

**Regular Bi-Monthly/Public Hearing  
Town of Tuxedo Town Board  
January 27, 2020  
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The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, January 27, 2020 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Kenneth English at 7:06 p.m.

The meeting was opened by a pledge of allegiance.

Town Board Members Present:

|                         |                   |
|-------------------------|-------------------|
| Ms. Maria May           | Councilmember     |
| Mr. David McMillen      | Councilmember     |
| Mrs. Michele K. Lindsay | Deputy Supervisor |
| Mr. Kenneth English     | Supervisor        |

Town Board Members Absent:

None

Recording Secretary:

|                 |                   |        |
|-----------------|-------------------|--------|
| Marisa Dollbaum | Deputy Town Clerk |        |
| Donna Matthews  | Town Clerk        | Absent |

Other Town Officials Present: Ms. Marissa Weiss, Esq.; Marisa Dollbaum, Deputy Town

**Oath of Office:**

**Oath of Office**

The Oath of Office was administered by Supervisor English to:

Jay Reichgott, Town Board Member

**PUBLIC HEARING:**

**Public Hearing**

**1. Zoning Code Amendments in the Hamlet Business District:**

**Zoning Code**

Supervisor English opened the Public Hearing to receive comments on Zoning Code Amendments in the Hamlet Business District at 7:10 p.m.

The proposals are:

- 1- To change the parking stall size from 10' X 20' to 9' X 18'
- 2- To amend the code for accessory parking and loading. Existing buildings with site constraints be exempt, and to add existing commercial properties in the Hamlet Business District.

Supervisor English asked for any public comments:

**Jerry Mottola concerns:**

- He measured store Road, will traffic be able to get through? 24 feet hits the Library
- Parking along Store Rd – cannot be seen backing out he showed Supervisor English a diagram
- It is hard to make a turn from Library Road onto Store Road

**Gil Delaat:**

- Is there a larger footprint other than the drawing
- Will it extend to the junction
- He ran a drone over the site
- Restricted egress
- Access for Emergency Vehicles

**Jerry Mottola:**

- He measured parking lots at Home Depot, Lowes etc. and the spaces are smaller – suggesting smaller parking spaces.

**Councilmember McMillen:**

10X20' is law; they are trying to get relief.

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Public Hearing Cont.

**Jennifer Smith** a 14 year resident at 3 Library Rd. pointed out;

- It would bring more traffic, a lot of kids and people walk there
- Garbage cans would have to be put on side of road where parking would be
- Backing out of the driveway would be difficult if there is parking on the side of the road

**Tom Smith** of 3 Library Road

- Asked if parking would be allowed only during the daytime.

**Deputy Supervisor Lindsay** said there will be a 3 hour limit.

**Bonnie Takieuchi** ;

- Questioned how the Board would arrive at the total number of spaces
- Asked if we were still negotiating with the library?
- Deputy Supervisor answered the Town would need to lease the space from the Post Office and that would incur an expense
- Wondered what the plan was for the Junction Property

**Tony Davidson** representing the Tuxedo Library:

- They have concerns with the accessibility of library entrances, the area where the book drop is and the refuse area.

**Claudia Bahkiatry**

- Concerned as the roads are very narrow

**Gil Delaat**

- Asked if there had been any conversations between Michael Bruno and the town

**Supervisor English** replied he would follow up.

**Debbie Dorno** representing Mt. Carmel Church;

- The church limited with parking, Michael Bruno allows parishioners to park at Junction
- She feels the Junction should be condemned

**Councilmember McMillen** said he feels the plan should help the church parking not inhibit it

**Greg Stevens:**

- Tenants won't be able to get in driveway there is also a lot of pedestrians in the area.

**Councilmember McMillen** said the plan would add curbing.

**Lou Hall** of 19 Library Road

- He is not opposed to a one way street. He stated people go through the one way street the wrong way now

**Deputy Supervisor Lindsay**

- Thought maybe they would potentially add all way stop signs

**Lt. Norton:**

- Said that installing another traffic light at Hospital road will slow down traffic. Can activate flashing light- turn into standard traffic light
- Extend speed limit
- He noted a lot of traffic comes from Warwick, Greenwood Lake and Monroe

**Chris Malon** of Fawn Hill Rd

- Appreciates the effort of the Board
- Is grateful the Board is taking everyone's opinions into account
- Feels that all of this is for one person, who takes point
- Ultimately doing this for Bruno's business's made significant concessions already with the Junction

**Linda Petrillo**

- Asked for an update on Tuxedo farms  
**Supervisor English** answered yes but not at this time

**George Langberg**

- Questioned if the one way direction is set in stone

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Betty Langberg Tuxedo Historical Society

- Wants to have input about the trees

Al Fusco answered trees are decoration only at this point

Jerry Mottola

- Shape of funnel, relieve pressure from Library
- Speed sign on Route 10 flashing light
- Highway Superintendent said we can borrow sign from the village

RESOLVED, motion made by Supervisor English, seconded by Councilmember Lindsay, that all persons desiring to be heard, having been heard, the Public Hearing regarding Zoning Code Amendments in the Hamlet Business District be closed at 7:24 p.m.

**ON ROLL-CALL VOTE;**

|                    |                 |     |
|--------------------|-----------------|-----|
| Councilmember      | Maria May       | Aye |
| Councilmember:     | David McMillen  | Aye |
| Councilmember :    | Jay Reichgott   | Aye |
| Deputy Supervisor: | Michele Lindsay | Aye |
| Supervisor:        | Kenneth English | Aye |

**2. Changes to the Town's Vehicle and Traffic Law:**

This was adjourned.

**TOWN SUPERVISOR/TOWN BOARD UPDATE:**

Supervisor English

Saturday April 18<sup>th</sup> Elected officials will meet with Town Board and residents

Consolidation – Received the certificate, next step adopt the final plan

Sewer – they have to come up with a plan to get on the new sewer plant

Highway Superintendent Dollbaum stated most of the violations have been remedied. There are 150 – 200 people on sewer. They need to work with related or find a way to offset the costs.

**PUBLIC COMMENTS ON AGENDA ITEMS:**

The Multipurpose room is reserved for Community day.

Bonnie Takieuchi stated they have student volunteers if needed she also will help.

Mary Graetzer asked if anyone was appointed to the Planning Board

Supervisor English answered they are setting up interviews

**TOWN BOARD UPDATE:**

Deputy Supervisor Lindsay stated there will be an Economic Development Committee meeting on February 12<sup>th</sup> at 6:30pm. Various sub committees will give their reports. A discussion will follow how they will work together with the Town Board going forward. On February 12<sup>th</sup> the Climate Smart Task force will be meeting.

Councilmember McMillen asked if there was any information on the DEC monitor at the Highway Site. The answer is they are still waiting to hear back.

**Public Hearing  
Cont.**

**Supervisor Update**

**Public Comment**

**Town Board  
Update**

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Supervisor English led a moment of silence in memory of retired Highway Superintendent Edward Pfizenmaier who passed away.

Moment Silence-Ed  
Pfizenmaier

**2020 REORGANIZATION**

Re-Org

The Supervisor appointed the following positions:

|                       |                 |
|-----------------------|-----------------|
| Supervisors Clerk:    | Shari Brooks    |
| Account Clerk:        | Brian Sullivan  |
| Deputy Supervisor:    | Michele Lindsay |
| Marriage Officer:     | Donna Matthews  |
| Summer Camp Director: | Shari Brooks    |

The Town Clerk appointed the following positions:

|                    |                 |
|--------------------|-----------------|
| Deputy Town Clerk: | Marisa Dollbaum |
| Deputy Registrar:  | Marisa Dollbaum |

Supervisor English advised that for the 2020 calendar year the Town Hall will be closed on Fridays.

Supervisor English offered the following reorganization meeting resolutions and moved their adoption:

**RESOLVED**, that the Town Board will approve reimbursement of actual and necessary expenses by elected employees to attend the 2020 Association of Towns training in January, and the Convention in February, 2020.

RESOLVED, that the Regular Bi-Monthly Town Board Meetings be held on the second and fourth Mondays of each month at 7:00 p.m. at the Tow Hall and when circumstances deem it desirable, be held at other locations in other parts of the Town. Should a meeting date fall on an observed holiday, the meeting will be held n the Tuesday of that week;

RESOLVED, that the *Times Herald Record* be named the official newspaper of the Town of Tuxedo for the calendar year 2020;

RESOLVED, that JP Morgan Chase be appointed as the official depository (checking and savings accounts) for the Town of Tuxedo for the calendar year 2020;

RESOLVED, that the Tow Procurement Policy, as updated by amendment adopted on March 1, 2011, a copy of which is annexed hereto, is hereby reaffirmed as the Towns official procurement policy for the fiscal year 2020;

RESOLVED, that all Official Undertakings and bonds by the officers, clerks or employees of the Town of Tuxedo may be in the form of a blanket undertaking from a duly-authorized corporate surety, and said blanket undertaking shall indemnify the Town of Tuxedo against the loss of a type more particularly set forth in Article 2, Section 11 of the Public Officers Law, including the thereunder, and shall constitute a guarantee for elected and appointed officials, officers, and employees of the Town for the faithful performance of their duties and the prompt and proper accounting for paying over all money received by said employees in their official capacities;

RESOLVED, that the compensation for 2020 for employees be paid every two weeks, with the payroll period ending on the Friday before the payday on the following Friday, or Thursday if a holiday should fall on Friday;

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Re-Org Cont.

RESOLVED, that the schedule of 2020 holidays for the Town non-contractual employees to follow the employee's handbook:

|                        |                        |
|------------------------|------------------------|
| New Year's Day         | Columbus Day           |
| Martin Luther King Day | Veteran's Day          |
| President's Day        | Thanksgiving Day       |
| Memorial Day           | Day after Thanksgiving |
| Independence Day       | Christmas Day          |
| Labor Day              | Day after Christmas    |

RESOLVED, that the yearly salaries be approved as stated for the following Town Officials;

|                                |                  |     |
|--------------------------------|------------------|-----|
| Town Council:                  | \$ 7,250.00 each |     |
| Town Justice Brown:            | \$26,808.00      |     |
| Town Justice McCathern:        | \$26,808.00      | *** |
| Supervisor                     | \$36,856.00      |     |
| Receiver of Taxes: D Matthews  | \$ 3,000.00      |     |
| Receiver of Taxes: M. Dollbaum | \$ 3,000.00      |     |
| Town Clerk                     | \$61,100.00      |     |
| Superintendent of Highways     | \$93,784.00      |     |

\*\*\* Resolution to equalize the Justices salaries \*\*\*

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen that he Town Board will equalize the salaries of the justices.

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

RESOLVED, that the salary of the Supervisory Court Clerk be set at \$52,451 per annum, and that Claire Squillini be appointed to this position;

RESOLVED, that the salary of the Justice Clerk be set at \$33,272 per annum, and that Patricia Marsh be appointed to this position;

RESOLVED that the compensation of the Justice Clerk be set at \$19.67 per hour, and that Barbara Ginley be appointed to this position; budgeted for 15 hours per week;

RESOLVED, that the salary of the Supervisor's Clerk whose responsibilities include but are not limited to the performance of the duties of Recreation Coordinator and Permit Coordinator, be set at \$55,259;

RESOLVED, that the salary of the Account Clerk be set at \$35,000 annually, and that Brian Sullivan be appointed to this position;

RESOLVED, that Kenneth English be appointed as Budget Officer at no compensation;

RESOLVED, that the salary of the Assessor be set at \$30,900, per annum, that Hugh (Jim) Davies be appointed Assessor, that the working hours be as needed/seasonal for such position, and that the minimum hours be 1,040 per annum;

RESOLVED, that the salaries of the Board of Assessment Review Chairman and Members be set at \$1,630 and \$566 per annum, respectively, that the working hours be as needed;

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**Re-Org Cont.**

RESOLVED, that the compensation of the Deputy Town Clerk be set at \$18,720 per annum not to exceed 20 hours per week (20 hours per week at \$18.00 per hour);

RESOLVED, that the salary of the Dog Control Officer be set at \$8,219 per annum, that Thomas Murphy be appointed Dog Control Officer, and that the working hours be as needed;

RESOLVED; that the compensation of the Clerk/Typist for the Highway and Building Department be set at \$15.45 per hour, and that Michelle Reed be appointed to this position for a maximum of 20 hours per week;

RESOLVED, that the salary of the Fire Inspector/Building Inspector/Code Enforcement Officer/Flood Damage Prevention Administrator be set at \$62,103 per annum, and that David Maikisch be appointed to such position;

RESOLVED, that the salary of the Project Coordinator for the Building Department, Zoning Board, Planning Board which position includes the duties of Recording Secretary for the aforementioned Boards, be set for \$57,775, per annum; that Deborah Villanueva be appointed to these positions;

RESOLVED, that the Board of Fire Commissioners, whose members shall serve without compensation, be comprised of the following individuals through term expiration dates indicated or until a successor is appointed:

|                     |            |
|---------------------|------------|
| Charles Jones       | 12/31/2024 |
| Paul Eichengreen    | 12/31/2020 |
| Jeffrey Dowding Jr. | 12/31/2020 |
| Gardiner Hempel Jr. | 12/31/2022 |
| Edward Brennan Jr.  | 12/31/2022 |
| Todd J. Darling     | 12/31/2023 |
| Peter Dedel         | 12/31/2023 |

RESOLVED, that the salaries of the Zoning board of Appeals Chairman and Members be set at \$1,710 and \$1,237 per annum, respectively, that working hours be as required;

RESOLVED, that the salaries of the Planning board Chairman and Members be set at \$6,222 and \$2,824 per annum, respectively, that working hours be as required;

RESOLVED, that the salaries of the Highway Department employees be as set forth in the 2019-2021 Collective Bargaining Agreement with the International Brotherhood Electrical Workers;

RESOLVED, that the annual parking permit fee for 2020 for the resident only municipal parking lot at the Train station be set at \$190.00 and that the annual permit fee for non-resident parking be set at \$250.00, plus applicable taxes;

RESOLVED, that the field rental fee for a non-affiliated town group shall be \$50.00 per use;

RESOLVED, that the rental fee for use of the train station shall be \$75.00 per 1-hour meeting slot or \$250.00 for a private party;

RESOLVED, that the Supervisor and Deputy Supervisor be authorized to sign Payroll and Town Checks, and that the Supervisor, Deputy Supervisor, and Town Clerk be authorized to make withdrawals from Town checking and savings accounts, and that the Accounts Clerk be authorized to transfer among the Towns accounts;

RESOLVED, that the Supervisor and Deputy Supervisor be authorized to make payment for payroll, hospitalization, dental, retirement, long-term disability, gas, electric, telephone, cellular telephone, cable service for internet access, water, postage, express mail, garbage contract and debt service without prior audit by the Town Board;

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**Re-Org Cont.**

RESOLVED, that the compensation for the Town Finance Consultant (Andrew Arias) be set at \$24,000.00 per annum and that the working hours be flexible and as required by the Supervisor

RESOLVED, that Jacobowitz and Gubits be retained as Town Counsel until and if such time arises that a successor may be appointed pursuant to a Request for Proposals advertised in 2020; that the contractual retainer of the Town Legal counsel Jacobowitz and Gubits be set at \$50,000.00 per annum; and that a maximum hourly rate of \$180 be set for non-retainer items;

RESOLVED, that Holzmacher, McLendon & Murrell, P.C. (H2M) be appointed as Engineers for the Town of Tuxedo until and if such time arises that a successor may be appointed pursuant to a Request for Proposals advertised in 2020, and that payment for services be as defined in the contract on file with the Town Clerk;

RESOLVED, that Andrew Arias, CPO, CR.FA Audit Partner, Cooper Arias, LLP, 892 Route 17 B, PO Box 190, Mongaup Valley, NY 12762 is retained by the Town of Tuxedo as the own Auditor to review the books and records of the Town for the fiscal year 2020 and to assist the bookkeeper in the preparation of the Town's Annual Financial Report and in accounting and financial matters which arise during fiscal year 2020, at a rate of compensation not to exceed \$19,750.00 per annum for the Town Audit and Financial Preparation, including the cash audits for the Town Clerk (1), Receiver of Taxes (1) and Justice Court (2), and for additional assistance if required, at the rate as specified in the Proposal for Town CPA and External Auditing Services on file in the Office of the Town Clerk,

RESOLVED, that, Richard Golden of Burke, Miele, Golden and Noughton be appointed as Planning Board Legal Counsel, and that payment for services be defined in the contract on file with the Town Clerk;

RESOLVED, that Bonnie Franson be retained as Town Planner and that payment for services be defined in the contract on file with the Town Clerk;

RESOLVED, that Richard Golden of Burke, Miele, Golden and Noughton be retained as the Zoning Board of Appeals Legal Counsel, and that payment for services be as defined in the contract on file with the Town Clerk;

RESOLVED, that, Fusco Engineering be retained as Engineering Consultant and that payment for services be as defined in the contract on file with the Town Clerk;

RESOLVED, that the mileage reimbursement for personal car usage for Town business be set at .58 cents per mile for 2020, to be adjusted as promulgated by the Internal Revenue Service.

The adoption of the foregoing resolutions was seconded by Councilmember May and duly put to a vote on a roll call which resulted as follows:

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

**\*\* Resolution to Reappoint the Town Historian\*\***

RESOLVED, motion made by Supervisor English seconded by Councilmember May that the Town Board reappoints George Langberg as the own Historian.

|                           |               |           |     |
|---------------------------|---------------|-----------|-----|
| <b>ON ROLL-CALL VOTE;</b> | Councilmember | Maria May | Aye |
|---------------------------|---------------|-----------|-----|

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Councilmember: David McMillen Aye  
 Councilmember : Jay Reichgott Aye  
 Deputy Supervisor: Michele Lindsay Aye  
 Supervisor: Kenneth English Aye

**2. Tuxedo Union Free School District presentation on Capital Bond project:**

Superintendent Tim Bohlke introduced the District architect Chris Ladanyl with Clark Patterson & Lee. He explained that NYS requires school districts to have an inspection of their buildings every five years. They must also draft a Buildings Condition Survey. There is a list of work that is needed to be done at priority levels. The work was done and submitted to the School Board in 2018. Originally the estimated work was \$7 million dollars however the school spent two years assessing the recommendations and has been able to reduce the cost of the project to \$4.2 million. The items in this project are essential for the health and safety of the school. The Board will take \$1.2 million out of the reserve fund which will reduce the tax burden. The remaining \$3million will be raised by the bond. The Vote for the Bond approval will be February 25<sup>th</sup>.

There will be another public meeting at the school on February 6<sup>th</sup>.

**Department Head Update:**

Highway Superintendent Dollbaum:

There is mulch at quarry

They are trimming trees in Maplebrook by South Gate and in eagle Valley. This will take one or two months

East Village Bridge – There is a large dip in the road but the state cant pave it after November 15. It will be smoothed out in the spring.

They are still picking up Christmas trees for the bon fire on February 8<sup>th</sup>.

They talked to DOT regarding signage on Route 17A since the wrong way collision occurred.

Records Room they will be installing lights dehumidifier and heat

Building Inspector Maikish:

Has received complaints about garbage cans being left out.

Regarding light pollution at night, currently no ordinance in place

**PUBLIC COMMENTS:**

Resident Jerry Mottola stated that after having a conversation with Joe Tripoli he was under the impression that the sewer can be hooked up now. Highway Superintendent Dollbaum said it may have enough flow but it doesn't mean it can be hooked up.

Resident Claudia Bahktiary : asked for clarification on the overnight parking hours because two religious entities hold meetings at that same time on Fawn Hill Rd.

**VOUCHERS:**

Resolved, 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 2012906322 through 2012916402

|                               |                     |
|-------------------------------|---------------------|
| General Fund:                 | \$ 165,855.11       |
| Part-Town Fund:               | 322,191.72          |
| Highway Town Wide:            | 43,104.92           |
| Highway Part Town:            | 32,067.84           |
| Hamlet Sewer District:        | (8,571.70)          |
| Trust and Agency:             | 34,697.01           |
|                               |                     |
| <b>Total Abstract Amount:</b> | <b>\$589,344.90</b> |

**Tuxedo UFSD  
Presentation**

**Department Update**

**Public Comments**

**Vouchers**



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ON ROLL-CALL VOTE;

|                    |                 |           |
|--------------------|-----------------|-----------|
| Councilmember      | Maria May       | Aye       |
| Councilmember:     | David McMillen  | Aye       |
| Councilmember :    | Jay Reichgott   | Abstained |
| Deputy Supervisor: | Michele Lindsay | Aye       |
| Supervisor:        | Kenneth English | Aye       |

Adjournment

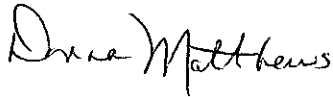
ADJOURNMENT:

RESOLVED, motion made by Supervisor English seconded by Councilmember McMillen, to adjourn the Town Board Meeting at 9:20pm

ON ROLL-CALL VOTE;

|                    |                 |     |
|--------------------|-----------------|-----|
| Councilmember      | Maria May       | Aye |
| Councilmember:     | David McMillen  | Aye |
| Councilmember :    | Jay Reichgott   | Aye |
| Deputy Supervisor: | Michele Lindsay | Aye |
| Supervisor:        | Kenneth English | Aye |

Respectively Submitted,



Donna Matthews  
Town Clerk