

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Tuesday, November 13, 2007 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:37 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

Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel; Mr. Daniel J. Carlin, Police Chief;; Edward Pfizenmaier, Deputy Highway Superintendent, Mr. Frank Peverly, Zoning Board of Appeals Chairman, Mrs. Patricia Monico-Sullivan, Bookkeeper; and Mrs. Elaine M. Laurent, Town Clerk.

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

Public hearings were held to hear comments regarding the 2008 Preliminary Budget and 2008 Hamlet Sewer Charges.

**MINUTES**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Castricone, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on October 22, 2007, as submitted.

**Adopted:**    AYES: [ 4 ]        NAYS: [ 0 ]        ABSENT: [ 1 ]

**MONTHLY REPORTS**

Supervisor Dolan acknowledged receipt of the Monthly Reports for October, 2007 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. There were none.

**AGENDA ITEMS:**

**1. Town Supervisor/Town Board Update**

• **Grant Funds - Train Station**

Supervisor Dolan announced that Senator Thomas Morahan's office has appropriated additional grant funds to the Town in the amount of \$200,000 for the renovation of the train station, bringing the total grant funding from Sen. Morahan to \$700,000.

• **Local Election - November 6, 2007**

Supervisor Dolan advised that the Orange County Board of Elections will perform an official count of absentee and affidavit ballots tomorrow. It is unknown whether the count will result in any change of the results for the council seats (Tom Darling-444, Gary Phelps-443, Andy Siegel-417, Jean Ruffino-404). However, he noted that all candidates deserve our appreciation and admiration for their interest in the Town and for "putting their necks out" in an endeavor as important as this, making them all winners. He expressed his hopes that, no matter the outcome, they will all continue to involve themselves in the Town.

MINUTES

MONTHLY  
REPORTS

PUBLIC COMMENTS  
ON AGENDA ITEMS

AGENDA ITEMS:  
Town Supervisor/  
Town Board Update  
*Grant Funds - Train  
Station*

*Local Election -  
November 6, 2007*

**AGENDA ITEMS (Continued):**

**2. Resolution Adopting 2008 Final Town Budget**

Supervisor Dolan offered the following resolutions and moved their adoption; Councilperson Rauch seconded their adoption.

**WHEREAS**, the Town Board of the Town of Tuxedo held a Public Hearing on the 2008 Preliminary Budget on November 13, 2007;

**BE IT RESOLVED**, that the Town Board authorizes the following line item changes to the 2008 Preliminary Budget:

General Fund-Townwide - Appropriations

- A1220.4 - Supervisor Contractual - Decrease by \$2,760 from \$33,760 to \$31,000
- A1410.1 - Town Clerk Personal Services - Increase by \$984 from \$76,352 to \$77,336
- A1460.1 - Records Management Personal Services - Increase by \$57 from \$4,962 to \$5,019
- A1620.4 - Buildings Contractual - Decrease by \$3,000 from \$64,120 to \$61,160
- A1990.4 - Special Items Contingent Account - Decrease by \$11,000 from \$41,000 to \$30,000

General Fund-Townwide - Revenues

- A1255 - Town Clerk Fees - Increase by \$1,041 from \$2,000 to \$3,041

General Fund Outside Village - Appropriations

- B8020.1 - Planning Board Personal Services - Decrease by \$24 from \$25,011 to \$24,987
- B9030.8 - Employee Benefits-Social Security - Decrease by \$1 from \$84,958 to \$84,957

Highway Fund Part Town - Appropriations

- DA5140.1 - Brush & Weeds Removal Personal Services - Decrease by \$20,000 from \$203,910 to \$183,910
- DA9030.8 - Employee Benefits-Social Security - Decrease by \$1,240 from \$30,438 to \$29,198
- DA9060.8 - Employee Benefits-Health & Medical Insurance - Increase by \$3,000 from \$115,200 to \$118,200

Town Refuse District - Appropriations

- SR1-8160.4 - Contractual Expenses - Increase by \$26,001 from \$358,956 to \$384,957

Town Refuse District - Revenues

- SR1-1001 - Real Property Taxes - Increase by \$26,001 from \$351,456 to \$377,457

Town Sewer District - Appropriations

- SS8130.4 - Contractual Expenses - Increase by \$13,700 from \$65,000 to \$98,700

Town Sewer District - Revenues

- SS1001 - Real Property Taxes - Increase by \$13,700 from \$222,126 to \$255,826

**AND BE IT FURTHER RESOLVED**, that with the foregoing line item changes, the Town Board hereby adopts the 2008 Final Budget for the Town of Tuxedo on November 13, 2007.

**Adopted:** AYES: [ 4 ]      NAYS: [ 0 ]      ABSENT: [ 1 ]

**3. Discussion of Garbage Bid**

Supervisor Dolan advised that Marangi Disposal has proposed a 3% increase from the current garbage fees over a three-year period commencing in 2008, with an option to extend to four or five years at a 4% increase per year. Supervisor Dolan asked the Town Board members to consider this proposal for final action at the November 26, 2007 meeting.

**AGENDA ITEMS (Continued):**

**4. Resolution Awarding Bid for Removal of Trailers**

Supervisor Dolan advised that the following bids were received

<u>BID PACKAGE RECIPIENTS</u>	<u>BID AMOUNT</u>
Taylor Recycling Facilities Montgomery, NY 12549	\$ 6,950.00
Middletown Carting, LLC Middletown, NY 10940	\$ 8,200.00
NAC Industries, Inc. Wappingers Falls, NY 12590	\$12,500.00
Nikko Construction Corp. Valley Cottage, NY 10989	\$26,575.00

Mr. Frank Rubino, a family friend of Patrick Kelly, advised that he is steadily working to remove all of Mr. Kelly's possessions from the trailers and moving them into the house while also performing some repairs on the house. He would like to then demolish and remove the trailers in a month's time, instead of a bidder selected by the Town performing the work. He was told by the Board to proceed as he has been and to provide a progress report at the November 26, 2007 meeting. In the meantime, the Board will authorize the Town Supervisor to award the bid should he deem it appropriate in the future.

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that, pursuant to review and approval of Town Counsel, the Town Board of the Town of Tuxedo hereby delegates Supervisor Dolan to award the bid, according to bid specifications, for removal and disposal of two trailers located at 1103 State Highway 17, Southfields, New York 10975 Tuxedo, New York, to Taylor Recycling Facilities of Montgomery, New York, the lowest responsible bidder, in the amount of \$6,950.00.

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENT: [ 1 ]

**5. Resolution to Reappoint Edward Brennan as Fire Commissioner**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Rauch, that the Town Board hereby appoints Edward Brennan, 215 Benjamin Meadow Road, Tuxedo, New York, as a Member of the Board of Fire Commissioners, with his term of office to commence on January 1, 2008 and to expire on December 31, 2012.

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENT: [ 1 ]

**6. Resolution Appointing Steven Pavese as Part-Time Police Dispatcher**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Siegel, that the Town Board hereby appoints Steven Pavese as a Part-Time Police Dispatcher effective as of November 8, 2007, at a salary rate of \$9.50 per hour during training, to be increased to \$10.00 per hour upon successful completion of training.

**Adopted:** AYES: [ 4 ] NAYS: [ 0 ] ABSENT: [ 1 ]

**7. Reminder of Ambulance Dedication "Wetdown" Party**

Supervisor Dolan reminded the public that the Wetdown Party to dedicate the new ambulance will take place on Saturday, November 17, 2007 at the Eagle Valley Firehouse from 2 to 6 p.m.

**AGENDA ITEMS:  
(Continued)**

**Resolution  
Awarding Bid for  
Removal of Trailers**

**Resolution  
Reappointing  
Edward Brennan as  
Fire Commissioner**

**Resolution  
Appointing  
Steven Pavese as  
Part-Time Police  
Dispatcher**

**Reminder of  
Ambulance  
Dedication  
"Wetdown" Party**

**OTHER BUSINESS:**

**Resolution Granting Special Sign Permit to Latini Management Corp. for Temporary Sign**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Rauch, that, pursuant to Section 79-6 of the Town Code of the Town of Tuxedo, the Town Board hereby grants a Special Sign Permit to Latini Management Corp. to place a two-sided sign measuring up to 4' by 8' for the period of November 18, 2007 to January 15, 2008, to advertise the liquidation sale of restaurant kitchen equipment at the former Duck Cedar Inn building located at 549 Route 17, Tuxedo; and be it

**FURTHER RESOLVED**, that the applicant is hereby directed to complete and file a Sign Permit with the Tuxedo Building Department.

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

**PUBLIC COMMENTS:**

Supervisor Dolan asked for comments from the public.

**Sterling Mine Estates and Tuxedo Reserve**

Lengthy discussion was held between the Board and several members of the public concerning the unsightly condition of the Sterling Mine Estates subdivision and enforcement of strict adherence to the Special Permit for Tuxedo Reserve when development of that project begins.

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 Siegel, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers 1,467 through 1,567  
General Fund Claim totaling \$167,718.12  
Part-Town Fund Claim totaling \$39,936.77  
Highway Town Wide Claim totaling \$7,736.90  
Highway Part-Town Claim totaling \$0-  
Tuxedo Refuse District Claim totaling \$  
Hamlet Sewer District Claim totaling \$38,701.63  
Total abstract amount: \$254,093.42

**Adopted:** AYES: [ 4 ]      NAYS: [ 0 ]      ABSENT: [ 1 ]

Authorization for Payment was thereafter signed by Councilpersons Rauch, Siegel and Castricone.

**ADJOURNMENT**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Siegel, to adjourn the meeting at 9:14 p.m.

**Adopted:** AYES: [ 4 ]      NAYS: [ 0 ]      ABSENT: [ 1 ]

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent, Town Clerk

**OTHER BUSINESS**

**Resolution  
Granting Special Sign  
Permit to Latini  
Management Corp.  
for Temporary Sign**

**PUBLIC  
COMMENTS**

**Sterling Mine Estates  
and Tuxedo Reserve**

**BUDGET  
MODIFICATIONS**

**VOUCHERS**

**ADJOURNMENT**