

**Regular Town Board Meeting**  
**This meeting was held virtually through WebEx**  
**February 8th, 2021**

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, February 8th, via WebEx, and called to order by Supervisor English at 7:04 p.m.

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:

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

Town Board Members Absent:       None

**Recording Secretary:** Marisa Dollbaum   Town Clerk

**Other Town Officials Present:**

Mr. Howard Protter, Esq.; Mr. Robert Dollbaum, Highway Superintendent; Mr. Frank Peverly, Planning Board Chairman; Deidre Murphy, Planning Board Member; Claire Squillini, Court Clerk; Mr. Brian Sullivan, Bookkeeper

**Public Comments on Agenda Items:**

- There were no public comments on the Agenda items.

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**AGENDA ITEMS:**

**1. Police Contract**

Supervisor English made a motion to enter an Executive Session, with a second from Deputy Supervisor Lindsay at 7:09 p.m. to discuss the PBA Contract.

Supervisor English made a motion to re-enter the regular Town Board meeting, with a second from Councilmember May at 7:35p.m.

**Discussion:**

The Town is trying to negotiate a deal to bring back the 11p.m. – 7a.m. shift, hire new officers, create a career path for new Officers and maintain a control over costs.

RESOLVED, Motion made by Supervisor English, seconded by Councilmember McMillen, to ratify the tentative agreement and to authorize the Town Supervisor to sign the same.

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

**2. Fire District Memo of Understanding (M.O.U.)**

**Discussion:**

The Tuxedo Joint Fire District submitted their needs for use of Town Property for training purposes. The formal agreement will ensure the environmental protection of the location and that the property is maintained. Town Attorney Howard Protter will submit a revised agreement and the Board will continue discussions with the Fire District.

No action was taken.

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**3. Appointment of Board of Assessment Review, Planning and Zoning members**

RESOLVED, motion made by Deputy Supervisor Lindsay, seconded by Councilmember Reichgott, that the Town Board hereby appoints the following and also make the following term expiration adjustments:

Board of Assessment Review

| Name:        | Position | Term:                   |
|--------------|----------|-------------------------|
| Ed Brennan   | Chairman | 10/01/2020 – 09/30/2025 |
| Michael Witt | Member   | 02/08/2021 – 09/30/2024 |

Zoning Board of Appeals

| Name:         | Position:        | Term:                   |
|---------------|------------------|-------------------------|
| Frank Peverly | Chairman         | 01/01/2021 – 12/31/2025 |
| Omar Delgado  | Alternate Member | 02/08/2021 – 12/31/2021 |

Planning Board

| Name:             | Position: | Term:                   |
|-------------------|-----------|-------------------------|
| William Friedlich | Member    | 01/01/2021 – 12/31/2025 |
| Ned Kugel         | Member    | 02/08/2021 – 12/31/2021 |

The following terms for Board of Assessment Review members have been adjusted to expire from May 5<sup>th</sup>, 2021 to September 30, 2021 to be in accordance with Section 523 of the Real Property Tax Law:

| Name:          | Term expiration: |
|----------------|------------------|
| Marie Warniaha | 09/30/2021       |
| Gary Phelps    | 09/30/2021       |

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

**4. New York State Local Retirement System Standard Workday - TABLED**

**PRESENTATIONS:**

**1. Watchtower representative to propose assistance with the dirt pile remediation**

Ted Hoffman, from the Watchtower Facility Management Division, submitted a proposed agreement to the Town Board. The Watchtower group has offered to perform community service by assisting the Town with the mulch pile remediation project. They are offering thirty days of work to help complete the project. Highway Superintendent Dollbaum suggested starting the project in June or July of this year.

**2. “Plein Air” Art and Concert Town Event Information by the P.O.R.E. Committee**

Deidre Murphy, Planning Board Member and P.O.R.E. Committee Member, gave a presentation on a proposed two day art and concert event. The art portion is a Plein Air event to celebrate the beauty of Tuxedo. Local artists would be assigned to different areas in Tuxedo to paint. The artwork would be on display during a reception for the artists. The final day would be a concert at the Powerhouse Park. It would be an all day event with local bands and a variety of food trucks.

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**MINUTES:**

RESOLVED, motion made by Deputy Supervisor Lindsay, seconded by Councilmember McMillen to accept the minutes of the Regular Town Board Meeting held on January 25<sup>th</sup>.

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

**TOWN SUPERVISOR UPDATE**

- Kenneth English stated that the Town aligned positions at Town Hall with Civil Service during the reorganization meeting. The Town Board separated the position of Recreation Coordinator and the Secretary to the Supervisor. Shari Brooks was offered the Recreation Coordinator position, which she declined, and her last day was Friday, February 5th. He thanked Shari for all of her years of service at Town Hall and wished her the best in future endeavors. The rest of the Board Members offered their thanks for her service. He reminded residents that the next Tuxedo Farms LDC meeting will be held on February 17<sup>th</sup> at 10am. The next Police Reinvention meeting will be held on February 24<sup>th</sup> at 6:30 p.m. A notice will be sent out with the meeting information. The third and final meeting will be held on March 24<sup>th</sup> at 6:30 p.m.

**TOWN BOARD UPDATES**

- Michele Lindsay, Deputy Town Supervisor, has been working with Town Attorney Marissa Weiss on the Town Village Consolidation summary. The information will be

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posted on the website when it is finalized. She stated the next webinar for the Climate Smart Community Task Force will be on March 1<sup>st</sup> at 5:30pm. It will be held on the

Town's Webex so it is easier for residents to join. The Task Force is working on several projects to get points towards certification.

- Maria May, Councilmember, had nothing to report.
  
- Jay Reichgott, Councilmember, said the Environmental Consultants are working to finalize their workplan to submit to the DEC to be able to start testing at the dirt pile on Long Meadow Road. There were two water main breaks along the lines that supply water from the Village to the Town. Residents in the Hamlet are under a boil water order that will remain until two clean water samples in a row come back within a 24hr. period. Also, the Village has noticed an excessive amount of water flow to the line that supplies the Town, which may be caused by a leak. They are asking residents to be on the lookout for any unusual water buildup and report any occurrences to him, John Ledwith in the Village or Rob Dollbaum in the Highway Department.
  
- David McMillen, Councilmember, suggested that the Village of Tuxedo Park, the Police Department, and other Town Board members have access to use Nixle.

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**VOUCHERS:**

**RESOLVED**, Motion made by Councilmember May, seconded by Deputy Supervisor Lindsay, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers:        2012917964 to 2012918024

|                               |                       |
|-------------------------------|-----------------------|
| General Fund :                | \$198,310.06          |
| Part-Town Fund:               | \$44,382.64           |
| Highway Town Wide :           | \$74,083.93           |
| Highway Part Town             | \$70.35               |
| Hamlet Sewer District:        | \$1,150.80            |
| Tuxedo Farms Sewer            | \$2,026,000.00        |
| Trust and Agency              | \$1,428,329.00        |
|                               |                       |
| <u>Total Abstract Amount:</u> | <u>\$3,772,326.80</u> |

**ON ROLL-CALL VOTE;**

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

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**DEPARTMENT UPDATES**

- Claire Squillini, Court Clerk, submitted AC reports for Judge Brown and Judge McCathern. The Court will begin trying criminal cases virtually in March. NY State Court System supplied their office with four new computers. The plea by mail process and credit card payments have been going smoothly.
- Rob Dollbaum, Highway Superintendent, said the Highway Department has been busy clearing snow from the last snow storm. There is more snowfall predicted for tomorrow and next week. He gave a reminder for residents to keep their cars off of the street. He also reminded residents that snow will be pushed into driveways when the plows come through and unfortunately that is unavoidable.
- Marisa Dollbaum, Town Clerk, let residents know that she will assist anyone that needs help signing up for Nixle or any of the notifications on the website. She also stated that she came across available appointments for the COVID vaccine in Westchester on the NY State website.

**PUBLIC COMMENTS**

- Resident Elyse Glover Fuller gave thanks to the Village DPW and to the Town Clerk for alerting her of the boil water notice. She commented that Nixle and reverse 911 should have been used to alert everyone affected. She questioned why a boil water notice was put in place since there has been many water main breaks over the years. She said there have been four since July of 2020.
- Resident Dale Mottola wanted clarification on glass recycling in Tuxedo. Deputy Lindsay stated they are working with Interstate Waste on a solution. She also asked for an update on the turning lane into the Duck Cedar Plaza. The Board is requesting assistance from Senator Martucci's representative, Camille O'Brien, on this matter.
- Resident Hank Salzer has noticed Interstate Waste placing garbage and recycling in the same bins.



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**Other Business:**

**1. Approval for Board members to attend the annual Association of Towns Training**

RESOLVED, motion made by Supervisor English, seconded by Deputy Supervisor Lindsay, that the Town Board authorizes Board members to attend the annual training held by the Association of Towns in February 2021.

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

**2. Naming all Highway Department Employees as First Responders**

**WHEREAS**, the term First Responder refers to those individuals who in the early stages of an incident are responsible for the protection and preservation of life, property, evidence and the environment, including emergency response providers as defined in Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as well as Emergency Management, Public Health, Public Works and other skilled support personnel (such as equipment operators) that provide immediate support services during prevention, response and recovery operations; and

**WHEREAS**, President George W. Bush issued Homeland Security Presidential Directive 8 (HSPD-8), National Preparedness, in 2003, in which a Public Works response to emergencies and disasters is recognized as an absolute necessity, and the federal government is directed to include Public Works in all planning and response effort; and

**WHEREAS**, The Town of Tuxedo believes to best provide for the health, safety, and welfare of its citizens, it is appropriate to recognize our employees that put the citizens of the Town of Tuxedo before themselves in time of emergency; and

**WHEREAS**, the Town of Tuxedo Highway Department Employees involved in Disaster Prevention, Disaster Response and Recovery Operations have demonstrated their skills and commitment multiple times throughout the years; and

**NOW, THEREFORE BE IT**

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**RESOLVED**, that the Town of Tuxedo Town Board designates and recognizes all employees of the Highway Department as First Responders.

The forgoing resolution was adopted on motion by Supervisor English, seconded by Councilmember May and duly put to a vote on roll call which resulted as follow:

|                                   |     |
|-----------------------------------|-----|
| Supervisor Kenneth English        | Aye |
| Deputy Supervisor Michele Lindsay | Aye |
| Town Board Member David McMillen  | Aye |
| Town Board Member Maria May       | Aye |
| Town Board Member Jay Reichgott   | Aye |

**ADJOURNMENT**

**RESOLVED**, motion made by Councilmember May, seconded by Councilmember McMillen to adjourn the meeting at 10:21 p.m.

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

Respectfully submitted,



Marisa Dollbaum  
Town Clerk  
Town of Tuxedo