

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Supervisor McMillen called to order the Town Board Meeting of August 13, 2025 at 7:01pm.

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

Town Board Member Absent:	Mr. Chris Dollbaum	Councilmember
	Mr. Adam Eirand	Councilmember

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present in person:

Mr. Ben Gailey, Town Attorney; Highway Superintendent Robert Dollbaum; Police Chief Rick Marsh

Public Comment(s) on Agenda Items

There were no public comments.

Agenda Item #1 – Resolution Accepting Bid Proposal for Garbage, Refuse & Recyclables Collection

WHEREAS, the Town Board of the Town of Tuxedo has determined the need for refuse collection services to be provided for the residents within its Refuse District;

WHEREAS, in accordance with applicable procurement policies and procedures, bid proposals for refuse collection services were solicited and received by the Town of Tuxedo;

WHEREAS, after careful review and evaluation of the submitted proposal, the bid submitted by Interstate Waste Services, Inc. located at 89 Black Meadow Road, Chester, NY was found to be to meet the requirements and specifications set forth in the request for proposals;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Tuxedo, as follows:

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

1. **Acceptance of Bid**

The bid proposal submitted by Interstate Waste Services, Inc. for refuse collection services, reviewed by the Board at its August 13, 2025 meeting is hereby accepted, subject to agreement on charges pertaining to new homes.

2. **Authorization to Execute Contract**

The Town Supervisor is hereby authorized and directed to enter into a contract with Interstate Waste Services, Inc. for refuse collection services in accordance with the terms of the bid proposal and this resolution.

On a Motion made by Supervisor McMillen, and seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 3 Ayes and 0 Nays, 2 Absent.

Agenda Item #2 - Resolution Regarding Appointment of Feerick Nugent MacCartney as Legal Counsel to Planning and Zoning Board of Appeals

WHEREAS, the Town of Tuxedo desires to retain the legal services Feerick Nugent MacCartney, PLLC (“Firm”) to act as Legal Counsel to its Planning Board and Zoning Board of Appeals (“Land-Use Representation”) pursuant to the contract; and

WHEREAS, the Firm currently provides legal services to the Town in certain litigation as well for labor relations matters; and

WHEREAS, the Firm will undertake the Land-Use Representation upon the same terms of compensation as noted in the Municipal Legal Agreement presented to the Town Board with regard to all matters which the Town Board determines such representation to be necessary for the Firm to handle; and

WHEREAS, the Town Board desires to authorize the retention of Feerick Nugent MacCartney (Steven M. Honan, Esq. as primary counsel) to provide the Land-Use Representation upon the enactment of this Resolution and approves such Firm to represent the Town Planning Board and Zoning Board of Appeals in all necessary legal matters.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

NOW, THEREFORE, BE IT RESOLVED that:

- Section 1. The above “WHEREAS” paragraphs are incorporated herein by reference.
- Section 2. Upon recommendation of the Supervisor, the Town Board hereby authorizes Feerick Nugent MacCartney to undertake all Planning Board and Zoning Board of Appeals matters, related litigation or other legal services, as needed and directed by the Town Board.
- Section 3. The Firm shall provide such legal representation to the Boards at the rate set forth in the Municipal Legal Agreement presented to the Town Board.
- Section 4. The Supervisor is hereby authorized to execute the Municipal Legal Agreement with the respective provider of legal services accordingly as referenced herein.
- Section 5. The Town Clerk and any other Town officer, employee or consultant is as directed by the Supervisor, shall take any all actions necessary to carry out the provisions of this Resolution.
- Section 6. This Resolution shall be effective immediately.

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Agenda Item #3 – Resolution Regarding Engagement of Holland Schriever LLP Relating Lawful Regulation of Cannabis Commerce

WHEREAS, the Town is in need of legal services related to zoning and land use matters, including the lawful regulation of cannabis commerce under applicable state and local law; and

WHEREAS, Holland Schriever LLP possesses the necessary expertise and experience to provide such legal services to the Town; and

WHEREAS, Holland Schriever LLP has submitted an engagement letter dated July 28, 2025, outlining the terms and scope of representation for the aforementioned services; and

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

WHEREAS, the Town Board finds it in the best interest of the Town to engage Holland Schriever LLP for these services and to authorize the Supervisor to execute the engagement letter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the engagement of Holland Schriever LLP to provide legal services related to zoning and land use matters, including those involving the lawful regulation of cannabis commerce; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the engagement letter with Holland Schriever LLP dated July 28, 2025, and to take any other necessary and related actions to carry out the intent of this resolution.

On a Motion made by Supervisor McMillen, and seconded by Deputy Supervisor Murphy the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Agenda Item #4 - Resolution to Approve Sign Permits for Renaissance Faire

WHEREAS, the New York Renaissance Faire has submitted an application to the Town of Tuxedo requesting temporary sign permits for the placement of two (2) directional signs; and

WHEREAS, the proposed signs each measure 8 feet by 8 feet and are intended to direct attendees to the event; and

WHEREAS, the proposed sign locations are 965 Route 17, Southfields, NY and 538 Route 17, Tuxedo, NY; and

WHEREAS, the signs are to be displayed during the months of August through October, 2025; and

WHEREAS, the design and wording of the proposed signs are consistent with the sample submitted by the applicant and currently on file in the office of the Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby approves and issues temporary sign permits to the New York Renaissance Faire for two (2) directional signs, each measuring 8 feet by 8 feet, to be placed at the locations of 965 Route 17, Southfields, NY and 538 Route 17, Tuxedo, NY, respectively;

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

BE IT FURTHER RESOLVED, that said permits shall be valid for the months of August through October, 2025; and

BE IT FURTHER RESOLVED, that the signs shall conform to the design and wording depicted in the sample on file in the Town Clerk's office.

On a Motion made by Supervisor McMillen, seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Agenda Item #5 - Resolution Removing Employees from Probationary Period

WHEREAS, the following employees were hired on a probationary basis pursuant to Orange County Civil Service rules;

WHEREAS, the performance, conduct, and overall integration of these employees into the workplace have been reviewed by the Chief of Police;

WHEREAS, it has been determined that the employees listed below have satisfactorily completed all requirements and expectations during their probationary period;

NOW, THEREFORE, BE IT RESOLVED that the following employees are hereby removed from probationary status and are confirmed as regular, non-probationary employees of the Town of Tuxedo Police Department, effective immediately:

- Savino Citriniti – Full Time Police Officer (Hire Date: 07/17/2023)
- Michael Tierney – Full Time Police Officer (Hire Date: 07/11/2023)
- Antonio Jennings – Part Time Police Officer (Hire Date: 03/24/2023)

On a Motion made by Supervisor McMillen, seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Agenda Item #6 – Resolution to Accept Grants for the Police Department

WHEREAS, the Town of Tuxedo has been awarded the following grants:

- A grant in the amount of \$5,000.00 from an Anonymous Donor;
- A grant in the amount of \$1,000.00 from the New York State Department of Motor Vehicles (DMV), Child Passenger Safety Program; and
- A grant in the amount of \$10,000.00 from Senator James Skoufis in support of National Night Out;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby formally accepts the above-listed grants with gratitude; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to take all necessary steps to process and administer the funds in accordance with applicable requirements and for their intended purposes.

On a motion made by Supervisor McMillen and seconded by Councilmember Kasker, the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Agenda Item #7 – Budget Modifications

On a Motion made Supervisor McMillen, seconded by Deputy Supervisor Murphy the Town Board of the Town of Tuxedo approves the budget modifications contained in the memos from Andrew Arias dated July 30, 2025 and August 12, 2025:

Account	Description		
Expenditures		Increase	Decrease
DA5130.471	Machinery - Vehicle Parts		97,500.00
DA5140.433	Misc. Brush & Weeds		20,000.00
DA9060.8	Health Insurance	26,000.00	
DA9070.8	Welfare Benefits	6,500.00	
DA9785.6	Installment Debt - Principal	92,000.00	
DA9785.7	Installment Debt - Interest	33,000.00	
DA962	Fund Balance Restoration		40,000.00
	TOTALS HIGHWAY DA	157,500.00	157,500.00
Revenues		Decrease	Increase
SS599	Fund Balance		38,442.00
Expenditures		Increase	Decrease
SS9730.7	BAN - Principal	38,442.00	
	TOTALS HAMLET SEWER	38,442.00	38,442.00

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Account	Description		
Revenues		Decrease	Increase
A2706..010.1030	NYSERDA Enegy Grant		25,000.00
Expenditures		Increase	Decrease
A1620.200	Buildings - Equipment	31,000.00	
A1620.401	Buildings - Contractual		6,000.00
TOTALS GENERAL A FUND		31,000.00	31,000.00
Revenues		Decrease	Increase
B1560	Safety Inspection Fees		23,000.00
B2260	Safety Services - Other Governments		75,000.00
Expenditures		Increase	Decrease
B3120.101	Police - OT	95,000.00	
B8010.425	Zoning - Professional Services	3,000.00	
TOTALS GENERAL B FUND		98,000.00	98,000.00

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

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

Public Hearing Opened:

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 7:12PM.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Supervisor McMillen opened the floor to Public Comments.

There were no public comments.

Hearing Continuation

On a Motion made by Supervisor McMillen, 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 27, 2025 at 7:00PM.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

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 23, 2025.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

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: 2012925090 thru 2012925206

General Fund:	\$149,637.81
Part-Town Fund:	\$136,235.86
Highway Town Wide:	\$6,995.44
Highway Part Town	\$184,052.20
Refuse and Garbage	\$54,027.86
Hamlet Sewer District	\$1,152.18
Trust and Agency	\$282.21
Total Abstract Amount:	\$ 532,383.56

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Public Comments

- Resident Evelyn David let the Board know she sent them an email with recommendations for water gauges to place in the Ramapo River to help monitor for flooding.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Executive Session

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo, enters into an Executive Session for Attorney consultation at 7:37pm.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

On a Motion made by Supervisor McMillen and Councilmember Kasker, the Town Board of the Town of Tuxedo, exits the Executive Session and re-enter the Public Meeting at 7:44pm.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

No action was taken.

RESOLUTION AUTHORIZING SPECIAL COUNSEL TO JOIN IN LITIGATION

WHEREAS, the Town Board (“Board”), currently utilizes the legal services of the law firm of Feerick Nugent MacCartney, PLLC (“Special Counsel”); and

WHEREAS, the Town is authorized under law to pursue civil and injunctive relief in the Supreme Court to prevent, restrain, enjoin, correct or abate violations of the Town Code; and

WHEREAS, the Town Board desires Feerick Nugent MacCartney to investigate, research and compile information and documents as needed to participate in an Article 78 proceeding in the Orange County Supreme Court concerning a challenge to a Planning Board decision rendered on a proposed project in the Town of Warwick on Old Forge Road; and

WHEREAS, the Town Board desires to have Special Counsel join in the representation and defense of the Town in such Litigation.

NOW, THEREFORE, it is resolved as follows:

Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 13, 2025

Section 2. Special Counsel Feerick Nugent MacCartney is authorized to join, appear and represent the Town in said proceeding and shall be compensated for all services performed for the Town with regard to said litigation on the same terms and conditions as the set forth in the Town Board Resolution and Agreement previously appointing Special Counsel.

Section 3. The Town Supervisor, or his designee, is hereby authorized to take any and all actions necessary to carry out the provisions of this resolution, including the execution of any necessary documents.

Section 4. This Resolution shall be effective immediately.

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Adjournment

On a Motion made Supervisor McMillen and seconded by and Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo adjourns the meeting at 7:51pm.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, and 2 Absent.

Respectfully submitted,

Marisa Dollbaum

Town Clerk
Town of Tuxedo