

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

Deputy Supervisor Murphy called to order the Town Board Meeting of February 12, 2025 at 7:02pm.

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

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

*

Town Board Member Absent:	Mr. Dave McMillen	Supervisor
---------------------------	-------------------	------------

Recording Secretary: Marisa Dollbaum Town Clerk

Other Town Officials Present in person:

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

Moment of Silence

Councilmember Dollbaum called for a moment of silence for Loraine Eiben, who was a 60-year life member and former Captain of Tuxedo Ambulance Corp.

Oath of Office

Town Clerk Marisa Dollbaum administered the Oath of Office to Adam Eirand.

Presentations

- Vishal Teneja gave an update on Gas Station project (formally known as Gulf Station) on Route 17. The expected completion date is mid-Summer of this year. There will be two EV charging stations with the capability to add more if needed in the future. The market will have convenience store type of food and drinks and also offer freshly made bagels and sandwiches.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

Department Updates

- Highway Superintendent Rob Dollbaum let the Board know that there is a State wide shortage of salt. He also wanted to let the Board know that the State is mandating that highway trucks will have to be electric by the end of 2025. He will keep everyone updated.
- Police Chief Rick Marsh said his department handled 669 calls, issued 35 parking tickets, 4 arrests and assisted with 20 motor vehicle accidents in the month of January. They are planning a snow tubing event at Mt. Peter on March 14th, which is free to Tuxedo residents. A Part-time Police Officer was hired to fill the open position for School Resource Officer. The department received a donation of Narcan supplies. The Dispatchers are fully uniformed and are certified in the E-Justice program. He is getting quotes for new computers for the patrol cars since the ones they currently have are outdated and will not support Windows. He is looking into grants to help with covering the costs.
- Town Clerk Marisa Dollbaum scheduled the GoGov demo on Tuesday. She and Kathleen are making progress with the Town newsletter. She shared the Recreation calendar that Kathleen recently published.

Discussion Items

- 2024 Financial Audit results

Deputy Supervisor Murphy said the audit was recently completed by Cooper Arias and the final report will be ready in May. She said they are working on streamlining the voucher process.

- Phase 1 Hamlet Revitalization

The winners of the NY Forward Grant will be announced mid-Spring. The Town Board is actively searching for businesses to open in Tuxedo. The Tuxedo LDC will undergo an audit so they will know how much money is left.

- Economic Development Summit

Members from Orange County Government were invited to view the options for the Hamlet. The meeting was originally scheduled for this week, but will be rescheduled for a date in the near future.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

Public Comment(s) on Agenda Items

There were no public comments.

Agenda Item #1 – Resolution Introducing Local Law titled “Reducing Planning Board Membership to Five Members,” and Providing For Public Notice and Hearing

BE IT RESOLVED that an introductory Local Law, titled “Reducing Planning Board Membership to Five Members,” be and it hereby is introduced by Deputy Supervisor Murphy, before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law #1 of 2025 at the Town Hall, 1 Temple Drive, Tuxedo, New York at 7:00P.M. on Wednesday, February 26, 2025, and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least five (5) days prior thereto.

On a motion by Deputy Supervisor Murphy, seconded by Councilman Dollbaum, the resolution was adopted on a vote of 4 Ayes, 0 Nays, 1 Absent.

***TOWN OF TUXEDO
INTRODUCTORY LOCAL LAW
REDUCING PLANNING BOARD MEMBERSHIP TO FIVE MEMBERS***

BE IT ENACTED by the Town Board of the Town of Tuxedo, County of Orange, State of New York, as follows:

Section 1. Legislative intent. The Town Board finds that reducing the number of Planning Board members from seven to five members will facilitate the review, decision-making and administrative processes of the Board.

Section 2. Subsection A of §16-21, titled “Legislative intent,” of Article V, titled “Planning Board,” of Chapter 16, titled “Officers and Employees,” of the Code of the Town of Tuxedo is amended by adding the following to the end of said subsection A:

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

[Note: Subsequent to adoption of this §16-21A, the Town Board, by Local Law No. 1 of 2025, reduced the number of Planning Board members from seven to five.]

Section 3. Section 16-22, titled “Terms; appointment; vacancies,” of Article V, titled “Planning Board,” of Chapter 16, titled “Officers and Employees,” of the Code of the Town of Tuxedo is amended by re-lettering subsections A, B and C to B, C, and D and adding a new subsection A to read as follows:

A. The Planning Board shall consist of five members. The term of office of each member shall be five years, and the terms shall be staggered such that one term shall expire on December 31 of each year.

Section 4. Supercession.

To the extent that any provisions of the state Town Law, including §§267 and 271 thereof, or any provisions of the Town Code or Town Board resolution are inconsistent with this local law, such provisions are hereby superseded.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Agenda Item #2 – Resolution Authorizing the Town Supervisor To Execute the Memorandum of Agreement Between the Town of Tuxedo and IBEW Local 363 Relating to the Town of Tuxedo Highway Department

WHEREAS, the Town of Tuxedo and IBEW, Local 363 (“Highway Department”) had previously entered a Collective Bargaining Agreement that expired on December 31, 2024; and

WHEREAS, the parties entered into negotiations in 2024, to negotiate terms of a new Collective Bargaining Agreement which terms were recorded in a proposed Memorandum of Agreement; and

WHEREAS, the members of the IBEW Highway Department previously met and have approved the proposed terms set forth in the Memorandum of Agreement for a new Collective Bargaining Agreement to be in effect from January 1, 2025 through December 31, 2027.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

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

- Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full herein.
- Section 2. The Town Board hereby approves the Memorandum of Agreement in the form presented to the Town Board and hereby authorizes the Town Supervisor to execute the annexed Memorandum of Agreement between the Town of Tuxedo and the IBEW Local 363 relating to the Town of Tuxedo Highway Department, effective January 1, 2025 through December 31, 2027.
- Section 3. The Town Clerk and any other Town officials and/or employees, as directed by the Supervisor, are authorized to take any and all necessary actions to carry out the provisions of this Resolution.
- Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Dave McMillen	[]	[]	[]	[X]
Councilmember Chris Kasker	[X]	[]	[]	[]
Councilmember Deirdre Murphy	[X]	[]	[]	[]
Councilmember Christopher Dollbaum	[X]	[]	[]	[]
Councilmember Adam Eirand	[X]	[]	[]	[]

On the motion of Deputy Supervisor Murphy, seconded by Councilmember Dollbaum, the foregoing resolution was adopted, on a roll call of 4 Ayes, 0 Nays, 1 Absent.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

Agenda Item #3 - Resolution to Adopt Policy on Employee Notification of Disciplinary Records Request Under FOIL – Tabled

Agenda Item #4 - Resolution to Approve Pay Increase for Court Officer

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Kasker, the Town Board of the Town of Tuxedo approves a \$25.00 increase per session to the Court Officers to reflect the following:

Vehicle & Traffic - \$125.00 per session

Criminal - \$150.00 per session

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

Town Supervisor/Town Board Updates

- Councilmember Kasker welcomed Adam Eirand to the Town Board. He thanked Vishal for giving the Board an update on the gas station and market. He thanked Chief for his work on getting the Police Department accredited.
- Councilmember Dollbaum continues to work with Deputy Supervisor Murphy on contacting and meeting with business owners to encourage them to come to Tuxedo.
- Deputy Supervisor Murphy announced the Plein Air event is May 15th. Tuxedo Park Events will be catering again. She said intern Claudia Bakhtiary submitted the SWIFT application for the FEMA/DEC project. Claudia is also working on Climate Smart and researching the potential savings to the Town by enrolling in a solar program.
- Councilmember Adam Eirand thanked the Board for selecting him. He also thanked Town Clerk Marisa Dollbaum for assisting with the onboarding, Highway Superintendent Rob Dollbaum for keeping the roads clear, and Chief Marsh for the increased enforcement.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

Minutes

On a Motion made by Deputy Supervisor Murphy, seconded by Councilmember Kasker, to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on January 22, 2025.

The foregoing resolution was adopted on a vote of 3 Ayes, 0 Nays, 1 Absent, 1 Abstain.

Vouchers

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

*The voucher previously being held for a road open permit has been included (#2012924066).

Claim numbers: 2012924299 through 2012924407

General Fund:	\$240,640.13
Part-Town Fund:	\$48,679.55
Highway Town Wide:	\$32,527.00
Highway Part Town	\$9,658.22
Refuse and Garbage	\$34,699.52
Hamlet Sewer District	\$15,776.72
Trust and Agency	\$1,554,555.00
<u>Total Abstract Amount:</u>	\$1,936,536.14

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

Public Comments

- Highway Superintendent Dollbaum gave a reminder to not plow or push snow into the road. It is a hazard and it's a violation of local and State code.

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

- Resident Dale Mottola asked if the Town purchased the Junction building. Deputy Supervisor Murphy confirmed that the Town did purchase the building and they have a few interested businesses.
- Resident Noreen Fennell asked if parking spaces would be available to the public if the building is purchased by a business. Deputy Supervisor Murphy said that spaces will be utilized for municipal parking.
- Resident Jerry Mottola asked what the replacement plan is for Police and Highway vehicles. Chief Marsh said the vehicles leased by Fleet Enterprise will be replaced every five years.
- Resident Evelyn David asked about an update on the SWIFT program. Deputy Supervisor Murphy said they will receive an update in the next few weeks.
- Resident Mary Graetzer welcomed Adam Eirand to the Town Board.
- Resident Maria May suggests adding a stipulation to those that are awarded Tuxedo LDC grant money so they are accountable for opening their business in a timely manner.

Executive Session

On a Motion made by Deputy Supervisor Murphy and seconded by Councilmember Kasker, the Town Board of the Town of Tuxedo entered into Executive session at 8:17pm to discuss personnel matters.

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

On a Motion made by Councilmember Dollbaum and seconded by Councilmember Kasker, the Town Board of the Town of Tuxedo left the Executive session and re-entered the Public Meeting at 9:44pm.

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

No action was taken.

Other Business

**RESOLUTION AUTHORIZING TOWN SUPERVISOR TO SEND STEP 2
GRIEVANCE RESPONSE TO TEAMSTERS LOCAL NO. 445 (POLICE BARGAINING
UNIT)**

WHEREAS, on December 20, 2024, the Town Police Chief received a grievance from Teamsters Local Union No. 445 (Police Bargaining Unit) (“Local 445”) concerning Tier Two health insurance benefits; and

WHEREAS, on January 3, 2025, the Chief of Police responded to the grievance and recommended that the matter proceed to a Step 2 grievance; and

WHEREAS, pursuant to the provisions of the Collective Bargaining Agreement between the Town and Local 445, the Step 2 grievance must be submitted by Local 445 within 14 days of the Step 1 response from the Chief of Police; and

WHEREAS, no Step 2 grievance was received from Local 445 within 14 days after January 3, 2025 when the Chief’s Step 1 response was provided to Local 445; and

WHEREAS, on February 7, 2025, the Town received a document identified as a Step 2 grievance from the Tuxedo PBA; and

WHEREAS the Town Board desires to authorize the Supervisor to respond to the untimely Step 2 document.

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

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Town Board hereby determines that the Step 2 grievance document received from Local 445 is untimely, having been filed 35 days after Local 445’s receipt of the Step 1 determination from the Chief of Police and such untimely filing is contrary to the express provisions of Article 16 (Grievance Procedure) of the Collective Bargaining Agreement requiring such response be sent within 14 days of the Step 1 determination.

Section 3. Even if the untimely Step 2 grievance had been timely filed, it lacks merit as the Collective Bargaining Agreement expressly authorized the change in insurance plans for Tier Two officers and such health insurance plan was expressly incorporated into the Collective Bargaining Agreement as a

Regular Town Board Meeting
Town of Tuxedo
1 Temple Dr., Tuxedo, NY 10987
And via Zoom
February 12, 2025

substantially equivalent health insurance plan. Accordingly, the grievance is without merit.

Section 4. The Town Supervisor is hereby authorized to communicate this determination of the Town Board to Local 445.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Dave McMillen	[]	[]	[]	[X]
Councilmember Chris Kasker	[X]	[]	[]	[]
Councilmember Deirdre Murphy	[X]	[]	[]	[]
Councilmember Christopher Dollbaum	[X]	[]	[]	[]
Councilmember Adam Eirand	[X]	[]	[]	[]

On the motion of Councilmember Kasker, seconded by Councilmember Dollbaum, the foregoing resolution was adopted, on a roll call of 4 Ayes, 0 Nays, 1 Absent.

Adjournment

On a Motion made by Councilmember Dollbaum and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo adjourns the meeting at 9:43pm.

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

Respectfully submitted,

Marisa Dollbaum

Town Clerk
Town of Tuxedo