

**CALL TO ORDER/PLEDGE  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**Call to Order**

\_\_\_\_\_ called to order the Town Board Meeting of January 25, 2021 at \_\_\_\_\_p.m.

**Pledge of Allegiance to the Flag**

Please rise and join me in reciting the Pledge of Allegiance.

**MINUTES**  
**TOWN BOARD MEETING**  
**TOWN OF TUXEDO**  
**January 25, 2021**

**Resolution Accepting Minutes**

Motion made by\_\_\_\_\_, seconded by \_\_\_\_\_to accept the Minutes of the Regular Bi-Monthly Town Board Meetings held on January 11th.

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____

**VOUCHERS**  
**TOWN BOARD MEETING**  
**TOWN OF TUXEDO**  
**January 25, 2021**

**VOUCHERS**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers:        The Voucher Range is 2012917889 to 2012917963

Voucher 2012917901 was run off cycle to facilitate payment on the grant money received

General Fund :	\$133,817.44
Part-Town Fund:	\$36,373.10
Highway Town Wide :	\$10,500.07
Highway Part Town	\$7,214.13
Hamlet Sewer District:	\$6,085.70
Trust and Agency	\$36,856.45
<u>Total Abstract Amount:</u>	<u>\$230,846.89</u>

**ON ROLL-CALL VOTE:** Supervisor Kenneth English  
Deputy Supervisor Michelle Lindsay  
Councilmember David McMillen  
Councilmember Maria May  
Councilmember Jay Reichgott

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**TOWN SUPERVISOR/TOWN BOARD UPDATE  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**TOWN SUPERVISOR/TOWN BOARD UPDATE:**

**DISCUSSION ITEM  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**DISCUSSION ITEM:**

Watchtower representative to propose assistance with the dirt pile remediation

**PRESENTATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**PRESENTATION:**

Beckman Appraisals, Inc. to give update on State Lands

**PUBLIC COMMENTS ON AGENDA ITEMS  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**PUBLIC COMMENTS ON AGENDA ITEMS:**

*Ask Members Of The Public If They Have Any Questions Or Comments On Agenda Items.*

**AGENDA ITEM #1  
TOWN REORGANIZATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**RESOLUTION DEMANDING PAYMENT OF UNPAID PILOT AGREEMENT  
PAYMENTS BY TUXEDO PLACE L.P.**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the following resolution:

WHEREAS, the Town of Tuxedo ("TOWN ") engaged in an agreement for payment in lieu of taxes (PILOT) on August 24, 1999 with Tuxedo Place L.P., a New York limited partnership doing business in the Town of Tuxedo, and having its principle place of business at 608 Mountainside Drive, Southfields, New York 10975; and

WHEREAS, the PILOT agreement provides that each year, Tuxedo Place, LP shall provide to the Town Assessor it annual audited financial statements no later than March 1st which the Assessor will use to calculate the assessment for the following year based upon the following agreed formula:

**DETERMINATION OF REAL PROPERTY ASSESSMENT**

1. Determine Gross Potential Income
2. Deduct Expenses
3. Equals Modified Cash Flow
4. Apply Rate of Return of 14%
5. Equals Investment Value
6. Multiply by Equalization Rate
7. Equals Assessed Valuation

**NOTES**

1. Expenses are defined as actual expenses of operating property, less Real Property Taxes

WHEREAS, payment of the calculated tax obligation is required to be made within the grace period for payment of taxes without penalty in accordance with law; and

WHEREAS, Tuxedo Place, LP has not provided to the Town Assessor it annual audited financial statements; and

WHEREAS, TUXEDO PLACE L.P. has not paid the amounts due to the Town under the PILOT Agreement and has been and remains delinquent in its payment of payments in lieu of Town real property taxes due to the Town under the PILOT agreement; and



WHEREAS, the TOWN having sent notice through its legal counsel to TUXEDO PLACE L.P., dated January 15, 2021, advising TUXEDO PLACE L.P. that it was delinquent in its payments to the Town under the PILOT agreement; and

WHEREAS, TUXEDO PLACE L.P. having failed to bring its account current and make payment in full of all unpaid payments in lieu of Town taxes together with interest, arrears and penalties thereon; and

WHEREAS, as of the date of this Resolution, payment has not been received from TUXEDO PLACE L.P.; and

WHEREAS, the TOWN believes that it is incumbent upon it to enforce the terms of PILOT agreement given that all taxpayers have obligations to pay their taxes on time and in the full amounts owed; and

WHEREAS, pursuant to paragraph 4a of the PILOT agreement, if any payment to be made is not timely made, the Town may make demand for payment of all sums due including interest and penalties; and

WHEREAS, if payment is not made within Ten Days of receipt of said demand, then the obligation and liability shall be the same as upon a promissory note in default;

WHEREFORE, it is hereby

RESOLVED, that the TOWN hereby demands full payment of all payments representing payments in lieu of Town real property taxes heretofore unpaid together with interest and penalties within ten (10) days of the receipt of this Resolution; and be it further

RESOLVED, that upon Tuxedo Place LLP's default in payment, the TOWN hereby authorizes its Counsel to take legal action to enforce the payment of past obligations, together with late fees, penalties, interest, and attorney fees as provided under the PILOT Agreement and under the law.

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____

**AGENDA ITEM #2**  
**TOWN REORGANIZATION**  
**TOWN BOARD MEETING**  
**TOWN OF TUXEDO**  
**January 25, 2021**

**Consenting to Allow Sale of Raffle Tickets by the Onyx & Breezy Foundation in the Town of Tuxedo**

**The Onyx & Breezy Foundation provides funding and support to:**

- Spay and neuter programs
- Rescue of animals from kill shelters
- Food, medicine and supplies
- Cancer Research
- Medicine and equipment for military and police canines
- Equipment for medical facilities
- Puppy mill rescues and disaster relief
- Shelters, rescues, foster groups and sanctuaries
- Pets of individuals where medical hardship is present
- Helping the dogs of veterans suffering from PTSD
- Other endeavors that benefit the welfare of animals

**100%** of all contributions to the foundation will be directed to fulfill the goals of the foundation which utilizes only volunteer staff.

Motion made by \_\_\_\_\_ , seconded by \_\_\_\_\_, that the Town Board of the Town of Tuxedo does hereby consent to allow the sale of raffle tickets in the Town of Tuxedo by the Onyx and Breezy Foundation of 160 Summit Avenue, Montvale, NJ during the 2021 calendar year in accordance with Section 189 Subdivision 13 of the General Municipal Law.

**ON ROLL-CALL VOTE:** Supervisor Kenneth English  
Deputy Supervisor Michelle Lindsay  
Councilmember David McMillen  
Councilmember Maria May  
Councilmember Jay Reichgott

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**AGENDA ITEM #3  
TOWN REORGANIZATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**Approving Refuse Collection License –**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ that the Application for Refuse Collection License submitted by the following Companies is hereby approved through December 31, 2021

Interstate Waste Services, Inc. – total of 27 vehicles, paid \$5400.00

Sterling Carting, Inc. – total of 4 vehicles, paid \$800.00

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____

**AGENDA ITEM #4  
TOWN REORGANIZATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**Approving the Town Clerk to Attend the 2021 Training School and Annual Meeting held virtually by the Association of Towns on February 14<sup>th</sup> – February 17<sup>th</sup>.**

Motion made by\_\_\_\_\_, seconded by\_\_\_\_\_, that the Town Clerk be allowed to attend the Town Clerk Training held virtually from February 14<sup>th</sup> – February 17<sup>th</sup>.

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____

**AGENDA ITEM #5  
TOWN REORGANIZATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**Resolution Authorizing Execution of Agreement with Warwick Humane Society for 2021  
Animal Shelter Services.**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, that the Town Board hereby authorizes to enter into an agreement with the Warwick Valley Humane Society for animal control services for the period January 1, 2031 through December 31, 2021.

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____

**AGENDA ITEM #6  
TOWN REORGANIZATION  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**Petition of relief from the Building Moratorium Local Law – Itzy's Collision Enterprises**

**OTHER BUSINESS  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**DEPARTMENT UPDATES  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**DEPARTMENT UPDATES**



**PUBLIC COMMENTS  
TOWN BOARD MEETING  
TOWN OF TUXEDO  
January 25, 2021**

**PUBLIC COMMENTS**

**ADJOURNMENT**  
**TOWN BOARD MEETING**  
**TOWN OF TUXEDO**  
**January 25, 2021**

**ADJOURNMENT**

**RESOLVED**, motion made by \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, to adjourn the meeting at \_\_\_\_\_ p.m.

<b>ON ROLL-CALL VOTE:</b>	Supervisor Kenneth English	_____
	Deputy Supervisor Michelle Lindsay	_____
	Councilmember David McMillen	_____
	Councilmember Maria May	_____
	Councilmember Jay Reichgott	_____