

Regular Town Board Meeting
This meeting was held virtually through WebEx
March 22nd, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, March 22nd, via WebEx, and called to order by Supervisor English at 7:01 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
Mr. Jay Reichgott	Councilmember
Mrs. Michele Lindsay	Deputy Supervisor
Mr. Kenneth English	Supervisor

Town Board Members Absent:	Ms. Maria May	Councilmember
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Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present:

Mr. Howard Protter, Esq.; Mr. Robert Dollbaum, Highway Superintendent; Mr. Frank Peverly, Zoning Board Chairman; Dave Maikisch, Building Inspector; Russ Shaver, Zoning Board Member; Deidre Murphy, Planning Board Member

Public Comments on Agenda Item:

- There were no public comments on the agenda item.

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AGENDA ITEM:

1. EXTENSION NO. 2 OF MORATORIUM ON DEVELOPMENT APPROVALS

WHEREAS, the Town Board adopted on May 27, 2020 a local law titled "Moratorium on Development Approvals," which local law temporarily suspends requirements to approve developments, except for certain specified development applications, while the Town considers and adopts changes to its land use regulation; and

WHEREAS, this local law was accepted and filed by the New York State Department of State on June 26, 2020 (as Local Law 3 of 2020), which is the local law's effective date; and

WHEREAS, the purpose of the local law is to preserve the status quo pending the adoption of an amended zoning code in accordance with the newly revised comprehensive plan in order to provide for controlled growth that will: not unduly impact the public welfare, community services, schools and infrastructure; preserve open space; and plan for a proper mix of residential and commercial development; and

WHEREAS, while the Town Board has been working diligently with the Town Planner and Town attorneys to draft an amended zoning code for the public's review, their work is not yet completed; and

WHEREAS, the moratorium law, which provides for an initial moratorium period of six (6) months, also provides that the moratorium may be extended by two additional periods of three (3) months by resolution of the Town Board upon a finding of need for such extension; and

WHEREAS, the Town Board extended the initial moratorium by resolution upon a finding of need for such extension for a period of three months, from December 26, 2020 to March 26, 2021; and

WHEREAS, this Board finds that there is a need for such further extension in order to allow the Town Board and its consultants to continue their work and recommend an amended zoning code.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Tuxedo extends the moratorium and the terms and conditions of the moratorium local law for a period of three months, said time period to begin on March 26, 2021.

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

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DISCUSSION ITEMS:

1. Review of Building Department inspection and permit fees

Supervisor English requested Building Inspector Maikisch to put together a comparison of fees from nearby towns. The Town Board reviewed the fees and determined they were low in some of the categories. Building Inspector and Code Enforcement Officer Dave Maikisch voiced concern over the fee that has been charged for an as built permit. The fee is currently the same amount as obtaining a permit the proper way, which is in advance of having the work done. He feels residents should be charged more to obtain an as built permit. They discussed adding a civil penalty to an as built permit. The Town Board has the authority to change fees that already exist by a resolution according to Town Attorney Protter. The new category of fee for an as built permit will require a local law change, which he will work on drafting.

2. Review of draft law for refuse containers

There have been complaints from residents that refuse containers are not being brought up from the curb side in a timely manner. The Town Board reviewed the current refuse law and discussed proposed changes. The Town Board also feels that there should be separate regulations for public and commercial pick up. There will be a public hearing in the future and they would like feedback from residents.

The Town Board will go over the lighting law at a later time.

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2. Update on Recreation Department

The Town Board is committed to the Summer Camp and community activities throughout the year. It is essential to have the position of Recreation Coordinator filled to help achieve that. On March 11th Shari Brooks interviewed for the position. She informed the Town Board that she is currently employed full time Monday through Friday with the hours of 9-5pm making her unavailable for the position. The Recreation Coordinator position has been posted on the Town's website. The position is part time and will organize Summer Camp and community activities throughout the year. The next step is to fill the role of the Recreation Coordinator. After that position is filled, they will work with that person to post job openings for the other camp positions. The Town Board and new Recreation Coordinator will hold a meeting with parents to discuss Summer Camp.

TOWN SUPERVISOR UPDATE

- Kenneth English attended multiple Climate Smart and Clean Energy meetings. He also attended a press conference with Senator Maloney where he announced that Tuxedo will receive \$391,605.00 in direct aid from the American Rescue Plan. The Town Board had a consultation with Town Attorney Protter to discuss reviving the project with the Related Group. They are expecting a major builder for the project to be announced soon. The DEC gave permission to move ahead with sampling analysis at the dirt pile on Long Meadow Rd. There will be staff training with Labor Consultant Michael Richardson to formalize employee manuals on April 2nd. The next meeting for the Police Reform Reinvention will be on March 24th at 6:30pm.

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TOWN BOARD UPDATES

- Michele Lindsay, Deputy Town Supervisor, stated there will be three events in April for the Climate Smart Community Task Force. One will be held during the school day for Science classes, another is a webinar with IWS representative Marissa Kellerhouse on recycling. The last is the showing of C-Change Conversations which will be on Wednesday April 28th in the evening. Letters have been prepared to send out to potential sponsors for the Art and Music Festival. She asked the Town Board to review the permit applications that were submitted. The proposed date for the event is mid-June, pending rules for Covid restrictions.
- David McMillen, Councilmember, had nothing to report.
- Jay Reichgott, Councilmember, had nothing to report.

DEPARTMENT UPDATES

- Marisa Dollbaum, Town Clerk, gave an update on the COVID vaccine. She stated that there are open appointments at SUNY Orange in Middletown and to use the Am I Eligible Link to schedule. There will also be appointments in Goshen and she will distribute the information when she receives it. She stated eligibility opens up to those 50 and over starting tomorrow at 8am. She was trained on NIXLE by Councilmember McMillen and will be able to help with sending out emergency notifications when needed. She also gave a reminder that residents need to have their garbage and recycling toters to the curb by 6am to ensure pick up.
- Supervisor English gave an update on behalf of the Highway Department. The MTA will be upgrading the railroad crossing into the East Village in the beginning of September. Information will be sent out to residents as the time gets closer.
- Zoning Board Chairman, Frank Perverly, said the next Zoning Board meeting is tomorrow held on the Town's Webex page.

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MINUTES:

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen to accept the minutes of the Regular Town Board Meeting held March 8th.

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

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: 2012918148 through 2012918216

General Fund :	\$62,019.21
Part-Town Fund:	\$9,332.67
Highway Town Wide :	\$44,160.35
Highway Part Town	\$4,020.35
Refuse and Garbage Disposal:	\$249.44
Hamlet Sewer District:	\$0.53
Trust and Agency	\$10,806.13
Total Abstract Amount:	\$130,588.68

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

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PUBLIC COMMENTS

- Resident Evelyn David asked for clarification about the work being done on the East Village railroad crossing. Supervisor English responded that the MTA is upgrading railroad crossings and the work will be done on one Saturday in September. A temporary crossing will be put in place to get in and out of the East Village. She also asked about a public hearing for the garbage containers. Supervisor English stated a draft law would be circulated prior to the hearing for residents to review.
- Resident Sue Scherr stated that 97 residents have completed the Police Reform Reinvention Survey.

Other Business:

There was no other business.

ADJOURNMENT

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to adjourn the meeting at 10:12 p.m.

ON ROLL-CALL VOTE;	Councilmember:	Maria May	Absent
	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