

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

Deputy Supervisor Murphy called to order the Town Board Meeting of July 9, 2025 at 7:00pm.

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

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

Town Board Member Absent:	Mr. Dave McMillen	Supervisor
	Mr. Chris Kasker	Councilmember

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present in person:

Town Attorney Ben Gailey; Highway Superintendent Rob Dollbaum; Police Chief Richard Marsh (via Zoom)

Moment of Silence

Councilmember Dollbaum asked for a moment of silence for Thomas Murphy, who grew up in Eagle Valley. He began as a volunteer fireman for the Tuxedo Park Fire Department, and eventually became a founding member of the Eagle Valley Fire Company in 1972. Additionally, Tom served as Captain of the Tuxedo Fire Police and worked as the Animal Control Officer for Tuxedo. The Town offers their sincere condolences to his family and friends.

Public Hearing – Property Maintenance

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Dollbaum to Open the Public Hearing on Introductory Local Law “Property Maintenance” at 7:01PM.

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

Deputy Supervisor opened the floor for Public Comments:

There were no public comments.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Dollbaum, that all persons desiring to be heard, having been heard, the Public Hearing on Local Law entitled "Property Maintenance" was closed at 7:03PM

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

RESOLUTION OF ADOPTION
LOCAL LAW NO. 2 OF 2025

WHEREAS, an introductory Local Law, titled "Property Maintenance" was introduced before the Town Board of the Town of Tuxedo on June 11, 2025, and upon notice duly published and posted, a hearing was held on June 25, 2025, and continued on July 9, 2025, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law.
NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law titled "Property Maintenance" is a Unlisted action and is determined not to have a significant adverse effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law titled "Property Maintenance" of the Town of Tuxedo be and hereby is adopted as Local Law #2 of 2025 of the Town of Tuxedo on July 9, 2025.

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Dollbaum, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Public Hearing - Regulation of Cannabis Retail Dispensaries

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Eirand to Open the Public Hearing on "Introductory Local Law "Regulation of Cannabis Retail Dispensaries" at 7:03PM.

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

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

Deputy Supervisor opened the floor for Public Comments:

- Scott Lesko, of Augusta Properties, Inc. stated he is one of the top five commercial taxpayers in the Town of Tuxedo. He and his family have owned properties in the downtown business district since 1968. He invested close to \$400,000 to renovate the former Orange Top Diner and has been unable to find a tenant. He has recently met with professional cannabis operators interested in opening a dispensary at the former diner site. He believes this could revitalize the downtown area and benefit surrounding businesses. During his research, he found that a dispensary application for Southfields has already been approved at the town level and is awaiting state approval. He feels the proposed zoning change to limit dispensaries to Southfields would effectively create a monopoly in that area and exclude the Hamlet, where investment is most needed. He added the proposal contradicts New York State law, and concerns have been submitted to the State Cannabis Review Board.
- Jay Reichgott from 121 Laurel Rd stated he was a Councilperson during the time when the Board had to decide on opting into allowing cannabis dispensaries—while opting out of on-site consumption establishments. Recognizing the divisive nature of the issue, they proactively put the decision to a town-wide referendum, which passed by a strong margin, showing clear public support for dispensaries throughout the town. At the time, they chose to apply the same zoning rules to dispensaries as to liquor stores, gun shops, and other regulated businesses—meaning no additional restrictions beyond standard zoning. As his profession as an engineer, he reviewed the 30 sites listed in the proposed overlay and found that 17 of them (about 60%) are not viable due to size, shape, or buildability, making the actual options very limited. The one viable site he found was the current Police Station and he knows no one would be agreeable to allowing that. He ended by saying he is not in favor of the Local Law.
- Balbino Ramos, Jr. from 61 Benjamin Meadow Rd, said that his concern is that while cannabis dispensaries may generate revenue, they don't provide other benefits to the whole community. He believes most customers simply buy and leave without supporting other local businesses, and fears an increase in loitering, traffic, and undesirable activity near residential areas. He also cited issues in nearby towns like Monroe and Harriman with enforcement and unlicensed operations. Ultimately, he feels that focusing on lowering rental costs to attract diverse businesses downtown would be a more effective and positive strategy for Tuxedo's long-term growth.
- Dale Mottola was speaking on behalf of the Tuxedo Chamber of Commerce; she requested that the public hearing remain open to allow local businesses time to review the proposed law and provide feedback. She emphasized the importance of sharing the information through the Chamber's mailing list so businesses have a fair opportunity to comment.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

- Gonul Kamfoi is a Southfields resident that expressed concern that her area is being overlooked in Tuxedo's revitalization efforts. As one of the properties included in the proposed overlay, she feels Southfields is unfairly targeted for dispensaries, despite the entire town voting to allow them. Drawing on her experience as a forensic scientist, she stated that legal dispensaries are typically well-run and don't attract problematic activity. She stated Southfields is an area that seems to be "dumped on" with a new Verizon cell tower being installed and the unsightly Red Apple Rest property. She urged the Town to focus on revitalizing all parts of Tuxedo equally, not just the downtown district or Tuxedo Park.
- Evelyn David from River Road asked if this was medical marijuana establishment and Deputy Supervisor Murphy clarified it is for recreational retail dispensaries.
- Ken Seligson is the attorney for Augusta Properties and he expressed legal concerns with the proposed cannabis law, noting it includes restrictions—such as 500-foot buffers from "sensitive uses" like libraries and pools, and strict zoning overlays—that exceed what New York State law allows municipalities to enforce. Based on his experience representing cannabis businesses in both California and New York, he argued that dispensaries are often well-run, community-oriented, and that overly restrictive local laws risk making it impossible for any dispensary to open in Tuxedo. He urged the Board to revise the law to align with state regulations and support legitimate, tax-generating businesses.
- Irene Denaro from 60 Spice Bush Lane, is confused because the cannabis issue was already voted on years ago. She wonders why the dispensaries are now being limited to Southfields, which undermines the hamlet's revitalization. She sees it as a bias against cannabis compared to alcohol, which is more accepted despite its dangers. She agrees with the previous speaker that cannabis dispensaries should be treated in the same manner as liquor stores. She objects to Southfields being singled out and treated like a dumping ground.

Public Hearing Continuation

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Eirand to Continue the Public Hearing on "Introductory Local Law "Regulation of Cannabis Retail Dispensaries" to July 23, 2025 at 7:00PM.

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

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

Department Updates

Highway Superintendent Rob Dollbaum said they are continuing with the chip/sealing in the Hamlet area. The culvert project on Benjamin Meadow Rd. began on July 7th. There is no through traffic while the culvert is being replaced.

Town Clerk Marisa Dollbaum reminded residents to sign up for Tuxedo Connect, the Town's new notification system. She updated the Board that they are working on getting payments automated to ACH instead of printing paper checks to pay vouchers, which costs around \$4.00 per check.

Police Chief Rick Marsh said Officers went to training for the new Utility vehicle that they received. The new computers for the patrol cars will be installed soon. The two recently appointed Dispatchers began their training.

Public Comment(s) on Agenda Items

There were no public comments.

Agenda Item #1 - Resolution to Reappoint Town Assessor

WHEREAS, the position of Assessor for the Town of Tuxedo, County of Orange, State of New York, is currently due for reappointment; and

WHEREAS, it is necessary for the Town Board to appoint a qualified individual to serve as the Town Assessor pursuant to the applicable provisions of the Real Property Tax Law and Town Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby reappoints:

Hugh Davies

to the position of **Assessor** for the Town of Tuxedo, effective October 1, 2025, for a term of **Six (6) years**, expiring on September 30, 2031, unless otherwise terminated or reappointed in accordance with law; and

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

BE IT FURTHER RESOLVED, that compensation and other terms of employment for said position shall be in accordance with the Town's adopted budget and personnel policies; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the New York State Office of Real Property Services and any other required governmental agencies.

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 absent.

Agenda Item #2 - Resolution to Appoint Animal/Dog Control Officer

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Dollbaum, the Town Board of the Town of Tuxedo to appoints Kevin Podlas as Part-Time Animal/Dog Control Officer (Civil Service Title #1020, \$8,000.00 annual salary).

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Agenda Item #3 - Resolution Authorizing Lanc & Tully to Prepare Bid for Refuse Collection Services

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Dollbaum, the Town Board of the Town of Tuxedo authorizes Lanc & Tully to prepare the bid package for Refuse Collection Services.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Other Business

Resolution to Approve Proposal for Powerhouse Park

On a motion made by Deputy Supervisor Murphy and seconded by Councilmember Dollbaum, the Town Board of the Town of Tuxedo approves the proposal by ALAO for the Visioning of Powerhouse Park improvements for a cost of \$6,000.00, and the contract subject to attorney approval. (Deputy Supervisor Murphy said funds will be allocated from the parkland fees from the Tuxedo Reserve project.)

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Regular Town Board Meeting
Town of Tuxedo
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July 9, 2025

Minutes

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo accepts the Minutes of the Regular Bi-Monthly Town Board Meeting held on June 25, 2025.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Vouchers

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

Claim numbers: 2012924959 thru 2012925022

General Fund:	\$114,945.46
Part-Town Fund:	\$41,700.91
Highway Town Wide:	\$29,115.44
Highway Part Town	\$485.24
Refuse and Garbage	\$0
Hamlet Sewer District	\$278.26
Trust and Agency	\$0
<u>Total Abstract Amount:</u>	\$186,525.31

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Public Comments

- Dale Mottola gave a reminder about the next Summer Concert at Powerhouse Park, which is Saturday, July 12th at 5pm. She also asked the Board if they could talk to Optimum about getting fiber connected to their street on Hillside Avenue.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
July 9, 2025

- Balbino Ramos, Jr. asked if more signs could be posted on Benjamin Meadow Road for the road closure. Highway Superintendent Dollbaum said there were a sufficient number of signs posted and unfortunately more signs would not help.

Adjournment

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo adjourns the meeting at 7:45 pm.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, 2 Absent.

Respectfully submitted,

Marisa Dollbaum

Town Clerk

Town of Tuxedo