

## **AGENDA**

### **REGULAR BI-MONTHLY TOWN BOARD MEETING**

Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom

Monday, January 22, 2024 at 7:00pm

Call to Order

Pledge of Allegiance

Public Comments on Agenda Items

### **Agenda Items**

1. Resolution of SEQR Negative Declaration – Tuxedo Hamlet Sewer District Improvements
2. Resolution and Order Authorizing Increase and Improvement of Facilities
3. Bond Resolution for the Tuxedo Hamlet Sewer District Improvements
4. Increase hourly wage for seasonal laborers
5. Resolution Authorizing the Advertisement to solicit for a Grant Writer
6. Appoint Animal/Dog Control Officer

### **Discussion Items**

Security System Upgrades for Town Hall  
6-week chair yoga program

Monthly Reports

Minutes

Vouchers

Public Comments

**Executive Session** - For the purpose of discussing the appointment of personnel

Other Business

Adjournment

**Call to Order**

\_\_\_\_\_ called to order the Town Board Meeting of January 22, 2024 at \_\_\_\_\_pm.

**Pledge of Allegiance to the Flag**

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

**Agenda Item #1 -**

**TOWN OF TUXEDO TOWN BOARD  
RESOLUTION OF SEQR NEGATIVE DECLARATION  
TUXEDO HAMLET SEWER DISTRICT IMPROVEMENTS**

WHEREAS: The Town Board has considered and evaluated the potential environmental impact of proposed improvements to the Tuxedo Hamlet Sewer District facilities. The Town Board, acting pursuant to the State Environmental Quality Review Act (SEQR) and the SEQR Regulations, has reviewed and evaluated the information and documents pertaining to the Board's SEQR review of this proposed project in order to issue this SEQR Negative Declaration.

THEREFORE, IT IS RESOLVED as follows:

Name of Action:	Tuxedo Hamlet Sewer District Improvements
SEQR Status:	Unlisted
Site Location:	Sewer pipes and manholes throughout the Sewer District. Map attached to EAF Part 1 and detailed mapping in Engineer's Plan and Report.

Description of Action:

Installation of approximately 4,700 linear feet of cast-in-place pipe (CIPP), approximately 500 linear feet of open-cut sanitary sewer pipe replacement and approximately 32 manholes to be rehabilitated through sealing, plugging and/or patching.

Reasons Supporting This Determination:

In making this SEQR determination, the Board has considered the criteria set forth in §617.7(c) of the SEQR Regulations and evaluated relevant areas of potential environmental concern to determine whether this action may have a significant adverse impact on the environment. The Board has reviewed the engineer's plan and report, the short Environmental Assessment Form Part 1 and recommended Parts 2 and 3 prepared by the project's professional consulting engineer, and all Board members are familiar with the proposed project and the area.

The project's professional engineer, in his preparation of EAF Part 2 advises that there will be no or small adverse environmental impact. After careful review, evaluation and consideration, the Board is not aware of any evidence of any potential significant adverse environmental impacts that may be caused by this action. Accordingly, the Board determines that this action will not cause an adverse environmental impact, and this SEQR Negative Declaration is hereby issued and shall be filed in accordance with the SEQR Regulations.

This Negative Declaration is prepared in accordance with Article 8 of the state Environmental Conservation Law.

Contact Person:

Dave McMillen, Town Supervisor  
Town of Tuxedo  
1 Temple Drive  
Tuxedo, New York 10987  
Tel. No. (845) 351-4411 Ext. 5  
Email: [Supervisor@tuxedogov.org](mailto:Supervisor@tuxedogov.org)

A copy of this SEQR Negative Declaration shall be sent to:

Town Clerk  
Town of Tuxedo  
1 Temple Drive  
Tuxedo, New York 10987

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution is adopted by a vote of \_\_\_\_ Ayes, \_\_\_\_ Nays.

**Agenda Item #2 - Resolution and Order Authorizing Increase and Improvement of Facilities**

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In the Matter of  
The Increase and Improvement of Facilities of  
Tuxedo Hamlet Sewer District in the Town of  
Tuxedo, Orange County, New York, Pursuant  
To Article 12 of the Town Law

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WHEREAS, this Board has received and reviewed a professional engineer's map, plan and report prepared by Hoffman Engineering, professional consulting engineers licensed in the State of New York, concerning improvements to the facilities of the Tuxedo Hamlet Sewer District; and

WHEREAS, this Board duly caused the posting and publication of notice of public hearing concerning said increase and improvement of facilities of the Tuxedo Hamlet Sewer District; and

WHEREAS, said notice specified December 27, 2023, at 7:00 PM at the Town Hall as the date, time and place of the public hearing, and further specified that the maximum estimated cost of said increase and improvement of facilities is \$994,500.00, which includes construction costs, 15% construction contingencies and engineering and legal expenses; and

WHEREAS, the public hearing was duly held on December 27, 2023, and all persons interested were given an opportunity to be heard.

NOW, THEREFORE, IT IS RESOLVED that, as set forth in this Board's Resolution of Negative Declaration, said increase and improvement of facilities of the Tuxedo Hamlet Sewer District will not have a significant adverse impact on the environment.

IT IS FURTHER RESOLVED that said increase and improvement of facilities is in the public interest and is authorized. All costs and expenses shall be a charge against District properties and shall be assessed, levied and collected in the same manner as other capital charges against District properties.

IT IS FURTHER RESOLVED that this Board directs the filing of a certified copy of this Resolution and Order in the Orange County Clerk's office.

The adoption of the foregoing was duly put to a vote as follows:

	Aye	Nay	Absent
Dave McMillen, Town Supervisor	_____	_____	_____
Rick Marsh, Councilperson	_____	_____	_____
Jay Reichgott, Councilperson	_____	_____	_____
Deirdre Murphy, Councilperson	_____	_____	_____
Chris Kasker, Councilperson	_____	_____	_____

**Agenda Item #3 – Bond Resolution for the Tuxedo Hamlet Sewer District Improvements**

**Recital**

WHEREAS, following preparation of a plan and report for improvement of facilities of Tuxedo Hamlet Sewer District (hereinafter called “District”), in the Town of Tuxedo (hereinafter called “Town”), in the County of Orange, New York, including installation of approximately 4,700 linear feet of cast-in-place pipe, and approximately 500 linear feet of open-cut sanitary sewer pipe and rehabilitation of 32 manholes and necessary appurtenances, and after a public hearing duly called and held, the Town Board determined that it is in the public interest to so improve the facilities of the District, and ordered that such facilities be so improved; now, therefore,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TUXEDO IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$994,500.00 for the improvement of facilities of the District, all in accordance with the plan and estimate prepared by duly licensed engineers of the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs, cost of maps, plans, surveys, estimates, advertisements, legal documents and costs incidental thereto and the financing thereof, is \$994,500.00 and the plan of financing includes the issuance of \$994,500.00 serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$994,500,000.00 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

a) The period of probable usefulness of the aforesaid specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00a.1 of the Law, is forty (40) years.

b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00d.4 of the Law.

c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

d) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Sec. 21.00, relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and pursuant to the provision of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Sec. 50.00 and Sec. 56.00 and 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be an Unlisted action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Town Board has made a "Negative Declaration."

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF TUXEDO IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the TIMES HERALD RECORD, a newspaper published in Tuxedo, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

**Agenda Item #4 - Increase hourly wage for seasonal laborers**

Starting pay is currently \$20.00/hour for Seasonal Laborers

All employees not under contract received a 3% increase in the 2024 Budget

$\$20.00 + \$0.60 = \$20.60$

Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_ that the Town Board of the Town of Tuxedo hereby approves a 3% increase to the hourly rate of Seasonal Laborers.



## **Agenda Item #5 - Resolution Authorizing the Advertisement to solicit for a Grant Writer**

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_

Whereas the Town is in need of procuring services for a Grant Writer; and Whereas the Town board has caused a bid package and specifications to be prepared; now therefore Be it Resolved that the Town Board approves the bid package and specifications and authorizes the Town Clerk to advertise for bids, with a bid opening date of Wednesday, February 7, 2024 at 12pm.

### **Discussion Items**

1. Security System Upgrades for Town Hall

2. **6-week chair yoga program**

1/24, 1/31, 2/7, 2/14, 2/21, 3/6 for a total cost of \$300.00 coming from A.7020.400

3. **Update on Police Station Repairs**

## **Monthly Reports**

Supervisor McMillen is in receipt of the following monthly reports:

Justice Court

Town Clerk

### **Judge Brown**

<b>Justice Name</b>	Shawn Brown
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Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

<b>Submission Log</b>
01/04/2024 11:25:18 AM / Shawn Brown / Town of Tuxedo / Submitted Document

<b>Report Certification</b>	
<b>Date Filed</b>	01/04/2024
<b>Report Period</b>	12/2023
<b>Report Amount</b>	\$18,330.00
<b>Date Check Sent to CFO</b>	01/04/2024
<b>AC-1030 Report File</b>	AC231233.407

## Judge McCathern

<b>Justice Name</b>	Alyse McCathern
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Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

Submission Log
01/04/2024 11:46:06 AM / Alyse McCathern / Town of Tuxedo / Submitted Document

Report Certification	
<b>Date Filed</b>	01/04/2024
<b>Report Period</b>	12/2023
<b>Report Amount</b>	\$34,586.00
<b>Date Check Sent to CFO</b>	01/04/2024
<b>AC-1030 Report File</b>	AC231233.444

## Town Clerk

01/22/2024

### Town Clerk Monthly Report Monthly Report December 01, 2023 - December 31, 2023

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Account#	Account Description	Fee Description	Qty	Local Share
A 1255	Marriage Licenses	MARRIAGE LICENSE FEE	3	52.50
		<b>Sub-Total:</b>		<b>\$52.50</b>
A 1603	Vital Statistic Fees	Vital Trans - Town	1	10.00
		<b>Sub-Total:</b>		<b>\$10.00</b>
A 2590	Other Permits	Towing Permits	6	3,000.00
		<b>Sub-Total:</b>		<b>\$3,000.00</b>
A.1720	Parking Lot and garages	Parking Permit	5	1,026.00
		<b>Sub-Total:</b>		<b>\$1,026.00</b>
A.3510	Control of Dogs (Contractual)	Animal Impoundment Fee	1	90.00
		<b>Sub-Total:</b>		<b>\$90.00</b>
A2544	Dog Licensing	Female, Spayed	3	27.00
		Male, Unneutered	1	17.00
		<b>Sub-Total:</b>		<b>\$44.00</b>
<b>Total Local Shares Remitted:</b>				<b>\$4,222.50</b>
Amount paid to: NYS Ag. & Mkts. for Surcharge				6.00
Amount paid to: State Health Dept. for Marriage Licenses				67.50
<b>Total State, County &amp; Local Revenues:</b>				<b>\$4,296.00</b>
		<b>Total Non-Local Revenues:</b>		<b>\$73.50</b>

To the Supervisor:  
Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Marisa Dollbaum, Town Clerk, Town of Tuxedo, during the period stated above, in connection with my office, excepting only such fees and monies the application of which are otherwise provided for by law.

## Minutes

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to accept the Minutes of the Regular Bi-Monthly Town Board Meeting held on January 8, 2024.

## VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012922665	Hoffman Services, Inc.	26806.67	Repairs to Lift
2012922720	Global Montello Group	5919.01	Diesel & Fuel December 2023
2012922736	Mohawk Lifts LLC	20656.95	New Lift and Installation
2012922741	Town of Tuxedo	7616.93	Fuel & Diesel Highway Nov/Dec 2023
2012922742	Town of Tuxedo	5611.66	Fuel & Diesel Police Nov/Dec 2023
2012922745	J&G Law LLP	6954.58	Legal Services December 2023
2012922749	Corrosion Products & Equipment	9500.00	Flow Study
2012922776	IWS of New York	32441.09	December 2023 Garbage & Recycling
2012922780	H2O Innovation Operation & Maintenance	7017.59	December Monthly Fee & Testing
2012922748	New York State Insurance Fund	5,747.95	January 2024 Workers Comp
2012922766	Rockland Paramedic Services Inc.	65,724.36	Paramedic Services Jan 2024
2012922772	Benistar	5,484.05	Feb 2024 Retiree Health Insurance
2012922774	MVP Health Care	6,033.60	Jan 2024 Town Hall & Elected Health insurance
2012922786	IBEW Local 363 Welfare Fund	12,940.00	Highway Health Insurance January 2024

On a motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers: 2012922716 through 2012922787 and also includes 2012922665 and 2012922688

General Fund:	\$169,720.22
Part-Town Fund:	\$14,306.25
Highway Town Wide:	\$27,508.40
Highway Part Town	\$11,895.60
Refuse and Garbage	\$32,441.09
Hamlet Sewer District	\$17,014.84
Trust and Agency	\$799.50
<u>Total Abstract Amount:</u>	\$273,685.90

## **PUBLIC COMMENTS**

### **Executive Session to discuss the appointment of personnel**

\_\_\_\_\_ made a motion to enter into an Executive Session at \_\_\_\_\_ pm

\_\_\_\_\_ made a motion to exit the Executive Session and re-enter the Public Meeting at \_\_\_\_\_ pm

### **Agenda Item #6 – Appoint Animal/Dog Control Officer**

(One application submitted as of 01/19/2024 - John A. Trazino)

Whereas the Town is in need of filling the open position of a part-time **Animal/Dog Control Officer**; and whereas the Town has received an application and received pre-approval from Orange County Civil Service for John A. Trazino; now therefore be it resolved that the Town Board appoints John A. Trazino as part-time Animal/Dog Control Officer effective \_\_\_\_\_ (Civil Service #1020 - Non-Competitive - Budget Code A3510.1 for \$8,221.00)

### **Appoint Planning Board Members**

Name: Term Expires: 12/31/2028  
Name: Term Expires: 12/31/2028  
Alternate: Term Expires: 12/31/2024

### **Appoint Zoning Board of Appeals Members**

Name: Term Expires: 12/31/2027 (to fill Citrin's vacancy)  
Name: Term Expires: 12/31/2028  
Alternate: Term Expires: 12/31/2024

### **Appoint Building Inspector**

That \_\_\_\_\_ is re-appointed to the part-time position of **Building Inspector III** (Civil Service #1104 - Competitive) at the hourly rate of \$44.68 per hour for 30 hours per week (1560 hours annually). Budget Code B3620.1 for \$69,700.80

**ADJOURNMENT**

Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_, to adjourn the meeting  
at \_\_\_\_\_pm.