

Regular Town Board Meeting
This meeting was held virtually through WebEx
November 9, 2020

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, November 9th, via WebEx, and called to order by Supervisor English at 7:04 pm.

A recording of the meeting will be available on the Tuxedo YouTube site.

The meeting was opened by a pledge of allegiance to the flag.

Town Board Members Present:

Ms. Maria May	Councilmember
Mr. David McMillen	Councilmember
Mr. Jay Reichgott	Councilmember
Mrs. Michele Lindsay	Deputy Supervisor
Mr. Ken English	Supervisor

Town Board Members Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Ms. Marissa Weiss, Esq.; Mr. Brian Sullivan, Bookkeeper; Mr. Robert Dollbaum, Highway Superintendent; Frank Peverly, ZBA Chairman; Russ Shaver, ZBA member

MINUTES:

RESOLVED, motion made by Deputy Supervisor Lindsay, seconded by Supervisor English to accept the minutes of the Regular Town Board Meeting held on October 26th, 2020.

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

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TOWN SUPERVISOR UPDATE

- Kenneth English had nothing to report at this time.

TOWN BOARD UPDATES

- Michele Lindsay, Deputy Town Supervisor, stated the Subcommittee of Economic Development met with the Orange County Dept. of Economic Development and Tourism and Film to tour sites in Tuxedo that are available for development. They will continue to work together to help promote Tuxedo.
- Maria May, Councilmember, said Training for the new website with CivicPlus is on Thursday, 11/2. The website is scheduled to go live on Wednesday, 11/25. We have added new content and content from the old website has been merged. I would like to thank Marisa Dollbaum for her help.
- David McMillen, Councilmember, had nothing to report at this time.
- Jay Reichgott, Councilmember, had nothing to report at this time.

MONTHLY REPORTS:

Supervisor English acknowledges he is in receipt of monthly reports for the month of October:

Justice Department
Town Clerk
Police Department

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VOUCHERS:

RESOLVED, motion made by Councilmember Reichgott, seconded by Supervisor English, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012917549 through 2012917609
Claim number: 2012917544 deleted due to an entry error

General Fund :	\$98,057.49
Part-Town Fund:	\$7,574.20
Highway Town Wide :	\$20,673.51
Highway Part Town:	\$22,162.53
Refuse And Garbage Disposal:	\$30,371.49
Hamlet Sewer District:	\$1,307.04
Total Abstract Amount:	\$180,146.26

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

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PUBLIC HEARING – SIGN LAW AMENDMENTS

Prior to the opening of the hearing, Marissa Weiss, Town Attorney, explained that this amendment is looking to make some changes which have already been discussed and reviewed. The Board has been reviewing the entire zoning code amendments and there have been issues repeatedly coming up regarding signs. She stated this process is more of an interim step that will be helpful to provide clarity to the definitions already in the Town Code. The main changes with this amendment are defining the types of signs that are regulated, calculation of sign area, and types of signs that are exempt from the permit process. It will help provide clarity in general and especially for the Building Department to help keep track of when the signs are placed and how long they have been there.

Notice of Public Hearing having been posted, distributed by electronic mail and published on the Town website, and proof of publication in the *Times Herald Record* having been furnished, a Public Hearing held before the Town Board of the Town of Tuxedo on Monday November 9, 2020 at the Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Kenneth English at 7:23 p.m.

Supervisor English pointed out that one of the main improvements they are working on is the sign area. Marissa Weiss stated the concern was how to calculate the area of the sign, specifically for ones that have two faces. It should be calculated by the angle of the two signs and will help with the review process especially for the Planning and Zoning Board. Deputy Supervisor Lindsay pointed out that another area they are working on is whether or not signs require a permit. Marissa Weiss stated that edits are being made to the existing code that will help clear up any First Amendment concerns while clarifying what types of signs require a permit. It will also help with the enforcement of sign permits. The Planning Board will submit their comments after their meeting tomorrow, November 11th.

PUBLIC COMMENTS

Evelyn David, resident, requested another trail sign by River Rd. for hiking.

The Public Hearing will be kept open accepting any written comments until the next Town Board meeting on November 23rd.

RESOLVED, motion made by Deputy Supervisor Lindsay seconded by Councilmember May, that, the Public Hearing regarding the Sign Law Amendments will be kept open until the next Town Board meeting on November 23, 2020.

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

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Discussion on 2021 Budget – Review of Public Comments:

There were no written comments on the 2021 Budget received by the November 5th deadline.

Councilmember Reichgott gave a summary of the comments received. He said that residents gave praise to the Board doing a good job and no action was needed. The Silver Dollars would like to know if there is a way that the unused money due to COVID could be available for the following year. Deputy Supervisor Lindsay is going to continue working with the Bookkeeper on that. The other comments were similar in nature. The first was dissatisfaction that the Town Board awarded themselves a pay raise in this time of COVID and then a more focused comment about a larger increase for the Deputy Supervisor. Supervisor English proposed that the Town Board forgo the 2% increase. Councilmember Reichgott pointed out that the 2% Town Board increase was given to all Town employees, with the exception of those covered by collective bargaining. That 2% roughly comes out to \$150.00 per year for each Board Member, not including the Supervisor. He does agree that that is a tough financial time and would like to forgo the increase. He believes that all appointed boards should forgo the increase, but should not affect the Town Employees. The Town Board was in agreement with Councilmember Reichgott. Supervisor English questioned whether or not that should be extended to all elected officials. Deputy Supervisor Lindsay stated the other elected officials are the Judges, Highway Superintendent and Town Clerk. Councilmember McMillen believes that the line for him was people doing the job for a living versus civic duty. Supervisor English said he believed that any elected official should be doing the job for civic duty. He has no issue forgoing the 2% increase for the Town Board, but does not want to make that decision for others. After further discussion, the Town Board agreed to forgo the 2% increase for them only.

Supervisor English addressed the increase in stipend for the Deputy Supervisor. He stated there is a need for an Executive Administration presence in Town Hall on a regular basis. It is important to conduct business during the daytime with contractors, department heads, consultants, Town employees and residents. The increase in stipend is a total of \$5,000.00 and he feels it is important to allow someone to be able to provide the extra work with the Supervisor in Town Hall. Councilmember McMillen respectfully disagreed. He stated that he was in the position for three and a half years and was not fiscally recognized. He understands what the Supervisor has outlined, but he does not feel it is a good argument to create a new stipend for the Deputy Supervisor position. Councilmember May mentioned that Deputy Supervisor Lindsay helped write grants, which resulted in \$250,000.00 for the Town. That kind of work is difficult to do with a full time job and she feels that having an executive team in Town Hall is a good idea. She noted that there are few employees handling the work of the Town as it is and she has no issue with re-envisioning the role of the Deputy Supervisor. She also stated that just because this hasn't been done in the past that it shouldn't be done now. Councilmember Reichgott agreed with that statement and said the five most dangerous words in the English language were "we've always done it this way". He feels that just because it wasn't discussed in the past doesn't mean it shouldn't change now. The stipend should be increased for the position and not the person. However, he feels that it is not unreasonable to establish a definition of the role so in the future anyone accepting the position of Deputy Supervisor will know what the requirements are.

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Supervisor English said that it would be difficult to permanently identify what tasks are associated with that position, but does agree that the person will have an increased role. Councilmember McMillen respectfully disagrees with what the Supervisor has laid out in terms of tasks, but that was nothing new and he accomplished those things in his many years of fulfilling the role. He does not see this change happening in other Townships. Supervisor English said since the Town Budget is not a line item budget, so if Councilmember McMillen is opposed to the increased stipend he could vote against the whole budget. Deputy Supervisor Lindsay commented that she believes this is a change in the position, which will benefit the Town. Councilmember McMillen added that over the last several years there were many Town employees that work every day in Town Hall that had to sacrifice their stipend for the financial good of the Town. Councilmember McMillen brought up the Supervisor's notice about tax reduction. He said he has been on the Town Board for seven years and he had to go through a lot of tough times to get the Town is now financially solvent. He feels there are a lot of unknowns in the upcoming year especially with COVID. He believes that giving a tax reduction now especially after six years of struggling financially is risky. Supervisor English stated where the reductions are coming from and mentioned the goal of restoring the B Fund balance, which has been accomplished with the amount of \$250,000.00. There are changes in fees for the following year of which \$55,000.00 in Workman's Compensation has been reduced as well as \$14,000.00 in NY State Retirement money. After discussion with the Chief of Police they were able to remove \$53,000.00 in equipment. They also made adjustments to ensure there was money to pay out retirement benefits and also put aside \$250,000.00 to cover the remediation of the dirt pile. Deputy Supervisor also understands what Councilmember McMillen is saying, but feels they were able to reduce expenses. She does not believe that residents should be taxed to restore a fund balance that does not need to be restored. There is also \$130,000 in the budget for the Town Hall roof and they will also be getting reimbursed from one of the grants. Supervisor English added they invested \$35,000.00 with the Beckman Group to try to bring in additional funds from the undervalued State Parklands. Deputy Supervisor Lindsay mentioned that there is a savings of \$35,000.00 from the LED street light conversions going forward. Councilmember McMillen thanked Supervisor English for his explanation. He asked Supervisor English if he feels the Town is properly insulated financially from any litigation that could arise from the Related project or the sewer plant. He understands what Councilmember McMillen is saying, but believes the Town is moving forward in a responsible way. Councilmember Reichgott believes all of the costs for the Town are reasonably factored in the current budget. He believes that there are sufficient reserves in the fund balances and the benefits of having a smaller tax burden for residents, especially in these times, is reasonable. He added that there were additional comments submitted regarding the Budget process and whether or not there were Workshops held. Councilmember McMillen stated he felt Public Workshops were important to be held since there are parts of the budget that are hard to understand for the general public. Councilmember May noted that she had attended previous Budget Workshops as a resident and there was low attendance and little participation from the residents. She does agree with the proposed tax break and from her work with the Supervisor and Deputy Supervisor on the budget she understands the numbers and feels comfortable with them. Supervisor English stated he started working on the budget in July to be fully prepared and to follow the budget timeline. He mentioned that he was

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briefly hospitalized and that impacted the budget process, however, he did make an effort to have the individualized session with each Board member. Deputy Supervisor said she felt they put together a good explanation of the decisions that had to go into the budget, which were presented at the Public Hearing. Supervisor English stated the next step is to have the vote on the 2021 Budget and they will figure out a date.

There were no public comments on the agenda items.

AGENDA ITEMS:

1. Resolution appointing Fire Commissioners Jeff Dowding and Paul Eichengreen:

RESOLVED, Motion made by Councilmember Jay Reichgott, seconded by Councilmember David McMillen,

The Town Board hereby appoints Jeff Dowding and Paul Eichengreen as Fire Commissioners with their term commencing January 1, 2021 and set to expire on December 31, 2025.

Discussion:

Councilmember Reichgott stated that the above names are from the recommendation from the Board of Fire Commissioners.

Supervisor English would like to extend his thanks for their hard work and dedication.

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. Date to set date for 2021 Budget vote

The Town Board agreed to hold the 2021 Budget vote on Tuesday, November 10th at 6pm. Town Attorney Marissa Weiss confirmed that posting the meeting on the website and sending out an email blast met the requirements for noticing a meeting.

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DEPARTMENT UPDATES

- Rob Dollbaum, Highway Superintendent, stated that crews working on catch basin repairs while the weather is good. They are working on last two sign posts and then the sign project is complete. He gave a reminder that there is an electronic recycling drop off at Highway Dept. on Long Meadow Rd. They are also working on a contract with Environmental Engineer to approve removal of debris from dirt pile. The work on the dirt pile has ceased for the season and the equipment was returned. O&R will be conducting their tree trimming around Tuxedo and it will begin on or around 11/23.
- Marisa Dollbaum, Town Clerk, would like to thank all of the election workers that came out on Election Day. There were seven Tuxedo residents out of the eighteen that worked. She noted that the workers had to report at 5am and stay until after 9pm so it is a long day. She mentioned that the ADA bathroom project is on schedule to be completed around Thanksgiving and it is going well. She mentioned that Town Hall is closed on Wed 11/11 for Veteran's Day and gave thanks to all of the Veterans for their service.

PUBLIC COMMENTS

- Resident Hallie Gaines would like to thank the Board for their work and appreciates the open conversation between Board members. She enjoyed hearing that the Board is taking everything into consideration during times where people are struggling.
- Resident Hank Salzer would like to offer a sign board that is on his property. He feels the current sign advertising the Town is not located in the safest spot. He would like to thank the Board for a good meeting.
- Resident Irene Denaro would like to thank the Town Board for all of their hard work and addressing the issues in the Town that have been neglected or not dealt with in a long time.

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ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to adjourn the meeting at 9:19 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

Respectfully submitted,

Marisa Dollbaum

Marisa Dollbaum
Town Clerk
Town of Tuxedo