

AGENDA
REGULAR BI-MONTHLY TOWN BOARD MEETING
Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom
Monday, March 11, 2024 at 7:00pm

Call to Order
Pledge of Allegiance

Public Comments on Agenda Items

Department Updates

Agenda Items

1. Resolution Introducing Local Law entitled “Parks and Recreation” and scheduling Public Hearing
2. Bond Resolution to purchase property for Municipal Parking
3. Resolution Approving and Authorizing Supervisor to Sign 2024 Stop-DWI Intermunicipal Agreement with Orange County
4. Resolution to approve iWorq software for Building Department
5. Resolution to approve Town Clerk Training – NYS Town Clerks Association
6. Resolution to approve registration fee for Highway Department Training

Presentation

Chris Star – NYCLASS (Investment Options for Municipalities)

7. Resolution to participate in the NYCLASS program

Discussion Item

Schedule Community Choice Aggregation Meetings
Roof Repair Estimate for Police Station
Podium for Community Room

Town Board Updates
Monthly Reports
Minutes
Vouchers
Other Business
Public Comments
Executive Session to discuss personnel matters
Adjournment

Call to Order

_____ called to order the Town Board Meeting of March 11, 2024 at _____pm.

Pledge of Allegiance to the Flag

Public Comment(s) on Agenda Items

Agenda Item #1 - RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING

Motion made by _____ and seconded by _____

BE IT RESOLVED that an introductory Local Law, entitled “Parks and Recreation Law” be and it hereby is introduced by _____, 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 of Tuxedo Town Hall, 1 Temple Drive, Tuxedo, New York 10987, in the Town of Tuxedo, Tuxedo, New York at _____ P.M. on _____, 2024 and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least five (5) prior thereto.

Agenda Item #2a– RESOLUTION OF SEQR NEGATIVE DECLARATION AND APPROVAL OF PURCHASE OF REAL PROPERTY / 209 ROUTE 17

Motion made by _____, seconded by _____

WHEREAS: The Town Board has considered and evaluated the potential environmental impacts of the purchase by the Town of real property located at 209 State Route 17 (Village Tax Map No. 212-2-40). The Town Board, acting pursuant to the State Environmental Quality Review Act (SEQR) and the SEQR Regulations, has reviewed and evaluated the information and documents pertaining to the Board's SEQR review and the Board's approval to purchase the real property. The purchase price of \$550,000.00 is equal to or less than fair market value.

THEREFORE, IT IS RESOLVED as follows:

Name of Action:	Purchase of real property
SEQR Status:	Unlisted
Site Location:	209 State Route 17 (Village Tax Map No. 212-2-40)

Description of Action:

Purchase for municipal purposes of vacant commercially zoned property containing 0.33 +/- acres

Reasons Supporting This Determination:

In making this SEQR determination, the Board has considered the criteria set forth in §617.7 (c) of the SEQR Regulations and has evaluated relevant areas of potential environmental concern to determine whether this action may have a significant adverse impact on the environment. The Board has reviewed the Short Environmental Assessment Form Part 1 and recommended Part 2 prepared by the Town's attorney, and all Board members are familiar with the property and the vicinity. After review, evaluation and consideration, there is no evidence of any potential significant adverse impacts that may be caused by the purchase of this real property.

Although the Board's intent is to construct a parking lot on the property, this property is purchased for any municipal purpose. Additional parking is greatly needed in this area and a parking lot is fully consistent with the surrounding uses and the community character. The Board is aware that SEQR requires that an entire action be considered for purposes of environmental review, and that considering only a part or segment of an action for the purpose of avoiding environmental review of the entire action is contrary to the intent of SEQR. The Board is also aware that SEQR allows segmented review when warranted if the lead agency clearly states the supporting reasons and demonstrates that such review is clearly no less protective of the environment. Formal plans and specifications for the construction of a parking lot have not been prepared, and the Board will evaluate the potential environmental impacts of construction and use of a parking lot after the preparation of plans and specifications. In addition, approval of the purchase of the property does not preclude any mitigation measures that could be

implemented as related to the actual construction and use of the property as a parking lot. Therefore, the Board's SEQR review and determination on the potential environmental impacts of the purchase alone is no less protective of the environment.

The EAF Mapper on the NYSDEC website indicates that this property contains or is substantially contiguous to a building, archeological site or district which is listed or eligible for listing on the National or State Register of Historic Places, and that the property is located in or adjacent to an area designated as sensitive for archeological sites on the State archeological site inventory. The EAF Mapper also indicates that the property or adjoining lands contain regulated wetlands or other waterbodies and that the property contains species, or associated habitats, of the northern long-eared bat and timber rattlesnake, which are listed as threatened or endangered species. The Board does not believe that these indications on the EAF Mapper are accurate; however, these potential environmental issues will be addressed by the Board as part of its SEQR review prior to actual construction and use of the property.

IT IS FURTHER RESOLVED, for the reasons set forth above, that the Board finds and determines that the proposed purchase of the real property will not have any significant adverse impact on the environment. Accordingly, this SEQR Negative Declaration is hereby issued and shall be filed in accordance with the SEQR Regulations.

This Negative Declaration was prepared in accordance with Article 8 of the state Environmental Conservation Law.

Contact Person:

Dave McMillen, Town Supervisor
Town of Tuxedo
1 Temple Drive
Tuxedo, New York 10987
Tel. No. (845) 351-4411 Ext. 5
Email: Supervisor@tuxedogov.org

A copy of this SEQR Negative Declaration shall be sent to:

Town Clerk
Town of Tuxedo
1 Temple Drive
Tuxedo, New York 10987

IT IS FURTHER RESOLVED that this Board approves the purchase of the real property located 209 State Route 17 (Village Tax Map No. 212-2-40) in the amount of \$550,000.00, approves the contract of sale, subject to final review/approval by the Town's attorney; and authorizes the Town Supervisor or Deputy Supervisor to execute all necessary documents.

Agenda Item #2(b) – Bond Resolution Authorizing the Acquisition of Land for the estimated cost of \$560,000.00

BOND RESOLUTION OF THE TOWN OF TUXEDO, ADOPTED MARCH 11, 2024,
AUTHORIZING THE ACQUISITION OF LAND, STATING THAT THE ESTIMATED
MAXIMUM COST THEREOF IS \$560,000.00, APPROPRIATING SAID AMOUNT
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$560,000.00 SERIAL BONDS
TO FINANCE SAID APPROPRIATION

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described,
including compliance with the provisions of the State Environmental Quality Review Act, have been
performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;

NOW THEREFORE,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TUXEDO IN THE COUNTY
OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said
Board) AS FOLLOWS:

Section 1. The Town is hereby authorized to acquire land, specifically 209 Route 17, Tuxedo,
New York, tax map section 212, block 2, lot 40, for municipal purposes. The estimated maximum cost of
said specific object or purpose, including preliminary costs, legal documents and costs incidental hereto
and the financing thereof, is \$560,000.00 and the said amount is hereby appropriated therefor. The plan of
financing is the issuance of \$560,000.00 serial bonds to finance said appropriation and the levy of a tax on
all the taxable real property within the Town to pay the principal of said bonds and interest thereon as the
same shall become due and payable.

Section 2. Serial bonds in the principal amount of \$560,000.00 are hereby authorized to be
issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the
State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

a) The period of probable usefulness applicable to the purpose for which said serial bonds
herein authorized are to be issued, within the limitations of Section 11.00a.21 of the Law, is thirty (30)
years.

b) The proposed maturity of the bonds authorized by this resolution will exceed five (5)
years.

c) The proceeds of the bonds herein authorized and any bond anticipation notes issued in
anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective
date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of
intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of
the United States Treasury Department.

Section 4. The bonds authorized by this resolution and any bond anticipation notes in
anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the
Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the
Town, payable as to both principal and interest by a general tax upon all the taxable real property within
the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably

pledged to the punctual payment of the principal of and interest of said bonds and any notes issued in anticipation of said bonds, and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec.30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution is subject to permissive referendum.

Section 8. The object or purpose described in Section 1 hereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Town Board has made a "Negative Declaration."

Agenda Item #3 - Approving and Authorizing Supervisor to Sign 2024 Stop-DWI Intermunicipal Agreement with Orange County

Motion made by _____, seconded by _____

WHEREAS, the Town of Tuxedo desires to enter into the annual agreement with the County of Orange, to provide enforcement patrol funding to the Town for March 10, 2024 through January 1, 2025; and

WHEREAS, the Town Board hereby approves and authorizes the Supervisor to sign the Agreement in the form annexed with the County of Orange, for the period of March 10, 2024 through January 1, 2025.

Agenda Item #4 - Resolution to approve iWorq software for Building Department

Motion made by _____, seconded by _____,

WHEREAS, the Town of Tuxedo desires to enter into the annual agreement with iWorQ to provide software for the Building Department for a cost of \$6,000.00 per year and \$1,000.00 for a one time set up fee; and

WHEREAS, the Town Board hereby approves and authorizes the Supervisor to sign the Agreement in the form annexed with iWorQ.

Agenda Item #5 - Resolution to approve Town Clerk Training – NYS Town Clerks Association

Motion made by _____, seconded by _____, that the Town Board approve the 2024 NYS Town Clerks Association Training in Albany for Town Clerk, Marisa Dollbaum April 21st through April 24th for a total cost of \$890.00 from budget line A1410.440

Agenda Item #6 - Resolution to approve registration fee for Highway Department Training

Motion made by _____, seconded by _____, that the Town Board approve the registration fee for “Running Your Highway Department” training on March 20, 2024 at the Ulster County Public Safety Training Center in Kingston for Lisa Decker and Highway Superintendent Rob Dollbaum for a cost of \$120.00.

Presentation

Chris Star – NYCLASS (Investment Options for Municipalities)

Agenda Item #7 - Resolution to participate in the NYCLASS program

Municipal Cooperation Resolution

Motion made by _____, seconded by _____

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Town of Tuxedo wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS the Town of Tuxedo wishes to satisfy the safety and liquidity needs of their funds;

Now, therefore, it is hereby resolved as follows:

That Dave McMillen, Town Supervisor of Town of Tuxedo, NY is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

Discussion Items

1. Schedule Community Choice Aggregation Meetings

March 27 at Noon: Review the indicative pricing received from the RFPs.

Between March 27 - April 5: Schedule a meeting to discuss pricing and the MOU.

April 5: MOU is due which authorizes the Supervisor to sign the agreement.

April 11 at 12:30: Meeting to receive executable pricing

2. Roof Repair Estimate for Police Station

Estimate of \$4,9500.00

3. Podium for Community Room

Estimate of \$640.00

Monthly Reports

Supervisor McMillen is in receipt of the following monthly reports:

- Justice Court

Justice Name	Shawn Brown
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Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

Submission Log	
03/04/2024 09:43:00 AM / Shawn Brown / Town of Tuxedo / Submitted Document	

Report Certification	
Date Filed	03/04/2024
Report Period	02/2024
Report Amount	\$45,524.00
Date Check Sent to CFO	03/04/2024
AC-1030 Report File	AC240233.407

Justice Name	Alyse McCathern
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Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

Submission Log	
03/04/2024 09:26:48 AM / Alyse McCathern / Town of Tuxedo / Submitted Document	

Report Certification	
Date Filed	03/04/2024
Report Period	02/2024
Report Amount	\$35,488.00
Date Check Sent to CFO	03/04/2024
AC-1030 Report File	AC240233.444

- Town clerk

03/01/2024

Town Clerk Monthly Report Monthly Report
February 01, 2024 - February 29, 2024

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Account#	Account Description	Fee Description	Qty	Local Share
	Refuse Collection	Refuse Collection	35	7,000.00
		Sub-Total:		\$7,000.00
A 1255	Marriage Licenses	MARRIAGE LICENSE FEE	2	35.00
	MARRIAGE TRANS	Marriage Trans	2	20.00
	One Day Officiant License	One Day Officiant License	1	25.00
		Sub-Total:		\$80.00
A 1603	Vital Statistic Fees	Vital Trans - Town	2	20.00
		Sub-Total:		\$20.00
A.1720	Parking Lot and garages	Parking Permit	7	1,062.00
		Sub-Total:		\$1,062.00
A2544	Dog Licensing	Female, Spayed	4	36.00
		Male, Neutered	1	9.00
		Sub-Total:		\$45.00
Total Local Shares Remitted:				\$8,207.00
Amount paid to: NYS Ag. & Mkts. for Surcharge				5.00
Amount paid to: State Health Dept. for Marriage Licenses				45.00
Total State, County & Local Revenues:			\$8,257.00	
Total Non-Local Revenues:				\$50.00

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Marisa Dollbaum, Town Clerk, Town of Tuxedo, during the period stated above, in connection with my office, excepting only such fees and monies the application of which are otherwise provided for by law.

Supervisor

Date

Marisa Dollbaum
Town Clerk

03/01/2024
Date

TOWN OF TUXEDO ONE TEMPLE DRIVE TUXEDO, NY 10987		0646
PAY TO THE ORDER OF <i>David McMillen, Supervisor</i>		DATE <i>3/1/2024</i>
<i>Eight Thousand, Two Hundred and Seven Dollars and —/100</i>		1-2/210
CHASE JPMorgan Chase Bank, N.A. www.Chase.com		<i>\$ 8,207.00</i> DOLLARS
FOR <i>Town Clerk - February 2024</i>		<i>Marisa Dollbaum</i>
⑈000646⑈ ⑆02100002⑆		251400164⑈

Town Supervisor/Town Board Updates

Minutes

Motion made by _____, seconded by _____, to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on February 26, 2024.

VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922958	Hoffman International Inc.	7,564.68	Parts for Loader- 621D
2012922966	Herc Rentals	6,862.44	Rental of Bucket truck 1/30/24-02/27/24
2012922977	Nelson, Pope, Voorhis	7,300.00	Town of Tuxedo- Economic Development
2012922985	J.S. Braddock	70,746.00	Town Insurance Installment
2012922986	Fusco Engineering	14,000.00	January 2024 Building Inspector
2012922988	MVP Healthcare	5,787.06	March 2024 Town Hall Health Insurance
2012922989	NYSHIP	54,906.69	NYS Employees
2012922997	Global Montello Corp	9,973.45	Fuel & Diesel February #2/2
2012923016	Rockland Paramedic Services, Inc	65,724.36	March 2024 Paramedic Services

On a motion made by _____, seconded by _____, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012922955 through 2012923018

General Fund:	\$167,710.71
Part-Town Fund:	\$89,437.62
Highway Town Wide:	\$26,553.06
Highway Part Town	\$1,621.82
Refuse and Garbage	\$0
Hamlet Sewer District	\$241.24
Trust and Agency	\$0
<u>Total Abstract Amount:</u>	\$285,564.45

PUBLIC COMMENTS

Executive Session

_____ made a motion to enter into an Executive Session to discuss personnel matters at _____pm.

_____ made a motion to exit the Executive Session and return to the Public Meeting at _____pm.

ADJOURNMENT

Motion made by _____ seconded by _____, to adjourn the meeting at _____pm.