until the maximum allowance has been reached. Time taken as leave for cancer screening will not be included in overtime calculations.

Change: Currently there is no language in the Compensation and Benefits Manual where the Town complies

ADJOURNMENT

Motion made by Supervisor English, seconded by Councilmember May, to adjourn the meeting at 8:57pm.

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

Respectfully submitted,

Marisa Dollbaum

Town Clerk
Town of Tuxedo