

**Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr. Tuxedo, NY 10987
December 13, 2021**

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, December 13, at 1 Temple Dr., Tuxedo, NY was called to order by Supervisor English at 6:00pm.

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
	Mr. David McMillen*	Councilmember

Town Board Member Absent: *Mr. David McMillen was not present for the interview, but joined the public meeting at 7:00pm

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

John Banyo, Planning Board Chairman

Supervisor English made a motion to enter Executive Session at 6:02pm for the purpose of a scheduled Planning Board applicant interview.

The Town Board re-entered the public meeting at 6:56pm and no action was taken.

Public Hearing - 2022 Woodlands Sewer Budget

Notice of Public Hearing having been posted, distributed by electronic mail and published on the Town website, and proof of publication in the *Times Herald Record* having been furnished, a Public Hearing held before the Town Board of the Town of Tuxedo on Monday December 13, 2021 via WebEx was called to order by Supervisor Kenneth English at 7:02 p.m.

Supervisor English explained that it is a statutory requirement for the Town Board to hold this Public Hearing. Under the NYS Transportation Corporation Law, sewer rates for private sewer companies are subject to Town Board approval after a public hearing. As the rates are set yearly, the Town Board must have a hearing every year

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PUBLIC COMMENTS

Woodlands resident, Howard Zukoff, asked why gym equipment was listed on a sewer budget. Supervisor English suggested he speak to the Woodlands HOA.

Resolved, Motion made by Supervisor English, seconded by Councilmember May, that, all persons desiring to be heard, having been heard, the Public Hearing regarding the 2022 Woodlands Sewer rates be closed at 7:07p.m.

Approval of 2022 Woodlands Sewer Budget

Resolved, Motion made by Supervisor English, seconded by Councilmember Reichgott, that the Town Board accepts the 2022 Woodlands Sewer Rates.

Public Comments on Agenda Items

There were no public comments.

Agenda Item #1

Resolution establishing standard work day for elected officials for the New York State Local Retirement System

Resolved, Motion made by Supervisor English, seconded by Councilmember McMillen, that the Town Board hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities submitted.

<u>Elected Official:</u>	<u>Standard Workday:</u>	<u>Record of Activities Result:</u>
Councilmember	6	4.0
Highway Superintendent	8	20.0
Town Clerk	6	20.0
Town Justice	6	12.0

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

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Agenda Item #2

Resolution to approve purchase of water treatment system for the Highway Department

Resolved, Motion made by Supervisor English, seconded by Councilmember May that the Town Board of the Town of Tuxedo hereby approves the purchase of water treatment system from BSE Well and Water Treatment LLC not to exceed the cost of \$35,000.00

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

Agenda Item #3

Resolution to allow Town Supervisor to sign the agreement with Forte Payment Processing to allow electronic check and credit card payments at Town Hall.

Resolved, Motion made by Supervisor English, seconded by Deputy Supervisor Michele Lindsay, that the Town Board hereby authorizes the Town Supervisor to execute an agreement with Forte Payment Processing to allow electronic check and credit card payments at Town Hall.

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

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Agenda Item #4

Resolution to appoint Michele Lindsay as Climate Smart Task Force Chairperson

Whereas the Town of Tuxedo previously passed a resolution in 2019 forming a Climate Smart Community (CSC) Task Force;

Whereas the Task Forces of the Town of Tuxedo CSC and the Village of Tuxedo Park CSC have formed a joint effort;

Whereas Michele Lindsay has been the Task Force Coordinator since this formation and the Town seeks to appoint her to continue this role;

Whereas the responsibilities of the Task Force Coordinator include:

1. Forming a Task Force with residents who are interested in helping the Town achieve CSC designation;
2. Working with the Town Board to approve Action items that help the Town achieve designation;
3. Planning regular public meetings of the Task Force to coordinate action items;
4. Posting meeting times and information on the Town's website;
5. Schedule Public Meetings as necessary;
6. Update the Town Board and the public on Task Force's progress;

The Town Board hereby appoints Michele Lindsay to continue as the CSC Task Force Coordinator.

On a motion made by Supervisor English, seconded by Councilmember Reichgott, the resolution was adopted with the following vote;

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

OTHER BUSINESS

**TOWN OF TUXEDO
RESOLUTION OF ADOPTION
LOCAL LAW NO. 6 OF 2021
ZONING CODE AMENDMENTS**

WHEREAS, in 2018, the Tuxedo Town Board (“Town Board”) adopted a Comprehensive Plan Update (the “2018 Plan”) in order to incorporate land use changes occurring within the Town into the Town’s Comprehensive Plan as well as update outdated data included in the 2011 Comprehensive Plan; and

WHEREAS, as a result of the adoption of the 2018 Plan, it is necessary to adopt corresponding zoning code amendments to Chapter 98 of the Code of the Town of Tuxedo which implement the language of the 2018 Plan; and

WHEREAS, since 2018, subsequent to the Plan’s adoption and consistent with New York State Town Law, the Town Board began work on the update of its zoning law in order for the zoning law to be consistent with the goals, objectives, vision, and recommendations of the 2018 Plan; and

WHEREAS, an introductory Local Law entitled “Zoning Code Amendments,” which amends Chapter 98 of the Code of the Town of Tuxedo, was introduced before the Town Board on July 12, 2021; and

WHEREAS, the land that is the subject of the proposed action is the entire area of the Town-Village of Tuxedo; and

WHEREAS, the action, adoption of the Local Law, is classified a Type I action as it meets the criteria set forth in Section 617.4(b)(2) of the regulations implementing SEQRA, namely, the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district; and

WHEREAS, the Town Board held numerous public work sessions devoted to the introductory Law on the following dates: May 20, 2020; May 28, 2020; June 4, 2020; June 17, 2020; June 25, 2020; July 29, 2020; October 7, 2020; November 4, 2020; November 9, 2020; February 1, 2021; February 15, 2021; March 1, 2021; March 29, 2021; April 19, 2021; May 3, 2021; May 13, 2021; and June 7, 2021; at which the Board considered and discussed, among other matters, possible modifications to the introductory Local Law; and

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WHEREAS, upon notice duly published and posted, a public hearing was held on August 9, 2021 and continued on August 23, 2021, before the Town Board; and

WHEREAS, public discussion was heard at the public hearings concerning the merits of said introductory local law and the public comments and written submissions were considering concerning the merits and environmental significance of said introductory Local Law; and

WHEREAS, the Town Board is the only agency that can adopt the zoning amendments, and is therefore the sole involved and lead agency; and

WHEREAS, in accordance with the regulations implementing the NY State Environmental Quality Review Act (SEQRA), Part 1 of the long Environmental Assessment Form, with attachments, was prepared in July 2021; and

WHEREAS, a full statement of the action, including the draft Local Law and Long Environmental Assessment Form, Part 1 with attachments, was transmitted to the Orange County Planning Department as required by § 239-m of the New York State General Municipal Law and received by the Department on August 24, 2021; and

WHEREAS, on October 25, 2021, the Orange County Planning Department issued a “Local Determination” GML review letter which included various comments on the Plan Update for the Town Board’s consideration. Said local determination letter does not require a supermajority to override any comments issued by the agency; and

WHEREAS, on July 15, 2021, the Town Board referred the Local Law package to the Town of Tuxedo Planning Board for its review and comments as required by Town Code § 98-40; and

WHEREAS, on July 15, 2021, the Town Board referred the Local Law package to the neighboring municipalities (Town of Warwick, Town of Monroe, Town of Stony Point, Town of Haverstraw, Town of Ramapo, Town of Sloatsburg, Village of Woodbury, and Town of Ringwood, New Jersey) for comment, pursuant to § 239-m of the New York State General Municipal Law; and

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Zoning Code Amendments” as a Type I action is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Zoning Code Amendments” of the Town of Tuxedo be and hereby is adopted as Local Law # 6 of 2021 of the Town of Tuxedo on December 13, 2021.

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

The Supervisor declared the resolution adopted.

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*Deputy Supervisor Lindsay objected to allowing the Assembly Business as a Principal Use instead of an Accessory Use as provided in the proposed code that was available to the public for the Public Hearings. She also objected to the approval process for the Neighborhood Business Zone .

Department update

- Marisa Dollbaum, Town Clerk, gave a reminder that the Tuxedo Toy drive will end on December 16th. She said Town Hall is closed on Monday, December 27th so the next Board meeting will be held on Wednesday, December 29th.

Supervisor English is in receipt of the following monthly reports:

- Dog Control
- Justice Court
- Police Department
- Town Clerk

Town Board Updates

- Deputy Supervisor Michele Lindsay suggested that the Town write a letter of support for the Birds and Bees Protection act that will ban neonic pesticides.
- Councilmember May said IWS will place two dumpsters around Tuxedo for glass recycling. One will be at Quarry Field and the other by the Eagle Valley Fire House.
- Councilmember Reichgott said the Tuxedo Bag Project is still collecting reusable shopping bags to donate to the Sloatsburg Food Pantry. Their goal is to collect 1,000 bags by February.
- Councilmember McMillen stated his term will end on December 31st. He said his time on the board has been challenging yet rewarding. He thanked the Town Board for working with him.

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Minutes

RESOLVED, Motion made by Supervisor English, seconded by Councilmember Reichgott to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on November 22nd.

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

VOUCHERS

RESOLVED, Motion made by Councilmember Reichgott, seconded by Councilmember McMillen, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012919341 through 2012919410

General Fund :	\$150,820.34
Part-Town Fund:	\$345,666.03
Highway Town Wide :	\$173,345.15
Highway Part Town	\$37,180.17
Refuse and Garbage Disposal	\$0
Hamlet Sewer District	\$8,181.50
Total Abstract Amount:	\$715,193.19

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

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PUBLIC COMMENTS

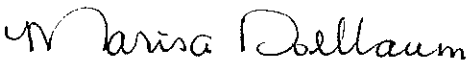
- Resident Dale Mottola observed damage on the roof at the Train Station and hopes it can be addressed soon.
- Resident Jerry Mottola mentioned that the Chamber of Commerce installed the holiday decorations at the Train Station and around Town in the past. At some point the Town hired an outside company. He said the Chamber was happy to help out this year and they will continue to going forward, but asks that the Town communicate with them.

ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen, to adjourn the meeting at 8:30pm.

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

Respectfully submitted,


Marisa Dollbaum
Town Clerk
Town of Tuxedo