

Regular Town Board Meeting
This meeting was held virtually through WebEx
May 10, 2021

The Regular Town Board Meeting of the Town of Tuxedo was held on Monday, May 10th, 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:	Ms. Maria May	Councilmember
	Mr. David McMillen	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, Zoning Board Chairman; Secretary to the Supervisor, Lorraine Cosgrove

MONTHLY REPORTS

Supervisor English is in receipt of the monthly reports from the Justice Court, Building Department and Town Clerk.

DEPARTMENT UPDATES

- Marisa Dollbaum, Town Clerk, stated the eyeglass recycling collection will end on May 18th. She will be dropping them off to the Lion's Club with Tuxedo Park Library employee Ginny O'Neal. She received a permit application from the NY/NJ Trail Conference for the use of Powerhouse Park for a proposed trail race on July 31st. The park would be used as a staging area for the runners. Supervisor English instructed the NY/NJ Trail Conference to provide volunteers and two porta potties.

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- Robert Dollbaum, Highway Superintendent, stated there are two bins of mulch, and one bin of compost at Quarry Field. He cautioned residents that the compost is hot. His crew is crack sealing the roads in the areas that will be chipped sealed this year. They are continuing with lawn cutting and maintaining the fields. They are making progress with separating materials at the dirt pile on Long Meadow Rd. On June 15th an excavator and screener will resume the work at the dirt pile left off from last year. The test results from Phase 1 will be finalized soon. The Watchtower group have agreed to help with the cleanup and will begin somewhere between June 1st and September.

Public Comments on Agenda Item:

- There were no public comments on the agenda item.

AGENDA ITEM:

1. Approval of Tuxedo Farmer's Market Sign Permit

RESOLVED, Motion made by Supervisor English, seconded by Deputy Supervisor Lindsay, that the Town Board of the Town of Tuxedo hereby approves the Tuxedo Farmer's Market to display their advertising sign on Route 17 by the Train Station.

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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DISCUSSION ITEMS:

Fee Schedule Amendments and Civil Penalty Amendments

Attorney Protter explained the goal is to end up with an approved list of fees for the Building Department. Currently there is a local law that allows fees to be amended by resolution, but a new fee category cannot be added. The current local law has to be amended to add new categories of fees. The new categories being proposed are reinspection fees and for permits being issued after work is completed. The next step is to amend the local law and then establish fees for the new categories. There are two local laws being proposed; one is adding the categories of fees and the other is to add civil penalties.

The Town Board agreed to schedule the Public Hearing for both local laws.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, entitled "Fee Schedule Amendments" be and it hereby is introduced before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, as well as electronically sent to each member in light of COVID-19, and

BE IT FURTHER RESOLVED that the Board hold a virtual public hearing on said proposed local law via Webex at 7:00 P.M., on May 24th, 2021, further details of which will be included in the public hearing notice, meeting agenda, and on the Town website, and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least ten (10) days prior thereto.

On a motion by Supervisor English, seconded by Councilmember Reichgott, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

The Supervisor declared this resolution adopted.

Dated: May 10, 2021

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**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, entitled "Civil Penalty Amendments" be and it hereby is introduced before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, as well as electronically sent to each member in light of COVID-19, and

BE IT FURTHER RESOLVED that the Board hold a virtual public hearing on said proposed local law via Webex at 7:00 P.M., on May 24th, 2021, further details of which will be included in the public hearing notice, meeting agenda, and on the Town website, and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least ten (10) days prior thereto.

On a motion by Supervisor English, seconded by Councilmember Reichgott, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

The Supervisor declared this resolution adopted.

Dated: May 10, 2021

Discussion Item:

Police Contract

Supervisor English stated the Town has received a signed ratified agreement from the PBA and Local 445 today. They negotiated a 2% annual pay increase instead of 1.5%, and the contract will be for five years instead of two.

Attorney Protter added that this contract will provide stability to the Town and to be able to afford to bring back the overnight shift in the near future.

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Resolution Approving AGREEMENT with Teamsters Local 445 POLICE BARGAINING UNIT

Introduced by: Supervisor English

Seconded by: Deputy Supervisor Lindsay

Date of Adoption: May 10, 2021

WHEREAS, the Town negotiators, have negotiated and support ratification of an Agreement, reached between the negotiating team and the **Teamsters Local 445** for a proposed five-year contract; and

WHEREAS, the terms of the Agreement are substantially the same as the version previously ratified by the Town Board but which was rejected by the Union; and

WHEREAS, following mediation and further negotiations the parties have reached an Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Agreement dated May 6, 2021 be approved and ratified; and

BE IT FURTHER RESOLVED, that upon submittal of a complete copy of the collective bargaining agreement incorporating the memorandum of understanding, the Supervisor be and hereby is authorized to sign same on behalf of the Town.

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

MINUTES:

RESOLVED, motion made by Supervisor English, seconded by Councilmember May to accept the minutes of the Regular Town Board Meetings held April 12th and April 19th.

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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VOUCHERS:

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

Claim numbers: 2012918344 through 2012918427

Voucher 2012918403 was deleted

General Fund :	\$104,787.30
Part-Town Fund:	\$32,559.23
Highway Town Wide :	\$10,012.66
Highway Part Town	\$2,514.39
Refuse and Garbage Disposal	\$30,323.10
Hamlet Sewer District	\$7,487.48
<u>Total Abstract Amount:</u>	<u>\$187,684.29</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

TOWN SUPERVISOR UPDATE

- Supervisor English introduced his Secretary, Lorraine Cosgrove. She most recently worked for the Warwick Chamber of Commerce and has many years of administrative experience. Claire Dougher, Recreation Coordinator, started on May 3rd. She has sent out notices for a virtual parents meeting on May 19th for the Summer Camp. They are also moving forward with hiring a Recreation Leader.

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TOWN BOARD UPDATES

- Michele Lindsay, Deputy Town Supervisor, stated fifteen artists have already signed up for the Tuxedo Plein Air event in June. There will be an app to follow where the artists are painting. The juried art show will be at the Train Station on Friday, June 18th. She will post information on how to preorder compost bins. They can be picked up on June 12th at the Tuxedo Farmer's Market.
- Maria May, Councilmember, said resident Sue Scherr would like to give an update on the Police Reform Reinvention. Sue said all four committees met on May 5th. All committees are submitting reports, which will be consolidated into one. They will hold a residents meeting to share their report with the Town. A final draft of the report will be sent to the Town Board for approval. They received 118 responses to the survey.
- Jay Reichgott, Councilmember, cautioned residents about bear season starting. He reminded residents to keep garbage contained and bring bird feeders in. He directed residents to the Town website to read additional information.
- David McMillen, Councilmember, had nothing to report.

PUBLIC COMMENTS

- Resident Evelyn David inquired when the next Climate Smart Community Task Force meeting will be held. Deputy Supervisor Lindsay said it is scheduled for Monday, June 7th at 5:30p.

EXECUTIVE SESSION

Deputy Supervisor Lindsay made a motion to enter Executive Session at 8:24pm for the purpose of obtaining advice from counsel.

The Town Board returned to the public meeting at 9:36pm. Councilmember Reichgott clarified that the purpose of the Executive Session was to discuss potential litigation and employment of person or persons. No action was taken.

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ADJOURNMENT

RESOLVED, motion made by Deputy Supervisor Lindsay, seconded by Councilmember McMillen to adjourn the meeting at 9:38 p.m.

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

Respectfully submitted,



Marisa Dollbaum
Town Clerk
Town of Tuxedo