

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

Supervisor English called to order the Town Board Meeting of December 27, 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 (via Zoom)

Other Town Officials Present in person:

Police Chief John Trazino

Other Town Officials Present via Zoom:

Ms. Amy Levine, Town Attorney; Mr. Robert Dollbaum, Highway Superintendent

Moment of Silence

Supervisor English asked for a moment of silence for Nils Gerling who passed away on December 23rd. He was a former Planning Board Chairman and longtime member of the Eagle Valley Fire Department.

Public Hearing

A Public Hearing on the proposed improvements to the Hamlet Sewer District was opened by Supervisor English at 7:16pm.

Supervisor English read Sean Hoffman's letter below into the record.

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December 14, 2023

Kenneth English, Supervisor & Town Board
Town of Tuxedo
1 Temple Drive
Tuxedo, NY 10987

Re: Sanitary Sewer and Manhole Rehabilitation
Tuxedo Hamlet Sewer District
Engineering Report

Dear Supervisor English & Town Board,

In accordance with Attorney Gailey's December 8, 2023 request, the following is an Engineering Report summarizing the above-captioned project which is intended to rehabilitate portions of the Tuxedo Hamlet Sewer District sanitary collection system.

Background/Project Need – The Tuxedo Hamlet Sewer District generally serves the Tuxedo Hamlet including the NYS Route 17 corridor from approximately South Side Place north to East Village Road and East Village as indicated in Figure Nos. 1 and 2 as well as a portion of Tuxedo Park as indicated in Figure No. 3. Sanitary sewage from these areas was historically conveyed through the Tuxedo Hamlet Sewer District collection system to the Hamlet Sewage Treatment Plant (STP). The Hamlet STP is permitted to discharge up to 0.1 million gallons per day (MGD) to the Ramapo River. The Town had maintained the Hamlet STP in anticipation of decommissioning and transferring flow to the adjacent wastewater treatment plant (WWTP) constructed in connection with the Tuxedo Farms project (i.e., Tuxedo Reserve WWTP). On January 11, 2023 the connection to the Tuxedo Reserve WWTP was completed and flow from the Tuxedo Hamlet Sewer District was conveyed to the Tuxedo Reserve WWTP for treatment.

On January 25, 2023 the WWTP Contract Operator reported excessive flows (i.e., greater than 0.1 MGD) at the Tuxedo Reserve WWTP. On January 26, 2023 the Town Highway Superintendent and Town Engineer visited the Tuxedo Reserve WWTP and reviewed the Hamlet STP Discharge Monitoring Reports (DMR's) from January 2022 to October 2022. On January 31, 2023 the Town Supervisor, Town Highway Superintendent and Town Engineer obtained all DMR's for 2022 and met to review same and discuss a strategy for in-house inspections of the Tuxedo Hamlet Sewer District collection system. Between February 1, 2023 and February 10, 2023, the Town Highway Department conducted initial above-grade visual inspections of all manholes within the Tuxedo Hamlet Sewer District collection system to identify significant sources of infiltration and inflow (I/I) and identify areas for future study.

Based on the Town Highway Department's initial inspections, during the February 13, 2023 meeting, the Town Board approved a \$100,000 expenditure for closed-circuit television (CCTV) inspections of the Tuxedo Hamlet Sewer District collection system including manhole inspections. On March 10, 2023 the Town executed a Public Works Agreement with Inliner Solutions, LLC (Inliner) to perform CCTV and manhole inspections of a portion of the Hamlet District collection system. Inliner completed the CCTV and manhole inspections March 24, 2023 and provided the Town with written reports of their findings. The Public Works Agreement with Inliner included cleaning and CCTV inspection of 1,995.7 linear feet of six (6) inch diameter sanitary sewer, 1,926.3 linear feet of eight (8) inch sanitary sewer and visual inspection of 39 sanitary manholes (see Appendix). On April 6, 2023 the Town Supervisor, Town Highway Superintendent and Town Engineer met to review the inspection reports and identify the first phase of the repairs which included exploratory excavations within the Village of Tuxedo Park to determine if two (2) previously unknown pipes were discharging groundwater to the sanitary collection system and excavation to replace a 90 linear foot leaking portion of the sanitary sewer collection system along Mountain Road. Additionally, the Town Highway Department excavated and sealed two (2) leaking sanitary manholes along Mountain Road. In May 2023 the Town contracted Corrosion Products &

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Equipment to install and maintain a flow monitor within the Hamlet District collection system so the Town may track flows in conjunction with the reduction of I/I. The Town Supervisor, Town Highway Superintendent and Town Engineer met June 9, 2023 to evaluate the effect of the first phase of repairs and identify the second phase of repairs (i.e., Cured-in-Place-Pipe (CIPP), excavation and sewer replacement and manhole sealing.

Proposed Work – Based on the Town Highway Department’s initial above-grade visual inspections and the CCTV inspections performed by Inliner, the second phase of repairs to the Tuxedo Hamlet Sewer District collection system is proposed to consist of: approximately 4,700 linear feet of CIPP, approximately 500 linear feet of open-cut sanitary sewer replacement and approximately 32 manholes to be rehabilitated through sealing, plugging and/or patching as indicated in Figure No. 4. Additionally, further CCTV and manhole inspections will be conducted anticipation of a future (third) phase of repairs.

Cost Opinion – The Town Board, on behalf of the Hamlet Sewer District, received bids for the proposed work on November 16, 2023. These bids were based on unit prices with estimated quantities based on the Town Highway Department’s initial above-grade visual inspections and the CCTV inspections performed by Inliner. As a unit price contract, the award does not guarantee the contractor the full amount since quantities may be less than those estimated, nor does it guarantee the quantities will not be exceeded and the total amount greater than bid. As such, a construction contingency has been included which is intended to address potential exceedances. Our opinion of total project cost is summarized in Table No. 1:

Construction Cost ¹	\$837,866.30
Construction Cost Contingency (15%)	\$125,679.95
Engineering/Construction Administration (2.5%)	\$20,946.66
Legal Services and Bond Counsel ²	\$10,000.00
Total Project Cost (Rounded)	\$994,500.00

Notes:

- (1) Proposal submitted by TAM Enterprises, Inc. dated November 16, 2023.
- (2) Electronic correspondence prepared by J. Benjamin Gailey, Esq. dated December 8, 2023.

Open Public Comments:

- Resident Rick Marsh said this project needs to get completed since the sewer system is old and the Town is at risk to being fined by the DEC.
- Resident Irene Denaro asked what previous Town Boards did to address the aging sewer system.
- Resident Evelyn David thanked the Board for their hard work and hopes the new Board will continue making progress.

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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 on the proposed improvements to the Hamlet Sewer District be closed at 7:22pm.

Chief Trazino read the statement below:

Mr. Supervisor, Town Board Members, Ladies & Gentlemen of the Greater Tuxedo area,

The national increase in criminal activity has visited Tuxedo and there was recently a burglary within the Town.

The Tuxedo Police Department is currently following several leads and investigating this incident.

Because this was not an isolated event in the region, we are partnering with several outside departments who were also affected.

Due to the fact that this is an open investigation, we cannot currently divulge any details of the incident.

In the meantime, to answer this crime, we have increased Patrols in the Town and have begun the execution of anti-crime strategies to proactively discover, pursue and eliminate any further opportunities.

It is this simple:

If you break the law in Tuxedo, expect to interact with our Police.

Perpetrators will be apprehended, charged and prosecuted to the fullest extent of the law.

Residents should be aware of this increase in Police activity.

If you observe any suspicious activity or wish to provide anonymous information to the Tuxedo Police Department, please call us at (845)351-5111 or email us at tpdgeneral@tuxedopd.com.

As always, if you need to report an emergency or a dangerous situation, immediately call 911.

Thank you.

Stay safe.

And remember that you are our eyes & ears in the community.

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Agenda Item #1 Resolution Authorizing Agreement for Snow and Ice Control on Old Forge Road in Warwick

Motion made by Supervisor English, seconded by Councilmember May that the Town Board hereby authorizes the Town Supervisor to execute and agreement with the Town of Warwick whereby the Town will provide services for the control of snow and ice on Old Forge Road for the 2023-2024 season, at the compensation rate of \$6,000.00.

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

Agenda Item #2 Resolution Approving Towing License Permit

Motion made by Supervisor English, seconded by Councilmember Lindsay, that the Application for Towing License submitted by the following business, having received approval of Detective Shiloh, are hereby approved for the period of January 1, 2024 through December 31, 2024.

Apple Auto Body, Harriman, NY
Loyal Tire & Auto Center, Harriman, NY
NJV, Sloatsburg, NY
Itzy's Collision, Southfields, NY
ISM Car Rental, Southfields, NY
Freemans Auto, Harriman, NY

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

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TOWN SUPERVISOR/TOWN BOARD UPDATE:

Supervisor English thanked everyone for their support over the years, with a special mention of his wife Lynn.

Councilmember May said her goal serving on the Board was to help make Tuxedo a place that no one wanted to leave. She shared her appreciation to the staff at Town Hall and residents that volunteer. She congratulated the new Board members that will start in the new year.

Councilmember Lindsay said it has been an honor to get to know the residents of Tuxedo over her time serving on the board. She has enjoyed her time serving on the Economic Development and Climate Smart Committees.

Councilmember Murphy said her fellow Board members should be proud of the work they accomplished together. She believes the foundation has been set to keep moving Tuxedo forward.

Deputy Supervisor Reichgott said he feels privileged to work with everyone on the board and wished everyone a healthy and happy new year.

MINUTES

On a Motion made by Supervisor English and seconded by Councilmember Lindsay the Town Board accepted the Minutes of the Regular Bi-Monthly Town Board Meeting held on December 11, 2023 on a vote of 5 ayes and 0 nays.

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VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922585	NYS & Local Retirement-	\$160,825.00	Annual Invoice Town Hall
2012922586	NYS & Local Police Retirement-	\$311,866.00	Annual Invoice- Police
2012922589	Fusco Engineering	\$14,000.00	November Code Enforcement
2012922598	Arkel Motors	\$9,289.24	Parts and Repair of International
2012922603	IWS of New York	\$32,441.09	November Garbage and recycling
2012922610	Benistar	\$5,484.05	January Retiree Premiums
2012922617	Global Montello	\$5,183.55	Fuel & Diesel
2012922618	H2O Innovation	\$6,606.40	November Operation & Maintenance
2012922631	J&G Law	\$10,734.75	November 2023 Legal Fees
2012922634	Hoffman Engineering	\$6,420.00	Tuxedo Reserve Escrow
2012922648	J.S. Braddock	\$64,220.03	2024 Professional Liability Installment

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: 2012922579 through 2012922658

General Fund:	\$113,340.67
Part-Town Fund:	\$35,840.56
Highway Town Wide:	\$16,250.84
Highway Part Town	\$1,719.46
Refuse and Garbage	\$32,441.09
Hamlet Sewer District	\$10,765.90
Trust and Agency	\$799.50
Total Abstract Amount:	\$211,158.02

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

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PUBLIC COMMENTS

The following residents acknowledged Supervisor English, Councilmember Lindsay and Councilmember May at their last Town Board meeting:

- Sue Scher
- Councilmember-elect Rick Marsh
- Claudia Bhaktiary
- Irene Denaro
- Dale Mottolla
- Brian Sullivan
- Betty Langberg
- Jim Hayes
- Evelyn David
- Supervisor-elect Dave McMillen
- Hallie Gaines

Other Business:

Resolution to authorize the posting of the Request for Proposals for a Master Plan for Tuxedo Hamlet Revitalization

1. RFP for a Master Plan for Revitalization of the Tuxedo Hamlet Business District. The RFP which was written and approved by our Town Planner and our Town Attorney. The RFP outlines the scope of the project: boundaries, public meetings, plan revisions and grant assistance. We have an important deadline for the state grant called NY Forward. We need to approve this tonight so we can get preliminary plans to the public, schedule public meetings, revise plans based on public input and finalize a Master Plan and write the grant application. This is a lot of work and we need to hit the ground running with the new Board.
 - a. The process of bringing the public together to move this project forward has been very rewarding for me. It has been my honor to serve our community by working on Hamlet Revitalization with Town Board Members and County and State officials. Deirdre and I have gained valuable insight from residents during our workshops. We have gathered a lot of information by meeting with the DOT, the MTA, County Departments of Economic Development and Tourism, the County IDA and Orange County Partnership. Fortunately, the State is supporting downtown revitalization in small communities with grants up to \$4.5 million. Approval tonight of the RFP is critical to meeting the grant application deadlines.

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- b. Councilmember Lindsay made a motion to authorize the posting of the Request for Proposals for a Master Plan for Tuxedo Hamlet Revitalization as written and approved by our Town Planner and our Town Attorney.

On a motion made by Councilmember Lindsay and seconded by Councilmember Murphy, the forgoing resolution was not adopted on a vote of 2 ayes and 3 nays.

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

Resolution to authorize Town Engineer Sean Hoffman to prepare a Request for Proposals with Alternative Bid options to upgrade the Town Hall HVAC system with a geothermal system or a gas furnace replacement.

- 2. The Town Board approved an Energy Audit of Town Hall. That report recommended replacement of our current gas furnace with a geothermal system. I have spoken with our Town Engineer Sean Hoffman and incoming Town Board Members. The new Board Members would like to compare the costs and benefits of both a geothermal system and replacement of the gas furnace. According to Sean, we can issue an Alternative Bid RFP so that contractors can submit bids for one or both options.
 - a. The Town Board has discussed the importance of moving this project forward. We have not reached consensus on how to do that. Sean's suggestion of an Alternative Bid RFP provides the incoming Board with options. It is important to approve the resolution tonight so the incoming Board can act quickly.
 - b. In 2019 the Town Board adopted the Climate Smart Community pledge. Dave McMillen made the motion and I seconded it. Highlights of the pledge recognize the need to reduce greenhouse gas emission caused by the burning of fossil fuels and that "our response to climate change provides us with an unprecedented opportunity to save money and to build livable, energy-independent and secure communities. The Town adopted the pledge which includes the following goals:
 - i. Decrease energy use
 - ii. Shift to clean, renewable energy
 - c. It has been a rewarding experience to work with our Task Force on actions that will achieve Climate Smart Community certification for Tuxedo. We are close and I look forward to completing that task.
 - d. Councilmember Lindsay made a motion to authorize Town Engineer Sean Hoffman to prepare a Request for Proposals with Alternative Bid options to upgrade the Town Hall HVAC system with a geothermal system or a gas furnace replacement.

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On a motion made by Councilmember Lindsay and seconded by Councilmember Murphy, the forgoing resolution was not adopted on a vote of 2 ayes and 3 nays.

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

ADJOURNMENT

On a Motion made by Supervisor English and seconded by Councilmember May, the meeting was adjourned at 8:24pm.

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

Respectfully submitted,

Marisa Dollbaum

Town Clerk
Town of Tuxedo