

Regular Town Board Meeting
This meeting was held virtually through WebEx
November 23, 2020

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, November 23rd, 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. Jay Reichgott	Councilmember
	Mrs. Michele Lindsay	Deputy Supervisor
	Mr. Kenneth English	Supervisor

Town Board Members Absent:	Mr. David McMillen	Councilmember
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Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Ms. Marissa Weiss, Esq.; Mr. Brian Sullivan, Bookkeeper; Mr. Robert Dollbaum, Highway Superintendent; David Maikisch, Building Inspector; Deirdre Murphy, Planning Board Member

MINUTES:

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to accept the minutes of the Regular Town Board Meeting held on November 9th and the Special Town Board Meetings held on November 10th and 17th.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

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TOWN SUPERVISOR UPDATE

- Kenneth English stated the Tuxedo Farms LDC meetings are public and they encourage participation from residents, especially for those in the Hamlet Sewer District. Harris Beech has been authorized to investigate any possible obstacles to move forward with the Wastewater Treatment Plant. They suggested that an Attorney who specializes in LDC issues should be hired. He said the LDC Board is committed to reaching the deadline of getting the new sewer plant up and running to meet the needs of the community and follow D.E.C. requirements. Supervisor English went on to discuss a remediation plan on the Long Meadow Rd. property. Six guidelines were given to the Town by the D.E.C in order to sample the materials to get a disposal plan in place. Town Engineers, H2M, will refer a qualified specialist to help with the process. A NYS Certified Laboratory will analyze the material and anything that leaves the site will require a 364 permit and tracking documents. Nothing is authorized to leave the site without the proper procedure so it was necessary to close the site to protect Town property and the environment. The Police contract is set to expire on December 31, 2020. The Supervisor, Deputy Supervisor, Town Attorney, and Labor Consultant started meeting back in September. Their next meeting is December 3rd and they will continue discussions during an Executive Session on December 14th. Councilmember Jay Reichgott and the Town Attorney have helped with reexamining the leases for tenants on Long Meadow Rd. They are working on drafts to present to the Board to review during an Executive Session on December 14th.

TOWN BOARD UPDATES

- Michele Lindsay, Deputy Town Supervisor, said an updated survey was sent to the Town Board Members for uses of zoning districts in Tuxedo. The next step is to send the survey to the residents once the Board Members have completed theirs. The P.O.R.E. committee, which stands for Parks, Outdoor Recreation and Events, have a few projects in the works. One of them is a pollinator project, located by the overflow parking lot near 17 and 17A. A memorial sign was recently installed there and the goal is to create a pollinator meadow around that area. They will be working to remove invasive plants and species. They are collecting seeds from Sterling Forest to promote native plants to grow to help attract pollinators, such as bees and butterflies. The P.O.R.E. committee will need volunteers and an email will be sent out for residents to sign up.
- Maria May, Councilmember, stated CivicPlus held a training session for some of the employees. The new website is scheduled to go live next week.
- Jay Reichgott, Councilmember, had nothing to report at this time.
- Kenneth English, Town Supervisor, added that the internet access to Town Hall was being upgraded and will be helpful when Board meetings are held in the Community Room. He also said a memo was sent out to employees for COVID safety. He

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mentioned Health Officials have recommended staying home for Thanksgiving and gave a reminder that it is important to stay safe during the winter months.

PUBLIC COMMENTS

- Resident Evelyn David gave some suggestion for pollinator plants. She also stated she is concerned about dam in Arden. She is requesting a discussion to take place to make sure the liability does not fall on Tuxedo. Councilmember Reichgott explained that the D.E.C. is the only entity that has jurisdiction over a dam unless it was owned by Tuxedo, which in this case they do not. He will request a copy of the final version of their emergency plan to make sure Tuxedo is not liable.
- Resident Jerry Mattola asked if there is a tree lighting this year. Deputy Supervisor Lindsay answered that the tree will be light, but there is no ceremony. She said they are looking for volunteers to light the Menorah.
- Resident Gonul (last name?) asked if volunteers would be needed for the pollinator project. Deputy Supervisor Lindsay said yes and that information will be posted on the website.

DISCUSSION ITEMS:

1. Tuxedo Plein Air Event – Tuxedo Music Festival

Deputy Supervisor Lindsay said another project the P.O.R.E. committee is working on is an artistic event. Local artists will be given different subjects to paint around Tuxedo. The final day of the event will be a reception for the artists as well as a concert and food trucks located at Powerhouse Park. The dates are May 12 – May 15, 2021 and the rain dates are a week later. It will be a nice outdoor event following COVID requirements. Deirdre Murphy, Planning Board Member, said the objective for this event is to celebrate the beauty of Tuxedo. Artists from the Hudson Valley are going to paint different locations using the categories of water, landscape and architecture. The concert will have local bands with large followings. The food trucks will have a diverse selection of food. Councilmember Maria May added that a good resource for local artists is Gloria Bonelli in Goshen. Deputy Supervisor Lindsay thanked all of the P.O.R.E. Committee members for their help with the event.

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2. Climate Smart Community Task Force

Deputy Supervisor Lindsay is working on a joint task force with the Village and Town Good Energy gave a presentation on Community Choice Aggregation. She is working with another company called Joule. She would like to schedule presentations from both companies in the near future. They have to look into if the law has changed since the last presentation and would like guidance from the Town Attorney.

VOUCHERS:

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

Claim numbers: 2012917610 to 2012917684
Claim numbers: 2012917613 and 2012917614 were deleted due to entry errors
Claim numbers: 2012917330, 2012917364, 2012917365 all to Optimum were reissued.
The checks associated with these vouchers were lost in the mail.

General Fund :	\$174,684.15
Part-Town Fund:	\$307,690.59
Highway Town Wide :	\$35,292.63
Highway Part Town:	\$41,727.92
Hamlet Sewer District:	\$5,853.50
Trust and Agency	\$39,448.06
Total Abstract Amount:	\$604,696.85

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

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PUBLIC HEARING CONTINUATION – SIGN LAW AMENDMENTS:

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 via WebEx was called to order by Supervisor Kenneth English at 7:09 p.m.

Supervisor English summarized that the purpose of the Public Hearing was to clarify to definitions already in the Town Code specifically with sign laws. The Town Board submitted their proposed changes to the Planning Board for review. The Planning Board is in favor of the changes and only had recommendations for political signs. They suggested using the language “mandatory” instead of “encourage” regarding the time frame for putting up and removing political signs. Town Attorney, Marissa Weiss, stated that using that language would be an infringement of First Amendment rights. She further explained that there can be separate regulations for public and private property, but it has to be applied to all types of signs. Councilmember May asked if a political sign could be removed if the candidate was not located in this district. Attorney Weiss answered that unless the sign was in disrepair or causing a safety issue it could not be removed. Councilmember Reichgott mentioned that there may be other changes to these amendments since they are currently reviewing the entire Zoning Code. The Board agreed they are ready to vote on the local law.

PUBLIC COMMENTS

There were no public comments.

RESOLVED, motion made by Supervisor English seconded by Deputy Supervisor Lindsay, that, all persons desiring to be heard, having been heard, the Public Hearing regarding Sign Law Amendments be closed at 7:26 p.m.

ON ROLL-CALL VOTE;	Councilmember	Maria May	Aye
	Councilmember	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

RESOLVED, motion made by Supervisor English seconded by Deputy Supervisor Lindsay to declare a negative declaration under SEQR and adopt the local law entitled “Sign Law Amendments.”

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WHEREAS, an introductory Local Law, entitled “Sign Law Amendments” was introduced before the Town Board of the Town of Tuxedo, and upon notice duly published and posted, a hearing was held on November 9th and November 23rd, 2020, 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 “Sign Law Amendments” is a Type II action under SEQR and is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Sign Law Amendments” of the Town of Tuxedo be and hereby is adopted as Local Law #4 of 2020 of the Town of Tuxedo on November 23, 2020.

On the motion of Kenneth English, seconded by Michele Lindsay, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 1 Absent.

ON ROLL-CALL VOTE;	Councilmember	Maria May	Aye
	Councilmember	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

The Supervisor declared the resolution adopted.

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There were no public comments on the agenda items.

AGENDA ITEMS:

1. Resolution to schedule Public Hearing on Woodlands Sewer Budget

Discussion: Supervisor English questioned why the Town Board held the Public Hearing since they do not set the rates. Attorney Weiss responded that it is a statutory requirement for the Town to hold the Public Hearing.

RESOLVED, Motion made by Supervisor English, seconded by Councilmember Maria May,

That the Town Board sets a Public Hearing Date for the Woodlands Sewer Budget to be held on Monday, December 14th at 7:00pm

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

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DEPARTMENT UPDATES

- Rob Dollbaum, Highway Superintendent, stated that crews are continuously picking up leaves around Town. There is no set schedule of when they pick up, they are rotating through Tuxedo. He said leaves after December 15th must be bagged for pickup. They are also working on preparing the snow plows. Catch basins are being repaired while the weather is good. Samples were taken for independent testing from the dirt pile. The Town will then know what their options are on for what can be done with the dirt after they get the results. He is also working on the solar project for the Highway Garage. A fence is going to be constructed around the current sewer plant for safety. He gave another reminder that there is an electronic recycling drop off at Highway Dept. on Long Meadow Rd. Older TVs cannot be dropped off, but they are taking appliances.
- David Maikisch, Building Inspector, stated the new owner of the Auto body shop in Southfields will present at the TAC meeting tomorrow. The potential buyer of the Gulf Station will also appear before the TAC meeting. The previous owner of the Tuxedo Auto Body, who was a long time Tuxedo resident, passed away recently. His family is trying to actively sell the property. He mentioned the Red Apple Rest is currently cleaning up around their property.
- Marisa Dollbaum, Town Clerk, informed the residents about a feature on the website called Subscribe to E-Alerts. Residents will be able to sign up for specific content such as agendas, minutes, or Town news. Garbage and recycling will be picked up on Friday since Thursday is Thanksgiving. She gave a reminder that Town Hall is closed on Friday, November 27th.

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ADJOURNMENT

RESOLVED, motion made by Councilmember May, seconded by Deputy Supervisor Lindsay to adjourn the meeting at 8:35 p.m.

Supervisor English wished everyone a Happy Thanksgiving.

Deputy Supervisor Lindsay thanked everyone that joined the meeting.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Aye
	Councilmember:	Jay Reichgott	Aye
	Deputy Supervisor:	Michele Lindsay	Aye
	Supervisor:	Kenneth English	Aye
	Councilmember:	David McMillen	Absent

Respectfully submitted,

Marisa Dollbaum

Marisa Dollbaum
Town Clerk
Town of Tuxedo