

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
August 27, 2025

Supervisor McMillen called to order the Town Board Meeting of August 27, 2025 at 7:00pm.

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

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

Town Board Member Absent:	Mr. Chris Kasker	Councilmember
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Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present in person:

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

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

On a Motion made Supervisor McMillen, and 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 7:01PM.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

Supervisor McMillen opened the floor to Public Comments.

There were no public comments.

Public Hearing Continuation

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo Continues the Public Hearing on “Introductory Local Law “Regulation of Cannabis Retail Dispensaries” September 24, 2025 at 7:00PM.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

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Public Comment(s) on Agenda Items

There were no public comments on Agenda Items.

Agenda Item #1 - Resolution to Approve Town Board Opinion Letters Regarding Two State Cannabis Retail Dispensary License Applications

WHEREAS, the New York State Office of Cannabis Management (OCM) has requested municipal input in the form of municipal notice or opinion letters regarding pending applications for retail cannabis dispensary licenses within the Town of Tuxedo; and

WHEREAS, the Town has received two such requests for opinion letters concerning proposed cannabis retail dispensary license applications within the Town; and

WHEREAS, the Town Board has reviewed the proposed locations and applications in accordance with applicable local zoning, land use regulations, and public welfare considerations; and

WHEREAS, draft opinion letters have been prepared to reflect the Town Board's determinations and findings regarding the two applications;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby approves the issuance of the two opinion letters regarding the pending New York State cannabis retail dispensary license applications; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign and transmit said opinion letters to the New York State Office of Cannabis Management on behalf of the Town Board.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

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Agenda Item #2 – Resolution to Approve Leases for Printer/Copiers at Town Hall and Police Department

WHEREAS, the Town of Tuxedo has identified the need to lease updated printer/copier equipment for the Police Department and Town Hall (downstairs) in order to ensure continued functionality and efficiency in municipal operations; and

WHEREAS, lease proposals submitted by RICOH USA, Inc. have been reviewed and deemed acceptable by the Town in terms of pricing, functionality, and service terms; and

WHEREAS, the proposed lease agreements include terms and conditions outlined in the documentation on file with the Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby approves the lease agreements for printer/copier equipment for the Police Department and Town Hall (downstairs), as outlined in the proposals on file; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute said lease agreements and any related documents necessary to implement the leases, 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 4 Ayes, 0 Nays, and 1 Absent.

Agenda Item #3 - Resolution to Intervene in Special Franchise Proceedings

WHEREAS, Millennium Pipeline Company, LLC (“Millennium”) has commenced tax certiorari proceedings in the State Supreme Court, County of Albany, to contest the 2025 Final Special Franchise Full Values for the assessments placed on its Roll Section 5 (public rights-of-way) high-pressure natural gas pipeline property, which assessments were determined by the New York State Board of Real Property Services, by filing a Notice of Petition and Petition pursuant to Real Property Tax Law (RPTL) Article 7 (the “Special Franchise Proceedings”); and

WHEREAS, Millennium has the right to bring tax certiorari proceedings in the State Supreme Court, County of Orange, to contest the assessments placed on its Roll Section 6 (private rights-of-way) high-pressure natural gas pipeline property by the Town Assessor; and

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WHEREAS, the Town has a statutory right to intervene in the Special Franchise Proceedings;
and

WHEREAS, the Town's Attorney recommends intervention in the Special Franchise Proceedings so that the Town will have a greater ability to monitor those proceedings and to have access to discovery documents and other information exchanged in those proceedings, which will assist the Town in evaluating and defending the assessments of Millennium's property established locally by the Town Assessor for the same pipeline.

NOW, THEREFORE, IT IS RESOLVED by the Town Board of the Town of Tuxedo to authorize the law firm of J&G Law, LLP, to intervene in the Special Franchise Proceedings on behalf of the Town and to represent the Town as a party in those proceedings.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

Agenda Item #4 – Resolution Authorizing Submission of Grant Application to Justice Court Assistance Program

WHEREAS, the Justice Court Assistant Program has opened up for the 2025-26 grant cycle;
and

WHEREAS, the Town Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program (JCAP) during the upcoming 2025-26 grant cycle. One required component of that application is a certified Resolution from the Town Board authorizing the Town Court to apply for this funding up to \$30,000.00;
and

WHEREAS, the Town Board of Tuxedo has determined that applying for these funds would be in the best interest of the organization and the community it serves.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Tuxedo Town Board authorizes the Town of Tuxedo Court to apply for a JCAP grant in the 2025-26 grant cycle for up to \$30,000.00.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

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Agenda Item #5 - Resolution to Accept Grant for Traffic Safety

WHEREAS, the Governor's Traffic Safety Committee has awarded the Tuxedo Town Police Department a grant in the amount of \$5,600 under the Police Traffic Services Program, and;

WHEREAS, the purpose of the grant is to support initiatives to increase seat belt usage and reduce dangerous driving behaviors to help prevent serious injuries and fatalities from traffic crashes, and;

WHEREAS, the grant funds are allocated as follows:

- Seat Belt Mobilization Enforcement: \$800
- Regular Police Traffic Services Enforcement: \$4,800

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby accepts the grant award of \$5,600 from the Governor's Traffic Safety Committee and authorizes the Tuxedo Town Police Department to participate in the Police Traffic Services Program, and;

BE IT FURTHER RESOLVED, that the Town Supervisor, Chief of Police, or other authorized official is hereby authorized to execute any necessary documents, including accessing and reviewing the approved budget in the eGrants system, and to take all steps necessary to effectuate the intent of this resolution.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays, and 1 Absent.

Agenda Item #6 – Resolution for Expansion and Enhancement of The Dog Park at Powerhouse Park

WHEREAS, the existing Dog Park has served as a valuable recreational asset to the community, and;

WHEREAS, there is a growing need to accommodate both small and large dogs in a safe and functional environment, and;

NOW, THEREFORE, BE IT RESOLVED, that The Dog Park shall be modified and expanded to include two (2) enclosed sections:

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1. Small Dog Park – Utilizing the existing dog park space, requiring only minor repairs;
2. Large Dog Park – A newly constructed enclosure with a 5-foot fence, including a double-gate entrance for secure access;

BE IT FURTHER RESOLVED, that the following amenities shall be included as part of the project:

- Shelter with seating – estimated cost: \$4,000
- Water fountain – estimated cost: \$5,000 (including infrastructure costs for water connection at Powerhouse Park)
- Signage – estimated cost: \$500
- Trash cans – estimated cost: \$500

BE IT FURTHER RESOLVED, that fencing costs are quoted at \$14,750 (quote attached), with a total estimated project cost of \$25,000, allowing for a contingency of $\pm 10\%$.

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 and 1 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 August 13, 2025.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

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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: 2012925207 thru 2012925254

General Fund:	\$86,066.65
Part-Town Fund:	\$7,765.21
Highway Town Wide:	\$328.85
Highway Part Town	\$1,544.78
Refuse and Garbage	\$33,401.84
Hamlet Sewer District	\$2,783.55
Trust and Agency	\$0
<u>Total Abstract Amount:</u>	\$ 131,890.88

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

Other Business:

Resolution Authorizing Purchase of PowerDMS Software for Police Department Accreditation Process

WHEREAS, the Town of Tuxedo Police Department is actively engaged in the law enforcement accreditation process, which requires comprehensive document management and compliance tracking; and

WHEREAS, the Police Department has recommended the purchase of PowerDMS software to assist with accreditation-related tasks, including policy management, training documentation, and audit preparation; and

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WHEREAS, the cost of the PowerDMS software is not to exceed \$1,100.00, and the purchase is contingent upon the identification of a suitable source of funding;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Tuxedo hereby approves the purchase of PowerDMS software for the Police Department at a cost not to exceed \$1,100.00, pending confirmation of an appropriate and available funding source.

On a motion made by Councilperson Eirand and seconded by Deputy Supervisor Murphy, the foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

Public Comments

- Resident and Parks and Recreation Advisory Board Chair Maria May gave a reminder for the next Summer Concert at Powerhouse Park on Friday, August 29th. She requested that the fence in the small dog park not allow for dogs to go under to get out.
- Resident Jerry Mottola has been told by Optimum that the fiber is along Route 17, but they will not install it on the Southside Place where he resides. He would like the Board to inquire with Optimum why they are not willing to do so.
- Resident Michele Lindsay said purchasing the Reggie Bar building and parking lots is now attainable since Lordae is willing to separate those from the Tuxedo Square building. She also mentioned that the parking code was updated in 2020, which changed the requirements for sizes of parking spaces in the Hamlet.
- Resident Kim said she was glad to hear that the Town Board is considering to purchase parking.

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 the purpose of a personnel matter at 8:18pm.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

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On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo exits the Executive Session and re-enters the Public Meeting at 9:04pm.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

No action was taken.

Adjournment

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo adjourns the meeting at 9:04pm.

The foregoing resolution was adopted on a vote of 4 Ayes, 0 Nays and 1 Absent.

Respectfully submitted,

Marisa Dollbaum

Town Clerk

Town of Tuxedo