

The Reorganization Meeting and Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, January 8, 2007 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:32 p.m.

Town Board Members Present:	Mr. Peter M. Dolan	Supervisor
	Mr. Daniel Castricone	Councilperson
	Ms. Francine Rauch	Councilperson
	Ms. Lisa Spivak	Councilperson

Town Board Members Absent: None

Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel, Mr. Daniel J. Carlin, Police Chief; Mr. Stanley G. Puszcz, Town Engineer; Mr. Edward Pfizenmaier, Deputy Highway Superintendent; Mr. Andrew Rogers, Zoning Board of Appeals Member; and Mrs. Antionette Matthews, Deputy Town Clerk.

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

A moment of silence was observed to honor the memory of Alice Laurent, who died on January 7, 2007 and was the beloved mother-in-law of our Town Clerk. Condolences go out to her family and friends.

**REORGANIZATION  
MEETING**

**REORGANIZATION MEETING**

The Supervisor appointed the following positions:

Supervisor's Clerk:	Shari Brooks
Supervisor's Bookkeeper:	Patricia Monico-Sullivan
Deputy Supervisor:	Lisa Spivak

The Town Clerk appointed the following positions:

Deputy Registrar:	Antionette Matthews
First Deputy Town Clerk:	Antionette Matthews

Supervisor Dolan offered the following reorganization meeting resolutions and moved their adoption.

**RESOLVED**, that the Town Board will approve reimbursement of actual and necessary expenses by elected and appointed employees to attend the 2007 Association of Towns Convention in February, 2007;

**RESOLVED**, that the Supervisor be designated the voting delegate at the 2007 Annual Meeting of the Association of Towns, and that Lisa Spivak be designated as the alternate voting delegate;

**RESOLVED**, that the Regular Bi-Monthly Town Board Meetings be held on the second and fourth Monday of each month at 7:30 p.m. at the Town Hall and, when circumstances deem it desirable, be held at other locations in other parts of the Town. Should a meeting date fall on an observed holiday, the meeting will be held on the Tuesday of that week;

**RESOLVED**, that the *Times Herald Record* be named the official newspaper of the Town of Tuxedo for the calendar year 2007;

**RESOLVED**, that the Bank of New York be appointed as the official depository (checking and savings accounts) for the Town of Tuxedo for the calendar year 2007, and **FURTHER RESOLVED**, that the major portion of the Town's funds be invested in the FlexiCash Account administered by Merrill-Lynch, with the Bank of New York as Custodian;

**RESOLVED**, that the compensation for 2007 for employees be paid every two weeks, with the payroll period ending on the Friday before the payday on the following Friday, or Thursday if a holiday should fall on Friday;

**RESOLVED**, that the schedule of 2007 holidays for Town non-contractual employees be the same as that followed by the Orange County Department of Personnel, except for the following:

Day after Thanksgiving – Friday, November 23, 2007 (Closed)

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REGULAR BI-MONTHLY MEETING  
TUXEDO TOWN BOARD  
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**REORGANIZATION  
MEETING  
(Continued)**

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**REORGANIZATION MEETING (Continued)**

**RESOLVED**, that the yearly salaries be approved as stated for the following Town Officials:

Town Council	\$ 4,592.00 each
Town Justice Davis	\$22,497.00
Town Justice Steyer	\$19,987.00
Town Supervisor	\$21,840.00
Receiver of Taxes	\$ 7,268.00
Town Clerk	\$48,327.00
Superintendent of Highways	\$78,000.00

**RESOLVED**, that the salary of the full-time (35+ hour work week) Supervisory Court Clerk be set at \$37,775.00 per annum, and that Sandra Boss be appointed as Supervisory Court Clerk;

**RESOLVED**, that the salary of the full-time (30+ hour work week) Justice Clerk be set at \$29,602.00 per annum, and that Elizabeth Smith be appointed as Justice Clerk;

**RESOLVED**, that the salary of the part-time (20 hour work week) Court Clerk be set at \$16,052.00 per annum, and that Claire Squillini be appointed as Court Clerk;

**RESOLVED**, that the salary of the part-time (20 hour work week) Court Clerk be set at \$14,321.00 per annum, and that Mary Stalnaker be appointed as Court Clerk;

**RESOLVED**, that the salary of the full-time (30 hour work week) Supervisor's Clerk, who will additionally assist the Recreation Coordinator, be set at \$35,000.00 per annum;

**RESOLVED**, that the salary of the Supervisor's Bookkeeper be set at \$20,961.00 per annum and that the working hours be flexible and as required by the Supervisor;

**RESOLVED**, that Lynda Witte be retained as a consultant to the Bookkeeper and Supervisor and be compensated at the rate of \$30.00 per hour;

**RESOLVED**, that the salary of the Budget Officer be set at \$3,500.00 per annum, and that Peter M. Dolan be appointed as Budget Officer; and **FURTHER RESOLVED**, that the salary of the Deputy Budget Officer be set at \$4,000.00 per annum, and that Patricia Monico-Sullivan be appointed Deputy Budget Officer;

**RESOLVED**, that the salary of the part-time Assessor be set at \$24,877.00 per annum, that Gregory G. Stevens be appointed part-time Assessor, that the working hours be as needed/seasonal for such position, and that the minimum hours be 1,040 per annum;

**RESOLVED**, that the salary of the Board of Assessment Review Members be set as follows: Chairman - \$1,300.00 per annum; Members - \$470.00 per annum, that the working hours be as needed; and that Louis A. DeBrino be appointed Chairman of the Board of Assessment Review;

**RESOLVED**, that the salary of the part-time First Deputy Town Clerk be set at \$24,159.00 per annum for a 27-hour workweek;

**RESOLVED**, that the salary of the Payroll Clerk be set at \$2,147.00 per annum, that Anita Rogers be appointed Payroll Clerk, and that the hours be as needed;

**RESOLVED**, that the salary of the Records Management Officer be set at \$2,848.00 per annum and, as required by the New York State Records Management Law, that the Town Clerk is recognized as Records Management Officer;

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**REORGANIZATION  
MEETING  
(Continued)**

**REORGANIZATION MEETING (Continued)**

**RESOLVED**, that the salary of the Deputy Records Management Officer be set at \$1,352.00 per annum, and that the First Deputy Town Clerk be appointed Deputy Records Management Officer;

**RESOLVED**, that the salary of the part-time Dog Control Officer be set at \$6,490.00 per annum, that Thomas Murphy be appointed part-time Dog Control Officer, and that the working hours be as needed;

**RESOLVED**, that Nils Gerling be appointed to the position of Deputy Emergency Management Officer at a salary rate of \$1,250 per annum, and that the hours be as required;

**RESOLVED**, that the pay rate of the part-time Clerk for the Superintendent of Highways be set at \$16.12 per hour and that Deborah Villanueva be appointed part-time Clerk for the Superintendent of Highways;

**RESOLVED**, that the pay rate for the part-time 1<sup>st</sup> Parking Fee Collector be set at \$15.00 per hour, and that Claire Squillini be appointed part-time 1<sup>st</sup> Parking Fee Collector;

**RESOLVED**, that the pay rate for the part-time 2<sup>nd</sup> Parking Fee Collector be set at \$13.70 per hour, and that Mary Stalnaker be appointed part-time 2<sup>nd</sup> Parking Fee Collector;

**RESOLVED**, that the salary of the part-time Recreation Coordinator be set at \$15,147.00 per annum, that Laurie Sanford be appointed part-time Recreation Coordinator, and that the working hours be as needed for this position;

**RESOLVED**, that the salary and benefits of the Police Chief, Daniel J. Carlin, be as set forth in the January 1, 2004 contract on file with the Town;

**RESOLVED**, that the 2007 salaries and benefits of the Police Lieutenant, Sergeants and Patrolmen be as set forth in the 2005-2007 Collective Bargaining Agreement for the year 2007 with the New York State Union of Police;

**RESOLVED**, that the 2007 salaries and benefits of the full-time Police Dispatchers be as provided in the 2001-2003 contact with the New York State Union of Police until a successor contract has been ratified; and **FURTHER RESOLVED**, that Margaret Baruffaldi and Dawn Graham be appointed Police Matrons;

**RESOLVED**, that the pay rate of the part-time Police Dispatchers be set at \$10.00 per hour for the following appointed part-time Dispatchers: Karen Alstrup, Amy Clerk, Michelle Holmes, Douglas Itjen, Aaron McGrady, Kathleen Miller and Nathaniel Petrosky;

**RESOLVED**, that the salary of the full-time Fire and Building Inspector be set at \$48,672.00 per annum, and that David Maikisch be appointed Fire and Building Inspector;

**RESOLVED**, that the salary of the Project Coordinator for the Building Department (Building & Fire Inspector), Planning Board and Zoning Board of Appeals be set at \$42,922.00 per annum, that Anita Rogers be appointed to this position, and that the working hours be as needed, with a minimum of 37.5 hours per week;

**RESOLVED**, that the salaries of the Zoning Board of Appeals Members be set as follows: Chairman - \$1,424 per annum; Members - \$1,030.00 per annum, and that the working hours be as required, and that Francis Peverly be appointed Chairman of the Zoning Board of Appeals;

**RESOLVED**, that the salaries of the Planning Board Members be set as follows: Chairman - \$5,151.00 per annum, Members - \$2,400.00 per annum, that the working hours be as required, and that Nils Gerling be appointed Chairman of the Planning Board.

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**REORGANIZATION  
MEETING  
(Continued)**

**REORGANIZATION MEETING (Continued)**

**RESOLVED**, that the salaries of the Architectural Review Board Members be set as follows: Chairman - \$1,545.00 per annum, Members - \$1,000.00 per annum, that working hours be as required, and that Mary O. Hansen be appointed Chairman of the Architectural Review Board;

**RESOLVED**, that the salary of the part-time Clerk to the Zoning Board, Planning Board and Architectural Review Board be set at \$16.12 per hour, and that Deborah Villanueva be appointed to this position;

**RESOLVED**, that the 2007 salaries of the Highway Department employees be as set forth in the 2004-2006 Collective Bargaining Agreement with the International Brotherhood of Electrical Workers until a successor contract is ratified;

**RESOLVED**, that the salary of the Hamlet Sewer District Administrator be set at \$2,704.00 per annum, that Joseph P. Tripoli, Sr. be appointed to this position, and that the hours be as required;

**RESOLVED**, that the annual parking permit fee for 2007 for the resident-only municipal parking lot at the train station be set at \$150.00 and that the annual permit for non-resident handicapped parking at such lot be set at \$192.00;

**RESOLVED**, that the parking fees for 2006 for the daily-fee commuter parking lot on Powerhouse Lane be set at \$2.00 per day, or \$192.00 for 12 months, \$112.00 for six months and \$60.00 for three months;

**RESOLVED**, that the Supervisor, Deputy Supervisor and Councilwoman Francine Rauch be authorized to sign Payroll and Town Check; and **FURTHER RESOLVED**, that the Supervisor and Deputy Supervisor, the Supervisor's Clerk and the Project Coordinator be authorized to make withdrawals from the Town Savings and FlexiCash Accounts;

**RESOLVED**, that the Supervisor, Deputy Supervisor and Councilwoman Francine Rauch be authorized to make payment for payroll, hospitalization, dental, retirement, gas, electric, telephone, water, postage, express mail, garbage contracts and debt service without prior audit by the Town Board;

**RESOLVED**, that the contractual retainer of the Town Legal Counsel be set at \$40,750.00 per annum, with a maximum hourly rate of \$180.00 for non-retainer items, and that Jacobowitz and Gubits of Walden, New York be retained as Town Legal Counsel;

**RESOLVED**, that Holzmacher, McLendon & Murrell, P.C., of Totowa, New Jersey, be appointed as Engineers for the Town and that payment for services be as defined in the contract on file with the Town;

**RESOLVED**, that Theodore J. Eglit, Jr., CPA, of Hopewell Junction, New York be retained by the Town to review the books and records of the Town for the fiscal year 2006; and **FURTHER RESOLVED**, that Theodore J. Eglit, Jr., CPA, will assist the bookkeeper in the preparation of the Town's Annual Financial Report and in accounting and financial matters which arise during fiscal year 2007; and **FURTHER RESOLVED**, that Theodore J. Eglit, Jr., CPA, be compensated in an amount not to exceed \$12,000.00 per annum for the Town Audit and Financial Preparation and compensated at the rate of \$75.00 per hour for additional assistance; and **FURTHER RESOLVED**, that the charge for cash audits for the Town Clerk (1), Receiver of Taxes (1) and Justice Court (2) be \$500.00 each;

**RESOLVED**, that the contractual base fee of the Planning Board Legal Counsel be set at \$22,200.00 per annum, and that Thomas J. Egan, Esq., be retained as Planning Board Legal Counsel;

**RESOLVED**, that the contractual retainer of the Planning Consultant be set at \$1,7500 per month, and that Bonnie Franson be appointed as Planning Consultant;

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**REORGANIZATION  
MEETING  
(Concluded)**

**REORGANIZATION MEETING (Concluded)**

**RESOLVED**, that the contractual base fee of the Zoning Board of Appeals Legal Counsel be set at \$125.00 per hour, and that Lisa J. Felicissimo, Esq., be retained as Zoning Board of Appeals Legal Counsel;

**RESOLVED**, that Paul Mitchell be appointed Town Veteran's Officer;

**RESOLVED**, that Nils Gerling be appointed Public Information Officer;

**RESOLVED**, that Christian Sonne be appointed Town Historian;

**RESOLVED**, that Lisa Spivak be appointed liaison to the Tuxedo Police Department, the Tuxedo Volunteer Ambulance Corps and the Tuxedo Joint Fire District;

**RESOLVED**, that Peter Dolan be appointed liaison to the Planning Board and the Village of Tuxedo Park Board of Trustees;

**RESOLVED**, that Francine Rauch be appointed liaison to the Tuxedo Park Library and the Architectural Review Board;

**RESOLVED**, that Daniel G. Castricone be appointed liaison to the Tuxedo Police Department, the Assessor's Office, the Board of Assessment Review, the Zoning Board of Appeals and the Tuxedo Chamber of Commerce;

**RESOLVED**, that Peter M. Dolan be appointed liaison to the Tuxedo Union Free School District, the Monroe-Woodbury School District, the Highway Department, the Hamlet Sewer District and the Parks and Recreation Department; and

**RESOLVED**, that reimbursement for personal car usage for Town business be set at \$.485/mile for 2007.

The adoption of the foregoing resolution was seconded by Councilperson Spivak and duly put to a vote on roll call, which resulted as follows:

**Adopted:** AYES: [ 4 ]      NAYS: [ 0 ]      ABSENTEES: [ 0 ]

**REGULAR BI-MONTHLY MEETING**

**MINUTES**

**RESOLVED**, motion made by Supervisor Dolan, seconded Councilperson Castricone, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on December 28, 2006, as submitted.

**Adopted:** AYES: [ 4 ]      NAYS: [ 0 ]      ABSENTEES: [ 0 ]

**MONTHLY REPORTS**

Supervisor Dolan acknowledged receipt of the Monthly Reports for December, 2006 from the Justice Court (2), the Police Department and the Town Clerk.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Supervisor Dolan asked for public comments on agenda items.

The Board answered questions and received comments concerning Agenda Item #2.

Supervisor Dolan asked for any further public comments on agenda items. There were none.

**REGULAR  
BI-MONTHLY  
MEETING**

**MINUTES**

**MONTHLY  
REPORTS**

**PUBLIC COMMENTS  
ON AGENDA ITEMS**

**AGENDA ITEMS:**

**1. Supervisor's Update**

• **Highway Contract**

Supervisor Dolan advised that negotiations for the Highway Department collective bargaining agreement went smoothly, and an agreement has been finalized.

• **Exploration of Use of Pool Facilities**

Supervisor Dolan is still in negotiations for Town resident use of the 120' x 40' pool at Sisters Servants in Ringwood, New Jersey. He will report again on the subject at the next Town Board meeting.

**2. Update by Councilperson Castricone on School Situation**

Councilperson Castricone reported that he has been in consultation with Senator Thomas Morahan, who advised that he has introduced legislation aimed at reforming school aid calculations, thereby creating more equitable percentages for disbursement to school districts. Such a measure would result in a reduction in expenses for Greenwood Lake students attending Tuxedo High School. Councilperson Castricone will meet with Senator Morahan and Assemblywoman Annie Rabbitt to further explore this and other matters concerning attendance at Tuxedo High School.

**3 Tabled Resolution to Retain Appraiser in Tax Certiorari Claim filed by New York State**

On advice of counsel, this item was tabled until a future meeting to enable the appraiser to submit a fee proposal.

**OTHER BUSINESS:**

**Tuxedo T-Shirt League**

Councilperson Castricone advised that the Tuxedo T-Shirt League is considering affiliating with a similar league in Ramapo.

**Tax Credits for Volunteer Firefighters and Ambulance Workers**

Councilperson Castricone advised that legislation is pending in New York State that would provide for a flat \$200 deduction on local/state taxes for volunteer firefighters and ambulance workers. He will monitor the status of this legislation and keep the Board and the public apprised.

**Tuxedo Reserve Water Supply**

Mr. Puszcz advised that Tuxedo Reserve is drilling test wells on its property near Mountain Lake to ascertain if sufficient water is available for the Tuxedo Reserve development.

There were no further items of Other Business to come before the Board.

**PUBLIC COMMENTS:**

**Southeast Orange County Land Use Study**

Ms. Dale Mottola advised that the subject report is available at <http://www.orangecountygov.com/documentView.asp?sessionID=CAAGBCIBADCCHJJJJL>.

AGENDA ITEMS

Supervisor's Update

*Highway Contract*

*Exploration of Use of Pool Facilities*

Update by Councilperson Castricone on School Situation

*Tabled Resolution to Retain Appraiser in Tax Certiorari Claim filed by New York State*

OTHER BUSINESS

Tuxedo T-Shirt League

Tax Credits for Volunteer Firefighters and Ambulance Workers

Tuxedo Reserve Water Supply

PUBLIC COMMENTS

Southeast Orange County Land Use Study

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**PUBLIC COMMENTS (Continued):**

**Columbia Gas Pipeline Project**

Mr. Don Blum, President of the Northern Tuxedo Residents Association advised that the Federal Energy Regulatory Commission has issued a final order requiring Columbia Gas to use the Laurel Ridge Alternative Route for the construction of the Millennium Pipeline. Unlike prior orders, this mandates that no other routes may be used.

Mr. Blum expressed his gratitude to the Tuxedo officials for their assistance in making this positive development a reality.

**BUDGET MODIFICATIONS**

There were no budget transfers

**VOUCHERS**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Rauch, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers 1 through 43

General Fund Claim totaling \$11,361.23

Part-Town Fund Claim totaling \$6,138.30

Highway Town Wide Claim totaling \$1,029.48

Highway Part-Town Claim totaling \$-0-

Tuxedo Refuse District Claim totaling \$-0-

Hamlet Sewer District Claim totaling \$2,852.84

Total abstract amount: \$21,381.85

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENTEES: [ 0 ]

Authorization for Payment was thereafter signed by Councilperson Spivak, Councilperson Rauch and Supervisor Dolan.

**RESOLUTION AUTHORIZING RECESS INTO EXECUTIVE SESSION**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Rauch, to recess into executive session at 8:17 p.m. to receive advice of counsel concerning procedures and operations of the Train Station Restoration Local Development Corporation. Invited into Executive Session were Messrs. Nichol and Puszcz.

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENTEES: [ 0 ]

The Board reconvened the regular meeting at 10:20 p.m.

**ADJOURNMENT**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to adjourn the meeting at 10:20 p.m.

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENTEES: [ 0 ]

Meeting adjourned.

Respectfully submitted,

Antionette Matthews, Deputy Town Clerk

Elaine M. Laurent, Town Clerk

**PUBLIC COMMENTS  
(Continued):**

**Columbia Gas  
Pipeline Project**

**BUDGET  
MODIFICATIONS**

**VOUCHERS**

**EXECUTIVE  
SESSION**

**ADJOURNMENT**