

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, July 9, 2007 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:33 p.m.

Town Board Members Present:	Mr. Peter M. Dolan	Supervisor
	Mr. Daniel Castricone	Councilperson
	Ms. Francine Rauch	Councilperson
	Mr. Andrew L. Siegel	Councilperson

Town Board Members Absent:	Ms. Lisa Spivak	Councilperson
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Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel; Mr. Daniel J. Carlin, Police Chief; Mr. Joseph P. Tripoli, Sr., Highway Superintendent; Mr. David Maikisch, Building Inspector; Mr. Brian Sullivan, Zoning Board of Appeals Member; and Mrs. Elaine M. Laurent, Town Clerk.

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

A public hearing was held to hear public comment regarding Introductory Local Law #3 of 2007, entitled "Sign Law Amendments."

MINUTES

MINUTES

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Siegel, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on June 25, 2007, as submitted.

Adopted: AYES: [3] NAYS: [0] ABSENTEES: [1] ABSTENTION: [1-Councilperson Rauch]

MONTHLY REPORTS

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Supervisor Dolan acknowledged receipt of the Monthly Reports for June, 2007 from the Justice Court (2) and the Town Clerk and acknowledged that the Monthly Report for May, 2007 from the Supervisor has been prepared and filed with the Town Clerk.

PUBLIC COMMENTS ON AGENDA ITEMS

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

AGENDA ITEMS:

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1. Presentation by United Water regarding Maplebrook Water Supply Issues

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At Councilperson Castricone's request, Mr. Vito Spadavecchia of United Water New York addressed the meeting in response to concerns expressed by residents who noticed numerous water tanker trucks entering Maplebrook and filling the water tower beginning in early-June. Mr. Spadavecchia advised that, during this time of year, the golf course increases business and, consequently, domestic water usage. In order to forestall any fire concerns, United Water began trucking in water. Around that time, United Water noticed that the well which feeds the water tower was not producing well--approximately 4 to 5 gallons per minute versus the usual 9 gallons. United Water replaced the pump and lowered it to take advantage of the aquifer, and the rate has increased to 12 gallons per minute. They are considering redeveloping the well this Fall. Redevelopment improves water production but, unfortunately, not for a lengthy period of time. A redevelopment of the Maplebrook well conducted in 2002 increased output to 30 gallons per minute, but the rate decreased not long afterward. United Water's hydrogeological consultants are researching a secondary or new primary well to more adequately address the situation. Councilperson Castricone asked that United Water provide copies of future reports to the Town, to which Mr. Spadavecchia agreed.

AGENDA ITEMS (Continued):

2. Supervisor/Town Board Update

• **Use of Powerhouse Site for Millennium Pipeline Employee Parking and Truck Storage**

Supervisor Dolan advised that the Town is allowing Millennium Pipeline to park 30 to 40 employee vehicles and up to 6 flat-bed tractors on the Powerhouse site, in consideration of which Millennium will grade the property in a manner suitable for use as a playing field. [Town Clerk note: See applicable resolution under "Other Business" later in these minutes.]

• **Fire at Organic Recycling Facility**

Supervisor Dolan reported that there was a fire in a pile of tree trunks at the mulch recycling facility near the Highway Garage. Firefighters arrived at about 6:20 last Thursday night and worked to extinguish the fire, which rekindled three times, until about 5:00 a.m. on Friday. The cause of the fire is under investigation. Ironically, the Town has been working on several fire safety measures for several weeks, including the installation of a dry hydrant and a perimeter road for improved access for emergency vehicles. The dry hydrant would utilize the iron ore mine, which can supply water at a rate of 2,000 gallons per minute.

3. Tabled Resolution to Adopt Local Law entitled "Sign Law Amendments"

This item was tabled until August 13, 2007, following the continuation of the public hearing.

4. Resolution to Reschedule Town Board Meetings for July and August, 2007

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Rauch, that the Town Board hereby schedules its Regular Bi-Monthly meetings for July and August, 2007 as follows:

July 23, 2007	Voucher Review Only
August 13, 2007	Full Agenda
August 27, 2007	Voucher Review Only

AND BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said meeting changes within seven days hereof.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

5. Tabled Resolution to Reject Bids for Garbage Collection Services

This item has been tabled until a future meeting.

6. Tabled Resolution to Authorize Rebid for Garbage Collection Services

This item has been tabled until a future meeting.

7. Withdrawn Resolution to Authorize Town Clerk to post for Town Assessor Position

This item has been withdrawn.

OTHER BUSINESS:

Resolution Authorizing Engineering Design and Surveying Services at Highway Facility

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spiegel, that, in response to requests made by the NYS Department of Environmental Conservation, and in accordance

**AGENDA ITEMS
(Continued)**

**Supervisor/Town
Board Update**

***Use of Powerhouse
Site for Millennium
Pipeline Employee
Parking and Truck
Storage***

***Fire at Organic
Recycling Facility***

***Tabled Resolution to
Adopt Local Law
entitled "Sign Law
Amendments"***

***Resolution to
Reschedule Town
Board Meetings for
July and August,
2007***

***Tabled Resolution to
Reject Bids for
Garbage Collection
Services***

***Tabled Resolution to
Authorize Rebid for
Garbage Collection***

***Withdrawn Resolution
Authorizing Posting of
Town Assessor
Position***

OTHER BUSINESS

***Resolution
Authorizing
Engineering Design
and Surveying
Services at Highway
Facility***

OTHER BUSINESS (Continued):

Resolution Authorizing Engineering Design and Surveying Services at Highway Facility (Continued)

with the provisions of the attached proposals dated July 6, 2007, the Town Board hereby authorizes the Town Engineer, H2M Group, to perform (i) engineering design services for a water quality management plan for the organic recycling operation at the Highway Department facility, at a cost of \$17,000 and (ii) professional land surveying services of the Highway Department property, at a cost of \$19,000.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

Resolution Waiving Notice Period for Liquor License Renewal Application for Orange Top Inn

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that, receipt on June 12, 2007 being hereby acknowledged of notification of liquor license renewal by the Orange Top Inn, such notification being less than 30 days prior to the filing of an application therefor, the Town Board hereby waives the 30-day prior notice requirement and authorizes the Town Supervisor to send a letter to the New York State Liquor Authority advising of such waiver and that the Town has no objection to the immediate renewal of the license.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

Resolution Rescinding Resolution Granting Special Use Permit for Parking by Millennium Workers at Red Apple

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby rescinds its resolution adopted on June 25, 2007 granting a special use permit for Millennium Pipeline to store trucks and provide workers to park at the Red Apple Rest, Route 17, Southfields.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

Resolution Allowing Parking of Employee Vehicles and Truck Storage by Millennium Pipeline at Town Property on Powerhouse Lane

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby permits Precision Pipeline of Pomona, New York, to park during daily working hours up to 40 passenger vehicles, including pick-up trucks, used by its employees for commuting purposes, on Town Property at Powerhouse Lane for a period not to exceed three (3) months, commencing June 26, 2007 and ending no later than September 26, 2007, SUBJECT TO the applicant's furnishing a Certificate of Insurance naming the Town of Tuxedo as an additional insured prior to the commencement of the activities; and be it

FURTHER RESOLVED, that a maximum of six (6) larger transportation vehicles, such as flat bed trucks and tractor trailers, may be parked overnight at the lot throughout the term of this special use permit; and be it

FURTHER RESOLVED, that the applicant will diligently monitor the parking lot and keep it clear of all trash and other debris; and be it

FURTHER RESOLVED, that, in consideration of the foregoing, Millennium will grade the property in a manner suitable for use as an athletic field.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

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

OTHER BUSINESS (Continued)

Resolution Authorizing Justice Court Application for Grant Funds (Continued)

Resolution Granting Special Use Permit for Parking by Millennium Workers at Red Apple

Resolution Rescinding Resolution Granting Special Use Permit for Parking by Millennium Workers at Red Apple

Resolution Allowing Parking of Employee Vehicles and Truck Storage by Millennium Pipeline at Town Property on Powerhouse Lane

PUBLIC COMMENTS:

Supervisor Dolan asked for comments from the public.

Fire at Organic Recycling Facility

Numerous Town of Warwick residents whose homes are in the Pines development south of the recycling facility spoke at length expressing their concerns regarding a fire near their homes. They also expressed complaints about the recycling operation itself. Supervisor Dolan advised them of safety measures which the Town is taking and also other steps to reduce dust emanating from the site.

Supervisor Dolan asked for any further comments from the public. There were none.

BUDGET MODIFICATIONS

There were no budget modifications.

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 914 through 985
 - General Fund Claim totaling \$45,681.41
 - Part-Town Fund Claim totaling \$41,177.90
 - Highway Town Wide Claim totaling \$4,730.40
 - Highway Part-Town Claim totaling \$9,983.74
 - Tuxedo Refuse District Claim totaling \$0-
 - Hamlet Sewer District Claim totaling \$7,881.19
 - Total abstract amount: \$109,454.64

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

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, to adjourn the meeting at 8:52 p.m.

Adopted: AYES: [4] NAYS: [0] ABSENTEES: [1]

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk

PUBLIC COMMENTS

BUDGET
MODIFICATIONS

VOUCHERS

ADJOURNMENT