

**AGENDA**  
REGULAR BI-MONTHLY TOWN BOARD MEETING  
Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom  
Monday, March 25, 2024 at 7:00pm

Call to Order  
Pledge of Allegiance

**Public Hearing**

Introductory Local Law “Parks and Recreation”

Public Comments on Agenda Items

Department Updates

**Agenda Items**

1. Resolution of Adoption of Local Law entitled “Parks and Recreation”
2. Resolution to participate in the NYCLASS Program
3. Resolution to adopt 2024 Summer Camp Budget
4. Resolution to Introduce Local Law to Amend Zoning Map and Set Public Hearing
5. Resolution to approve funds for Pickle Ball Clinic Instructor
6. Resolution to allow Town Supervisor to sign NYSDOT Highway Work Permit to replace Flashing School Beacon on Route 17
7. Resolution to approve Bucket Certification Training for Highway Employees
8. Resolution to approve agreement for the Expenditure of Highway Monies

**Discussion Item**

1. Enterprise Fleet Quote

Town Board Updates  
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 25, 2024 at \_\_\_\_\_pm.

## **Pledge of Allegiance to the Flag**

## **Public Hearing - Introductory Local Law “Parks and Recreation”**

### **Open Public Hearing**

On a motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to open the public hearing on introductory local law “Parks and Recreation” at \_\_\_\_\_pm

### **Open Public Comments**

### **Close Public Hearing**

On a motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, that, all persons desiring to be heard, having been heard, the Public Hearing regarding Local Law entitled “Parks and Recreation” at \_\_\_\_\_p.m.

## **Public Comment(s) on Agenda Items**

### **Agenda Item #1 - Resolution of Adoption of Local Law No. 1 of 2024 entitled “Parks and Recreation”**

WHEREAS, an introductory Local Law, entitled “Parks and Recreation Law” was introduced before the Town Board of the Town of Tuxedo, and upon notice duly published and posted, a hearing was held on March 25, 2024, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law, and

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Parks and Recreation Law” is a Type II action under SEQOR and is hereby determined not to have a significant effect on the environment).

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Parks and Recreation Law” of the Town of Tuxedo be and hereby is adopted as Local Law #1 of 2024 of the Town of Tuxedo on March 25, 2024.

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was adopted on a vote of \_\_\_\_ Ayes, \_\_\_\_ Nays.

## **Agenda Item #2 - 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.

## **Agenda Item #3 - Resolution to adopt 2024 Summer Camp Budget**

Motion made by \_\_\_\_\_, seconded \_\_\_\_\_ that the Town Board of the Town of Tuxedo hereby approves the 2024 Summer Camp Budget for a cost up to \_\_\_\_\_ (waiting for final numbers from Kathleen)

**Agenda Item #4 - RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, entitled, ““AMENDING THE ZONING MAP OF THE TOWN OF TUXEDO,” which local law would change the zoning designation for a certain property located along the southerly side of Sterling Mine Road (County Route 72) in the Town of Tuxedo. This law will change the zoning designation from C (Conservation) back to R-2 (Low-Medium-Density Residential), and to have the Town’s Zoning Map reflect such change, 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 Hall, One Temple Drive, Tuxedo, New York at 7:00 P.M. on April 8, 2024, and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least ten (10) days prior thereto.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the resolution was adopted on a vote of \_\_\_\_ Ayes, \_\_\_\_ Nays.

**COPY OF INTRODUCTORY LOCAL LAW No. \_\_\_\_ OF 2024  
TOWN OF TUXEDO**

**A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF TUXEDO**

BE IT ENACTED by the Town Board of the Town of Tuxedo, Orange County, New York, as follows:

SECTION 1. PURPOSE.

It is the purpose of this local law to change the zoning designation for a certain property located along the southerly side of Sterling Mine Road (County Route 72) in the Town of Tuxedo. This law will change the zoning designation from C (Conservation) to R-2 (Low-Medium-Density Residential), and to have the Town's Zoning Map reflect such change.

## SECTION 2. ZONING MAP AMENDMENT.

The Zoning Map of the Town of Tuxedo is hereby amended to place Section 217, Block 1, Lot 17 into the R-2 Zoning District from the C Zoning District.

## SECTION 3: SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited to, Article 16 of the New York State Town Law, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

## SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

## SECTION 5: EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.

**Agenda Item #5 - Resolution to approve funds for Pickle Ball Clinic Instructor**

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the Town Board of the Town of Tuxedo hereby approves the cost of up to \$150.00 for a Pickleball Instructor to hold a Pickleball Clinic open to Town residents.

**Agenda Item #6 - Resolution Authorizing the Supervisor of the Town of Tuxedo to Sign New York State DOT Highway Work Permit**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_

WHEREAS, the Town of Tuxedo is applying for a highway work permit to replace a flashing school beacon originally installed on NYS Route 17 under NYSDOT HWP 96-0894 which was damaged beyond repair;

WHEREAS, this action is a Type II Action under SEQRA.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Tuxedo authorizes the Supervisor to sign the highway work permit application and cause the Highway Superintendent and Engineer for the Town to process it through the New York State DOT.

**Agenda Item #7 - Resolution to approve Bucket Certification Training for Highway Employees**

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the Town Board of the Town of Tuxedo hereby approves Bucket Certification Training for five Highway Employees at the cost of up to \$875.00 (\$175.00/each) on April 25<sup>th</sup> in Maybrook, NY.

## **Agenda Item #8 - Resolution to approve agreement for the Expenditure of Highway Monies**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_

AGREEMENT between the Town Superintendent of Highways of the Town of Tuxedo, of Orange County, State of New York and the undersigned members of the Town Board for the year 2024. Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

### **Agreement for the Expenditure of Highway Moneys**

AGREEMENT between the Town Superintendent of the Town of Tuxedo,  
Orange County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 450,536 shall be set aside to be expended for primary work and general repairs upon 28 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On the road commencing at Long Meadow Rd and leading to Sterling Mine Rd, a distance of 9.158 miles, there shall be expended not over the sum of \$ 160,000.

Type	<u>Chip Seal &amp; Asphalt repair</u>
Width of traveled surface	<u>23 Feet</u>
Thickness	<u>5 Inches</u>
Subbase	<u>Item</u>
<u>Asn Ct, Chestnut Ct, Hillary Ct, Submit brook, South Gate, Eagle Valley, Maple Brook, Alexander, Constitution, Heritage, Table Rock &amp; Salerno Roads</u>	

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## **Discussion Item**

### Enterprise Fleet Quote

	<b># New Leases</b>	<b>Total Leased</b>	<b>Cost</b>
<b>Year 1</b>	7	7	\$83,642
<b>Year 2</b>	3	10	\$123,488
<b>Year 3</b>	0	10	\$123,488
<b>Year 4</b>	8	18	\$232,895
<b>Year 5</b>	5	23	\$301,246
<b>Year 6</b>	7	23	\$304,246
<b>Year 7</b>	3	23	\$301,246
<b>Year 8</b>	0	23	\$301,246
<b>Year 9</b>	8	23	\$301,246
<b>Year 10</b>	5	23	\$301,246

## **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 March 11, 2024.

## **VOUCHERS**

Below are the vouchers totaling \$5000 or greater:

2012923024	Benistar	6,481.15	April 2024 Retiree Health & Rx
2012923028	H2O Innovation	7,403.09	February monthly Fees & Testing
2012923034	Fusco Engineering	12,600.00	February 2024 Building Inspector
2012923037	Town of Tuxedo	10,317.71	Highway Fuel Jan/Feb 2024
2012923038	New York State Insurance Fund	7,674.74	February 2024 Workers Comp
2012923039	Office of the State Comptroller	26,203.00	January 2024 Fines and Fees
2012923042	IWS of New York	32,441.09	February 2024 Garbage and Recycling
2012923045	Town of Tuxedo	5,188.74	Police Department Fuel Jan/Feb 2024
2012923053	Global Montello	5,773.21	Fuel and Diesel Delivery #1/2 March 2024
2012923055	IBEW Local 363	13,440.00	Highway Health Part B
2012923056	TAM Enterprises	9,932.00	Repair of existing Pump- Sewer
2012923058	Professional Brush Works Inc.	5,600.00	Town Hall Interior Painting- ARPA
2012923080	Ford Motor Credit Company	16,182.49	2024 Ford F250 Payment #1/5

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: 2012923019 through 2012923080

General Fund:	\$70,411.94
Part-Town Fund:	\$25,640.31
Highway Town Wide:	\$40,611.73
Highway Part Town	\$13,559.79
Refuse and Garbage	\$32,441.09
Hamlet Sewer District	\$178,961.88
Trust and Agency	\$2,697,958.00
<u>Total Abstract Amount:</u>	\$3,059,584.74

## **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.