

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 23, 2025

Supervisor McMillen called to order the Town Board Meeting of July 23, 2025 at 7:00pm.

The meeting was opened by a pledge of allegiance to the flag.

Town Board Members Present:	Mr. Dave McMillen	Supervisor
	Mr. Deirdre Murphy	Deputy Supervisor
	Mr. Chris Kasker	Councilmember
	Mr. Chris Dollbaum	Councilmember
	Mr. Adam Eirand	Councilmember

Town Board Member Absent: None

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present in person:

Mr. Ben Gailey, Town Attorney; Highway Superintendent Robert Dollbaum

Public Hearing Opened - Introductory Local Law “Regulation of Cannabis Retail Dispensaries”

On a Motion made Supervisor McMillen, seconded by Deputy Supervisor Murphy the Town Board of the Town of Tuxedo Opens the Public Hearing on “Introductory Local Law “Regulation of Cannabis Retail Dispensaries” at 7:04PM.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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Before public comments, Supervisor McMillen addressed misinformation on a postcard claiming that "voters approved cannabis retail." He clarified that:

1. In 2021, the Town Board of Tuxedo had two options regarding cannabis under New York State law:
 - Opt out of both cannabis retail and on-site consumption (which would have triggered a public referendum on both).
 - Opt out of one or the other, allowing a possible referendum only on the one opted out.
2. The Board chose to opt out of on-site consumption only, not retail sales, by a 3-1 vote. This meant:
 - Retail cannabis was allowed by default (because the Board took no action to opt out).
 - Only on-site consumption went to a public vote, and voters rejected it.
3. A claim made by a former deputy supervisor that the Board "forced the issue" onto the ballot and that voters "overwhelmingly voted for dispensaries" is incorrect. In fact:
 - Proposition 6 only covered on-site consumption, not retail sales.
 - Retail sales were never put to a vote.
4. By allowing the state's December 31, 2021 deadline to pass without opting out, the Board permitted retail cannabis sales without voter input. Under NYS law, towns were automatically opted in unless they opted out via Board action and a possible referendum.
5. In summary:
 - New York State allowed cannabis sales and consumption by default.
 - Tuxedo's Board chose not to block retail sales (thus allowing them).
 - They only blocked on-site consumption, which voters then confirmed in a referendum.
 - Voters never got to vote on retail sales, so claims that they supported it are false.

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Supervisor McMillen opened the floor for Public Comments.

**Transcript of Public Hearing comments is attached.

Written Comments Received as of July 23, 2025

1. Victoria Love – Tuxedo Park Resident
2. Denise Tavani – 52 Turtle Mountain Rd.
3. John Thompson – 57 Lookout Rd.
4. Kristy Apostolides – 2 Cross Ridge Rd.
5. Jerry Mottola – 7 Southside Place
6. Lisa Laukitis – 16 Brook Rd.
7. Miguel and Grace Hennessy – 15 West Lake Stable Rd.
8. Sue Scher – Clinton Woods Resident
9. Attorney Francis Gorman, III

Attorney Gailey added that the Board is considering modifications to the draft Local Law to expand the overlay district south to the Duck Cedar Plaza.

Public Hearing Continuation

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo Continues the Public Hearing on “Introductory Local Law “Regulation of Cannabis Retail Dispensaries” August 13, 2025 at 7:00PM.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Department Updates

- Recreation Director Kathleen Rooney-Metcalf said Summer Camp is currently running with 98 children enrolled. The staff is doing a great job under the leadership of Director Craig Jacoby. Highlights include trips to the Castle, Bowling, and a Boulders game. A visit to Legoland is scheduled for Friday. Camp ends in 1.5 weeks. Chair Yoga for Adults continues every Tuesday at the train station. Spring Adult Basketball concluded in mid-June at the TUFSD gym. The program was well-attended by men and women of all ages. Special thanks to Chris Scanlon, Matt Takeuchi, Julius Floyd, and Marco Margata, as well as the school district for facility use. There are plans to restart the program in early

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September. The Pickleball Clinic held in June, had a lower attendance than hoped for, but a sincere thanks to Roger Wynan for volunteering his time for 3 weeks of clinics. More sessions will be planned soon. The Summer Concert Series has been successful so far. On June 21 we had the Georgia 5 Band. The Counterfeiters played on July 21st and that was also a hit. The next concert is August 29th with Harley Mountain Highway, plus food trucks. The 3-on-3 Summer Basketball League starts next week and is open to grades 7–12, beginning at 5 PM. There is no registration required. This is the second year, following a successful launch last fall. Be on the lookout for the following upcoming events and programs: August/September: Yoga and hiking, Fall: Coed volleyball league, youth soccer clinics and Fall Festival: October 4th.

- Highway Superintendent Dollbaum said approximately \$14,000 was raised from auctioning off police cars, the Dog Warden's car, two trucks, and small equipment. Five items were retained due to low bids. The culvert work on Benjamin Meadow is complete and the road is open. Paving is delayed until October to allow the pipe and fill to settle. The work began this week for the dirt pile project. The excavator and dozer are in use. The screener arrives Monday. The goal is to prepare and screen remaining material to achieve driveway-grade quality. They continue with grass cutting, asphalt patching, and street sweeping.

Agenda Item #1 - Resolution to Authorize 30-Day Extension to Comment on CRD License Applications

WHEREAS: The Town Board has received notifications from two proposed cannabis retail dispensaries (CRDs), Uncles Joe's Joint Venture and BWell, that each has or will file an application to obtain a license from the Office of Cannabis Management (OCM), and each CRD is proposing its location at 192 State Route 17. The Board is authorized to provide comments to OCM regarding the proposed CRDs and location within thirty (30) days after notification and is authorized to obtain a one-time 30-day extension to provide such comments. Since the Town Board is considering a draft local law regulating CRDs and is currently conducting public hearings on the draft local law, the Board will submit its extension request to OCM in order to have a more complete record to assist in preparation of the Board's comments.

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THEREFORE, IT IS RESOLVED that the Town Supervisor or Deputy Supervisor is authorized to submit to OCM the 30-day extension requests regarding both of the proposed CRDs.

On a Motion made by Supervisor McMillen, seconded by Councilmember Dollbaum that the Town Board of the Town of Tuxedo, the foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Agenda Item #2 - Resolution to Appoint Summer Camp Employees

On a Motion made by Supervisor McMillen and seconded by Councilmember Dollbaum, the Town Board of the Town of Tuxedo approves the part-time Summer Camp employees:

Nate Buettner – Lifeguard \$20.00

Adina Benedetto - Recreation Aide \$15.50

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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Agenda Item #3 – Resolution to Approve Auction Sales of Surplus Equipment

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, that the Town Board of the Town of Tuxedo approves the auction sales of surplus equipment listed below:

Lot #		Type	Qty	LotPrice	Extended	Surcharge Paid	Bidder #	Seller #
Sold (21)					15,198.00			
1	2015 Ford Taurus Police Interceptor. VIN: 1FAHP2MT3FG189182. Body: Sedan 4D. Engine: 3.5L V6 DI Gasoline. Odometer reading: 174394. Seller reports:	One Lot	1	950.00	950.00		31	46635
2	2015 Ford Taurus Police Interceptor. VIN: 1FAHP2MT1FG190458. Body: Sedan 4D. Engine: 3.5L V6 DI Gasoline. Odometer reading: 183839. Seller reports:	One Lot	1	900.00	900.00		39	46635
3	2008 Ford Ranger. VIN: 1FTYR10D98PA13334. Body: Regular Cab 2D. Engine: 2.3L I4 SEFI Gasoline. Odometer reading: 108908. Seller reports: Runs, extensive rot. Title &	One Lot	1	950.00	950.00		13	46635
4	1994 Ford F-700 Dump Truck. VIN: 1FDXK74C2RVA10837. Body: Chassis 2D. Engine: 5.9L I6 CRDI Diesel. Odometer reading: 149999. Hours reading: 2436. Seller reports: Runs,	One Lot	1	3,200.00	3,200.00		13	46635
5	2011 Chevrolet Tahoe Special Service. VIN: 1GNSK2E00BR324241. Body: SUV 4D. Engine: 5.3L V8	One Lot	1	1,450.00	1,450.00		13	46635
6	2012 Chevrolet Tahoe Special Service. VIN: 1GNSK2E0XCR230434. Body: SUV 4D. Engine: 5.3L V8 SFI Flex Fuel. Odometer reading: 129159. No title, parts	One Lot	1	1,350.00	1,350.00		13	46635
7	1998 International 4700 Dump Truck. VIN: 1HTSCAAL3WH552801. Body: Chassis 2D. Engine: 7.6L I6 DI Diesel. Odometer reading: 70849. Hours reading: 6815.	One Lot	1	4,000.00	4,000.00		36	46635
8	Tailgate from Ford Ranger.	One Lot	1	1.00	1.00		50	46635
9	Beuthling roller. Runs, operates. Seller reports: Runs and works.	One Lot	1	750.00	750.00		9	46635
10	Roll up door.	One Lot	1	1.00	1.00		51	46635
11	Trailer axle, 2-wheel. Seller reports: Good condition.	One Lot	1	60.00	60.00		15	46635
12	Sertil-Koni Hoist. Model: SKILC1000. Seller reports: Operational.	One Lot	1	1.00	1.00		51	46635
13	Weston Striker-Salter. Stainless, good condition. Seller reports: Good condition.	One Lot	1	325.00	325.00		27	46635
14	Tenno plow, 10ft. Seller reports: Good condition.	One Lot	1	35.00	35.00		15	46635
15	Argi Metal Blower, BW-380. Seller reports: Good condition.	One Lot	1	1,000.00	1,000.00		15	46635
16	Pyle PA Speaker System. Model: PWMA0301BT. Operating condition unknown.	One Lot	1	3.00	3.00		51	46635
17	Alamo flail mower, 77-inch. Seller reports: Works as intended.	One Lot	1	70.00	70.00		15	46635
18	Hydraulic tank & pump PTO for tractor. Seller reports: Operational.	One Lot	1	60.00	60.00		15	46635
19	17 inch claw thumb - off JCB backhoe. Seller reports: Good condition- never used	One Lot	1	70.00	70.00		53	46635
20	Lincoln Welder Idealarc 250. Seller reports: Unknown operating condition.	One Lot	1	2.00	2.00		51	46635
21	Misc scrap metal including steel Ladder racks for p/u.	One Lot	1	18.00	18.00		19	46635

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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Agenda Item #4 - Authorize Masker Orchard Sign Permit

On a Motion made by Supervisor McMillen and seconded by Councilmember Dollbaum, the Town Board hereby issues a temporary sign permit to Masker Orchards, 129 Edgemere Ave, Greenwood Lake, New York, for a maximum of seven (7) directional signs measuring 14" X 22", to be placed at the below listed locations for a period commencing late-August 2025 and ending no later than November 15, 2025, at which time all signs must be removed.

On Route 17 just up from Tuxedo's southern border
On Route 17 near the turn to Rte. 17A
At the base of the ramp on Route 17A
At the top of the ramp on route 17A
On Route 17A across from top of ramp (by parking lot)
On Route 17A just before the Renaissance Faire
On Route 17A by Benjamin Meadow Rd

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Agenda Item #5 - Authorize Bidding for Garbage, Refuse and Recyclables Collection

WHEREAS, the Town Board of the Town of Tuxedo recognizes the need for the continued and effective collection, removal, and disposal of garbage, refuse, and recyclable materials within the municipality; and

WHEREAS, the current contract for such services is due to expire on August 31, 2025 and the municipality seeks to improve service quality or cost-efficiency through competitive bidding; and

WHEREAS, in accordance with applicable state and local procurement laws and regulations, services of this nature must be procured through a competitive bidding process; and

WHEREAS, the Town Engineer has prepared the necessary specifications and bid documents for said services.

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NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Tuxedo in a regular meeting duly assembled, that:

1. The Town Clerk is hereby authorized and directed to advertise for and receive sealed bids for the collection, removal, and disposal of garbage, refuse, and recyclable materials in accordance with prepared specifications.
2. The bids shall be received by 10:00am on August 12, 2025, at which time they shall be publicly opened and read aloud.
3. Upon evaluation of the bids received, a recommendation shall be submitted to the Town Board for the award of a contract to the lowest responsive and responsible bidder, or as otherwise provided by law.
4. The Town Supervisor and Town Clerk are further authorized to take all necessary actions to ensure timely solicitation and review of bids.

On a Motion made by Supervisor McMillen, seconded by Councilmember Dollbaum, the foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Agenda Item #6 - Resolution to Authorize American Petroleum to Paint Fuel Tanks

Motion made by Supervisor McMillen, seconded by Councilmember Eirand that the Town Board of the Town of Tuxedo authorizes American Petroleum to perform the work on two (2) fuel tanks located at 30 Warwick Brook Road for a cost of \$19,200.00 as dated in their quote dated 06/05/2025. (Highway budgeted \$20,000.00 in A.1690.433 for this project.)

- Power wash tanks, containment dikes and dispenser platforms.
- Scrap, wire brush, wash to remove rust from the containment dikes, Ladder to spill box, tanks and dispenser platforms.
- Remove debris from containment dike and tank cleaning, properly dispose of cleaning waste material.
- Rewash tanks and prep tank with one coat of urethane primer prior to painting
- Supply Sherwin Williams two-part micro poxy coatings for both tanks. Paint tanks, containment dikes- inside and exterior, top side of the dispenser platforms. All tanks, containment dikes and dispenser platforms with be painted White.
- Supply and install new tank identification decals, color code fill box and tank. Install tank ID numbers, capacity, working capacity, No smoking decals, placard for gasoline -diesel products, Tank ID #'s and NYS DEC PBS #.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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Minutes

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo accepts the Minutes of the Regular Bi-Monthly Town Board Meeting held on July 9, 2025.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Vouchers

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012925023 thru 2012925089

General Fund:	\$42,645.09
Part-Town Fund:	\$6,735.54
Highway Town Wide:	\$9,759.49
Highway Part Town	\$36,469.39
Refuse and Garbage	\$33,401.84
Hamlet Sewer District	\$2,785.39
Trust and Agency	\$0
<u>Total Abstract Amount:</u>	<u>\$ 131,796.74</u>

. The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Public Comments

- Resident Maria May suggested cutting back to a one day pick up for garbage may be an issue with bears.
- Evelyn David recommends a separate alert system for emergencies, such as floods or major weather events.

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Other Business

Resolution Authorizing Agreement With Renaissance Faire For Provisions of Police Service

WHEREAS, the New York Renaissance Faire® is a popular recreational attraction geographically located off Route 17A, in proximity to Sterling Forest State Park in Tuxedo, New York, in the Town of Tuxedo, County of Orange, State of New York; and

WHEREAS, in order to protect the health, safety and welfare of the general public and to keep peace in said area, it is necessary and desirable that additional police and traffic control protection be provided at the aforesaid site; and

WHEREAS, the Faire has requested the Town and its Police Department to provide additional manpower that is necessary for the aforesaid peace-keeping purposes; and

WHEREAS, the Town and the Faire have negotiated an agreement to make the Tuxedo Police Department's manpower available for traffic control and peace-keeping purposes at the Faire; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the attached Agreement Between Renaissance Entertainment Corporation and The Town Of Tuxedo and authorizes and directs the Supervisor to sign on behalf of the Town.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Executive Session

On a Motion made by Supervisor McMillen, seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo enters the Executive Session at 9:30pm to discuss a personnel matter.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

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On a Motion made by Supervisor McMillen, seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo left the Executive Session and re-entered the Public Meeting 10:34pm.

No action was taken.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.

Adjournment

On a Motion made Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo adjourns the meeting at 10:34pm.

The foregoing resolution was adopted on a vote of 5 ayes and 0 nays.