

Regular Bi-Monthly/Public Hearing
This meeting was held via WebEx
Town of Tuxedo Town Board
April 27, 2020
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The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, April 27, 2020 via WebEx was called to order by Supervisor English at 7:03pm. (A recording can be found on the Tuxedo You Tube site)

The meeting was opened by a pledge of allegiance.

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:	Donna Matthews	Town Clerk
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Also Present: Marissa Weiss, Esq.

Public Hearing #1

PUBLIC HEARING #1 – Town/Village Consolidation continuation:

Supervisor English opened the public hearing to hear comments on the Town/Village Consolidation at 7:05 pm. Attorney Marisa Weiss gave an overview of the Plan and the remaining Timeline. There were no public comments. The Town Clerk will be receiving written comments until April 30, 2020.

RESOLVED, motion made by Supervisor English, seconded by Councilmember Reichgott, that, all persons desiring to be heard, having been heard regarding the Town/Village consolidation be closed.

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

PUBLIC HEARING #2 – Moratorium on Development Approvals – Local Law

Public Hearing #2

Supervisor English opened the public hearing to hear comments on the Moratorium on Development Approvals at 7:25 pm. There were no public comments. Supervisor English advised that the Town Clerk will accept public comments on this public hearing until April 30, 2020.

RESOLVED, motion made by Supervisor English, seconded by Councilmember Reichgott, that, all persons desiring to be heard, having been heard regarding the Town/Village consolidation be closed.

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

MINUTES

Minutes

RESOLVED, motion made by Supervisor English seconded by Councilmember Lindsay, to accept the Minutes of the Regular Town Board Meeting held on April 13, 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

TOWN SUPERVISOR / TOWN BOARD UPDATE

- Supervisor English stated that our Moody's rating has gone up two levels. He explained the Moody Report determines our credit worthiness.
- He then gave out the statistics of the Pandemic and sent his thoughts out to all who have been suffering with COVID-19. As of April 15th all essential workers must wear masks. As of April 17th residents must wear masks when going out in public
- Supervisor English touched on Highway Department on Long Meadow Road. They have been working with the DEC on the dirt pile. They have secured the site so no one can remove anything from the site. They are continuing to work on a remediation plan.
- Town Hall Opening. Supervisor English reported he is working with Shari Brooks to get a contract to come sanitize the Town Hall most likely it will be the company who already went to the Police Dept.
- Everyone at the Town Hall has been working diligently to keep the Town Hall up and running. The employees are working remotely from home. The staff has weekly check-ins with the Town Board and the Supervisor. The Supervisor is very proud of the work everyone is doing.

Supervisor English then asked Councilmembers May and McMillen for an update on the Website they have been working on.

- They have a contract with the CivicPlus. Councilmember May is going to create a questionnaire so that everyone can add their comments on what they might think should be included on the website.
- Councilmember McMillen reported he had received an allotment of masks donated by Resident Michael Coleman as well as Michael Bruno and Cathy Morris. Lt. Norton and Chief Abbott will distribute them. He also gave a shout out thanking all first responders for their services.

Deputy Supervisor Lindsay added that the Orange County Industrial Development Agency (O.C. IDA) has emergency funding for small businesses with 25 or less employees. The maximum you can receive is \$10,000.00. It is interest free for the first 6 months, after that there is a 2% interest rate.

(<https://www.ocnyida.com/press-release> <http://www.ocnyida.com/funding-corporation/small-business-loan>)

Deputy Supervisor said there will be a workshop on May 4th at 7:00 pm to review the Zoning Code via WebEx. She went on to announce that there will be a pre-bidding meeting for those interested on bidding for the ADA improvements at the town Hall on Monday May 4th at 10:30 am. Lastly she reminded everyone to complete the 2020 Census; you can also complete it online.

PUBLIC COMMENTS ON AGENDA ITEMS:

There were none.

AGENDA ITEMS:

1. Resolution Regarding 2020 Assessment Roll & Real Property Grievance Process:

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen

WHEREAS, the Governor of the State of New York has issued various Executive Orders and limitations on municipal actions so as to protect the public as well as municipal employees during the time of the COVID-19 Pandemic ("Pandemic"), including Executive Order 202.22, issued April 20, 2020, which authorizes local governments to take certain actions pertaining to real property tax assessment practices pursuant to Article 5 of the Real Property Tax Law (RPTL); and

WHEREAS, consistent with the foregoing, the Town Board desires to protect the rights of Town taxpayers to pursue lawful assessment roll review and grievance proceedings while protecting the health and safety of such persons and municipal employees.

NOW, THEREFORE

, in accordance with Executive Order 202.22, it is resolved by the Town Board as follows:

- (1) All "WHEREAS" paragraphs above are incorporated herein by reference as though set forth in full.

Public Comments

2020 Assessment Gr.

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- (2) The tentative assessment roll shall be published on the Town of Tuxedo's website and taxpayer review of the tentative assessment roll with the Town Assessor shall be by appointment only, said appointments to be conducted only by telephone.
- (3) The Board of Assessment Review shall only hear grievance complaints remotely by telephone conference call or similar service. The hearing of said complaints shall be appointment only.
- (4) The Town Assessor and Board of Assessment Review, in consultation with the Town Supervisor and the Town's attorney, will establish any necessary procedure to implement this Resolution and the assessment review and grievance process.

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

Retirement/Decker

2. Acknowledgment of Sergeant Dave Decker's Retirement

The Town Board acknowledged the Retirement of Sergeant Dave Decker. He was wished well and thanked for all of his dedication and years of service.

The Board noted that Sergeant Decker will be coming back to work part time.

3. Resolution Approving 2020 Towing Licenses

Towing License

RESOLVED, motion made by Supervisor English, seconded by Councilmember McMillen, that the applications for Towing License submitted by the following businesses, are hereby approved through December 31, 2020.

Beverly Properties, Inc. d/b/a/ Tuxedo Gulf, 191 Rte. 17, Tuxedo, N.Y. 10987
Harriman Auto, 2 Ramapo Ave., PO Box 104, Harriman, N.Y. 10926
Harriman Auto Transmissions d/b/a C.A.R.S., PO Box 805, Harriman, N.Y. 10926
NJV Auto Center, Inc., 27 Orange Tpke., Sloatsburg, N.Y. 10974
Loyal Tire & Auto Center Inc., 320 Rte. 17M, Monroe, N.Y. 10950
Apple Auto Body, 320 Rte. 17M, Monroe, N.Y. 10950

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

4. Resolution to enter into contract with CivicPlus for the Town's Website:

Town Website

RESOLVED, motion made by Supervisor English, seconded by Councilmember May,

WHEREAS, he Town Board of the Town of Tuxedo has determined to update its website to meet the current challenges and to facilitate electronic communications with the public; and

WHEREAS, the Town board solicited and obtained three proposals from a variety of service providers as required by the Town's procurement policy and has determined that the company CivicPlus, LLC. Can provide the scope of services best suited o he needs of the Town:

NOW THEREFORE, BE IT RESOLVED;

1. The Town awards a three year contract to CivicPlus LLC. For a total cost of FOURTEEN THOUSAND TWO HUNDRED FIFTY DOLLARS, payable over (3) YEARS AT THE ANNUAL RATE OF \$4,750.00 per year.
2. The Town Supervisor is hereby authorized to execute the proposed License and Service Agreement dated April 10, 2020, which has been approved for execution by the Town Attorney.
3. The Town thanks the other companies that submitted proposals for their interest and participation.

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

BAR Terms

4. Resolution amending Board of Assessment Review Terms:

RESOLVED, motion made by Supervisor English, seconded by Deputy Supervisor Lindsay,

WHEREAS, the Town of Tuxedo Board of Assessment Review ("BAR") is a municipal body which meets to process requests for review of property tax assessments within the Town, with members appointed as necessary by the Town Board pursuant to Real Property Tax Law ("RPTL") 523; and

WHEREAS, pursuant to RPTL 523(c), term lengths are to be set for a period of five (5) years, commencing on the first day of October and ending on the thirtieth day of September, five years thereafter, and

WHEREAS, in contravention of the statute, two current BAR members' terms are therefore set to expire on May 8, 2022, contrary to RPTL 523; and

WHEREAS, the Town of Tuxedo Town Board desires to revise such individual BAR members' terms to comply with the requirements of RPTL 523; and

NOW THEREFORE BE IT RESOLVED that the following individuals' BAR member terms are now revised and shall expire on September 30, 2021 in compliance with RPTL 523;

1. Marie Warniaha; and
2. Gary Phelps.

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

Tuxedo LDC

6. Resolution to Appoint Directors to the Board of the Tuxedo Sewer Local Development Corporation:

Motion made by Supervisor English, seconded by Councilmember McMillen,

WHEREAS, the sole member of the **TUXEDO FARMS LOCAL DEVELOPMENT CORPORATION** is the Town of Tuxedo; and

WHEREAS, the Town Board is responsible and authorized to appoint Directors to the Board of this Local Development Corporation and desires to appoint two (2) Directors to the Board of Directors of the Tuxedo Farms Local Development Corporation.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the following persons be, and hereby are, appointed to the Board of Directors of the Tuxedo Farms Local Development Corporation to serve at the pleasure of the Town Board or until their successors are appointed and shall qualify:

Ken English
Michele Lindsay

RESOLVED, that the Town Supervisor is authorized in such capacity to do or cause to be done all such acts and things, to execute and cause to be delivered all such documents, certificates and instruments as in the Town Supervisor's judgment may be necessary or advisable in order to carry out the foregoing resolution.

ON ROLL-CALL VOTE:

Councilmember David McMillen	AYE
Councilmember Maria May	AYE
Councilmember Jay Reichgott	AYE
Deputy Supervisor Michelle Lindsay	AYE
Supervisor Kenneth English	AYE

SAM Grant

7. Resolution for State Aid to Municipalities Grant:

RESOLVED, motion made by Supervisor English, seconded by Councilmember Lindsay that, subject to the receipt of the SAM grant funds, the Town Board authorize the expenditure of the budgeted amount of \$130,000 that was committed and approved in the 2020 budget for the new roof on Town Hall, Line item A1620.2, to be sourced from the General A fund revenues.

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

Other Business

OTHER BUSINESS:

There was none.

Dept. Updates

DEPARTMENT HEAD UPDATE:

Town Clerk Matthews said that everything is status quo, plugging along answering calls and working from home. Supervisor English said he wanted everyone to know how diligent we are responding to the needs of the Town even though the Town Hall doors are locked. Town Clerk Matthews said her and Deputy Town Clerk are working together to get things done, they haven't had any hurdles yet they just miss seeing their residents. Supervisor Secretary/Recreation Director Shari Brooks reported an issue at Town Hall on Friday with a leaking roof. She had Precision Roofing come and clear the gutters and things that were causing the leak. She is receiving a lot of questions regarding summer recreation camp and the answer is still the same they will have to wait and see.

Public Comments

Public Comments

There was a write in asking if the Covid-19 situation will affect aid through the State for the town. Deputy Supervisor Lindsay said that if they were referring to The Chips for Highway there will be no reductions.

Councilmember McMillen asked for a discussion regarding the traffic situations. He said there is a dangerous situation with people parking on the State Highway. He questioned if he recalled in a previous conversation the State Police were going to help our police to alleviate the problem? He was not aware Harriman State Park had been closed. Supervisor English said it is on the Harriman website they were closing Route 106 to Kanawauke Circle. It is clearly posted. It is stated until further notice the road is closed. Also there is a similar situation at Arden Valley which lines up with the Appalachian Trail.

Lt. Norton stated those roads are closed however the trails remain open.

There were some discussions as well as to whether certain Businesses can remain open and if playgrounds and parks can be open to residents only.

VOUCHERS:

Vouchers

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

Claim Numbers 2012916715 through 2012916768

Check# 2012916751 has been deleted.

General Fund :	\$ 109,265.86
Part-Town Fund:	26,861.05
Highway Town Wide :	9,685.02
Highway Part Town:	12,467.16
Hamlet Sewer District	7,177.90
Trust and Agency	41,478.13

<u>Total Abstract Amount:</u>	<u>229,398.37</u>
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ADJOURNMENT:

Adjournment

RESOLVED, motion made by Supervisor English, seconded by deputy Supervisor Lindsay, to adjourn the meeting at 8:38 p.m.

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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

Respectively Submitted,



Donna Matthews
Town Clerk
Town of Tuxedo