

Regular Town Board Meeting  
Town of Tuxedo  
1 Temple Dr., Tuxedo, NY 10987  
And via Zoom  
October 8, 2025

Supervisor McMillen called to order the Town Board Meeting of October 8, 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
	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

**Moment of Silence**

Supervisor McMillen called for a Moment of Silence for longtime resident Thelma Smith. The Board extends their sympathies to her family and friends.

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

On a Motion made Supervisor McMillen, and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo Opens the Public Hearing on “Introductory Local Law “Regulation of Cannabis Retail Dispensaries” at 7:03PM.

The foregoing resolution was adopted on a vote of 5 Ayes and 0 Nays.

Supervisor McMillen opened the floor to Public Comments.

There were no public comments.

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

On a Motion made Supervisor McMillen, and seconded by Councilmember Eirand, that all persons desiring to be heard, having been heard, the Public Hearing on Local Law entitled “Regulation of Cannabis Retail” was closed at 7:05PM

The foregoing resolution was adopted on a vote of 5 Ayes and 0 Nays.

**Public Comment(s) on Agenda Items**

There were no public comments on the Agenda Items.

**Agenda Item #1 - Resolution to Schedule Property Maintenance Code Due Process Hearing Regarding 76 Clinton Road**

TOWN OF TUXEDO – STATE OF NEW YORK  
COUNTY OF ORANGE

-----x

In Re

**ORDER**

PROPERTY MAINTENANCE CODE VIOLATIONS

-against-

PAUL HOFFMAN

-----x

**RESOLUTION AND ORDER TO REMEDY PROPERTY  
MAINTENANCE CODE VIOLATIONS**

**76 Clinton Road  
Tax Map No. 203-3-6**

RESOLVED, that the following findings are made: Pursuant to the most recent assessment roll of the Town of Tuxedo, Paul Hoffman is the owner (“Owner”) of property located at 76 Clinton Road, also identified as Tuxedo Tax Map No. 203-3-6 (the “Property”).

On September 26, 2025, the Town Building Inspector served on the Owner a Notice of

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Violation, dated September 26, 2025, containing concise and descriptive statements of many violations of the Town Property Maintenance Code (Code) and citing and quoting the relevant sections of the Code. The Notice of Violation ordered the Owner to correct and remedy the stated violations before October 10, 2025. The Notice of Violation also specifically directed the Owner's attention to §73-10 (Enforcement) and §73-11 (Penalties for offenses) of the Code, and a copy of the Code was annexed to the Notice of Violation.

The Building Inspector inspected the Property again on October 8, 2025, and issued an email report, with photographs, to the Board that the violations were not remedied and that the conditions of the Property cited in the Notice of Violation were essentially the same.

RESOLVED, that the following determinations and Order are made:

The Town Board accepts the Building Inspector's October 8 report and determines that the Property remains in violation of the Code.

Unless all violations are remedied and all unlawful conditions are abated before October 10, 2025, a due process hearing shall be held on October 22, 2025, at 7:00 PM at the Town Hall, located at 1 Temple Drive, Tuxedo, New York 10987, and the Town will notify the Owner at least five (5) days prior to this hearing. If the Owner fails to appear at this hearing or fails to adequately contest the Notice of Violation, as determined by this Board, or fails to fully remedy the violations before October 10, 2025, then, at the conclusion of the due process hearing, the Town Board will order the violations remedied and the unlawful conditions abated and authorize the Town and the Building Inspector to take the necessary steps to remedy and abate the violations by entry on the property by Town employees and/or contractors and/or others to conduct the work necessary to abate the unlawful conditions and remedy the violations (the

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“Work”). All costs and expenses of this proceeding, including but not limited to the costs of the Work, reasonable attorney and consultant fees, employees’ salaries, and administrative costs, associated with the correction and removal of the conditions and violations shall be charged to the Owner. If such charge is not paid in full within thirty (30) days after billing to the Owner, the charge and costs shall be assessed and levied against and constitute a lien on the Property until paid or otherwise satisfied and discharged and shall be collected in the same manner and at the same time as other Town real property taxes.

The above remedy shall be in addition to, and not in lieu of, prosecution in the Town Justice Court and, upon conviction, payment of a fine in the amount set by the Justice Court, and any other remedy available to the Town.

On a motion by Supervisor McMillen, seconded by Councilperson Eirand, the foregoing Resolution and Order was adopted on a vote of 5 Ayes, 0 Nays.

**Agenda Item #2 Resolution Introducing Local Law to Override Tax Levy Limit for Fiscal Year 2026 and Providing for Public Notice and Hearing**

BE IT RESOLVED that an introductory Local Law, titled “Tax Levy Limit Override/2026 Fiscal Year,” be and it hereby is introduced by Supervisor McMillen, 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 at the Town Hall, 1 Temple Drive, Tuxedo, New York 10987 at 7:00 P.M. on October 22, 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 Supervisor McMillen and seconded by Deputy Supervisor Murphy, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

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**INTRODUCTORY LOCAL LAW  
TAX LEVY LIMIT OVERRIDE/2026 FISCAL YEAR**

*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.*

*It is the intent of this local law to allow the Town Board of the Town of Tuxedo to adopt a budget for the fiscal year commencing January 1, 2026, that requires a real property tax levy in excess of the "tax levy limit" as defined by state General Municipal Law §3-c.*

Section 2.      *Authority.*

*This local law is adopted pursuant to Subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax levy cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of the governing body.*

Section 3.      *Tax Levy Limit Override.*

*The Town Board of the Town of Tuxedo is hereby authorized to adopt a budget for the Town of Tuxedo and for each of the special districts located within the Town for the fiscal year commencing January 1, 2026, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.*

Section 4.      *Severability.*

*If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person or entity or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.*

Section 5.      *Effective Date.*

*This local law shall become operative and take effect immediately upon adoption. This local law shall be filed in the Office of the Secretary of State.*

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**Agenda Item #3 - Resolution to Appoint Town Historian**

On a Motion made by Supervisor McMillen and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo appoints Alex Prizgintas to the vacant position of Town Historian.

The resolution was adopted on a vote of 5 Ayes, 0 Nays.

**Minutes**

On a Motion made Supervisor McMillen, 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 September 24, 2025.

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

**Vouchers**

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

Claim numbers: 2012925367 thru 2012925425

General Fund:	\$108,045.54
Part-Town Fund:	\$46,941.17
Highway Town Wide:	\$24,389.78
Highway Part Town	\$19,943.03
Refuse and Garbage	\$0
Hamlet Sewer District	\$2,550.00
Trust and Agency	\$0
<b>Total Abstract Amount:</b>	<b>\$ 201,869.52</b>

The resolution was adopted on a vote of 5 Ayes, 0 Nays.

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**Town Supervisor/Town Board Updates**

<https://youtu.be/fK5VTwdkCdE?t=1278>

**Public Comments**

- Resident Maria May extended her appreciation the Tuxedo Police Department. She is working with Jewish Family Services to see what transportation options are available to seniors in Tuxedo. She announced a fundraiser event at the Sloatsburg Food Pantry on October 17<sup>th</sup>.
- Resident Dale Mottola expressed her concern for the lack of parking for patrons at the library especially if the parking lots are sold. Deputy Supervisor Murphy said the Town is still interested in potentially purchasing the parking lots.
- Resident Sue Scher suggests forming a welcoming committee for the new residents in Tuxedo Reserve.

**Executive Session**

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo enters into an Executive Session for the purpose of attorney consultation at 8:54pm.

The foregoing resolution was adopted on a vote of 5 Ayes, and 0 Nays.

On a Motion made by Supervisor McMillen and seconded by Councilmember Eirand, the Town Board of the Town of Tuxedo left the Executive Session and re-entered the public meeting at 9:20pm.

The foregoing resolution was adopted on a vote of 5 Ayes, and 0 Nays.

No action was taken.

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**Other Business**

- NYSDOT Temporary Easement

Resolved at the regular meeting of the Town Board of the Town of Tuxedo ratifying Agreement and designating the Town Supervisor to execute closing papers on its behalf, on October 8, 2025, the following resolution was adopted, offered by Supervisor McMillen, and seconded by Councilmember Eirand and passed by the Town Board of the Town of Tuxedo that David McMillen, Town Supervisor of the Town of Tuxedo be empowered to execute Agreements and any subsequent papers which might be required to secure payment of this claim:

Proceeding 15199, PIN 8LC2.21.201, S.H. 8258, Map(s) 111 , Parcel(s) 169.

The foregoing resolution was adopted on a vote of 5 Ayes and 0 Nays.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
OFFICE OF RIGHT OF WAY  
REGION B

**EXPLANATION OF ACQUISITION/OFFER OF SETTLEMENT**

<b>PIN:</b> 8LC2.21.201	<b>PROC#:</b> 15199	<b>DECL:</b> 1544
<b>SH:</b> 8258	<b>PROJECT:</b> Tuxedo – Harriman	
<b>COUNTY:</b> Orange	<b>CITY/TOWN:</b> Tuxedo	
<b>MAP(S):</b> 111	<b>PARCEL(S):</b> 169	
<b>CLAIMANT:</b> Town of Tuxedo		

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**EXPLANATION OF ACQUISITION**

**Map 111 Parcel 169** is a Temporary Easement (TE) with four sides & an area of 245± square feet (sf) (Area Under Water 71± sf). Irregular in shape, the TE area is located on the west side of the property on State Route 17. The TE area starts from the Point of Beginning (P.O.B) on the Highway Boundary (HB) angling southwest 13± ft, moving north 27.80± ft, then angling northeast 26±, heading south 57± ft back to the P.O.B. The TE is needed for purposes of grading, seeding and a work area.

*Offer of Settlement*

1. Direct Damages	<b>\$0.00</b>
2. Improvement Damages	<b>\$0.00</b>
3. Rental Value	<b>\$25.00</b>
<i>Total Damages - Just Compensation</i>	<b>\$25.00</b>

**Description of Project**

The New York State Department of Transportation is preparing to acquire real property for the repair or replacement of culverts in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, and Westchester counties.

The above value represents the amount of our highest approved appraisal, developed in accordance with appraisal standards as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). If you are satisfied with our explanation of the acquisition and wish to settle your claim with the State, you may request that we send you the Agreement of Adjustment and Release of Owner for execution. If you wish to leave your claim open and still collect the offered compensation, you may execute all three of the enclosed Agreement for Advance Payment documents, keeping one for your records and returning two in the self-addressed envelope provided. Once we receive your signed agreement and the closing papers have been completed and processed, payment can be made to you.

Please note that, in making this offer and any subsequent payment, the Commissioner of Transportation and the State of New York reserve certain rights, as explained in this paragraph. If, in the course of the construction of this project or the use or occupation of the property by the State or its authorized agents, it is discovered that hazardous or contaminated materials are present on any portion of the property in which the State is acquiring an interest, and such condition requires remediation by the Department of Transportation and/or some other State agency, the Commissioner and the State shall have the right to assert any claim, fine or penalty authorized by law against you or any other person or entity who owned, occupied or used the property, or caused such contamination, prior to the State's acquisition. This includes the right to assert a claim against any payment made pursuant to either of the enclosed Agreements or any subsequent payment, including any court award or settlement.

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**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, titled “Illumination of Existing Gas Station Signs,” be and it hereby is introduced by Supervisor McMillen, 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 at the Town Hall, 1 Temple Drive, Tuxedo, New York at 7:00 P.M. on November 12, 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 ten (10) days prior thereto.

On a motion by Supervisor McMillen, seconded by Councilman Eirand, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

The Supervisor declared this resolution adopted.

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**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, titled “Regulations of Animals,” which local law would limit the number of different species of animals permitted on a lot, including cats, dogs, horses and fowl; prohibit other species, including roosters, pigs, cattle, goats, sheep, alpacas, llamas and other livestock; impose a setback restriction of 50 feet from any lot line for the keeping or housing of animals; and impose penalties for violation of the law. be and it hereby is introduced by Supervisor McMillen, 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 at the Town Hall, 1 Temple Drive, Tuxedo, New York at 7:00 P.M. on October 22, 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 ten (10) days prior thereto.

On a motion by Supervisor McMillen, seconded by Councilman Eirand, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

The Supervisor declared this resolution adopted.

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**Adjournment**

On a Motion made Supervisor McMillen and seconded by Deputy Supervisor Murphy, the Town Board of the Town of Tuxedo adjourns the meeting at 9:40pm.

The resolution was adopted on a vote of 5 Ayes, 0 Nays.

Respectfully submitted,

*Marisa Dollbaum*

Town Clerk  
Town of Tuxedo