

AGENDA
REGULAR BI-MONTHLY TOWN BOARD MEETING
Community Room, 1 Temple Dr., Tuxedo, NY 10987 and via Zoom
Wednesday, April 24, 2024 at 7:00pm

Call to Order
Pledge of Allegiance

Moment of Silence – Mrs. Ada Posta

Oath of Office – Anthony Weed, Part-Time Police Officer

Department Updates

Public Comments on Agenda Items

Agenda Items

1. Resolution to Approve Purchase of Three Defibrillators
2. Resolution, Findings and Order Approving Annexation of Two Parcels from Town of Tuxedo to Village of Tuxedo Park
3. Resolution to Approve Rental Fees for Town Owned Properties
4. Resolution to Solicit Bids for Repairs to Police Station Project
5. Resolution to Enter into Agreement with Enterprise Fleet for Leasing Town Vehicles
6. Resolution to Accept Employee Resignations
7. Resolution to Appoint Full-Time Laborer
8. Resolution to Appoint Fire Commissioner
9. Resolution to Accept Scholarship Award for Town Clerk Training
10. Resolution to Appoint Town Realtor
11. Resolution to Approve Temporary Sign Permit
12. Resolution to Form of Petition for the Proposition to Increase Town Board Budgetary Allocation for the Tuxedo Park Library

Town Board Updates

Minutes

Vouchers

Other Business

Public Comments

Executive Session

Adjournment

Call to Order

_____ called to order the Town Board Meeting of April 8, 2024 at _____pm.

Pledge of Allegiance to the Flag

Moment of Silence – Ada Posta

Oath of Office – Anthony Weed, P/T Police Officer

Department Updates

Public Comments on Agenda Items

Agenda Item #1 - Resolution to Approve Purchase of Defibrillators

Motion made by _____ and seconded by _____ that the Town Board of the Town of Tuxedo approves the purchase of three defibrillators for a cost of up to \$7,000.00 as listed in the quote from Stryker Medical dated 04/04/2024 using ARPA funds.

Equipment Products:

#	Product	Description	U/M	Qty	Sell Price	Total
1.0	99512-001262	LIFEPAK CR2 Defibrillator, Semi-Automatic, WIFI, English, handle, 8 year warranty. Includes 1 PR QUIK-STEP? ctrodes and 1 battery (4 years each), LIFELINKcentral AED Program Manager Basic Account, USB cable, Operating Instructions	PCE	3	\$2,231.61	\$6,694.83
Equipment Total:						\$6,694.83

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
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Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$83.70
Grand Total:	\$6,778.53

Comments:

Agenda Item #2 - Resolution, Findings and Order Approving Annexation of Two Parcels from Town of Tuxedo to Village of Tuxedo Park

Motion made by _____, seconded by _____

WHEREAS, a petition, pursuant to General Municipal Law Article 17, was presented to the Town Board of the Town of Tuxedo, New York (the “Town”) on November 18, 2020, for the annexation of certain territory in the Town to the Village, said territory being described in said petition which is annexed hereto as **Schedule A** (“Annexation Parcels”); and

WHEREAS, a joint hearing of the Town Board of the Town of Tuxedo and the Village of Tuxedo Park was duly noticed and published in accordance with Article 17 of the New York State General Municipal Law; and

WHEREAS, said joint hearing of the Town Board of the Town of Tuxedo and the Village of Tuxedo Park was duly held on said petition for annexation, according to the law in such cases made and provided, at the Town Hall at 1 Temple Drive, Tuxedo, NY 10987 on January 23, 2023 at 7:00 p.m. at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS, the Town Board of the Town has duly considered said petition and the evidence presented at said hearing.

NOW, THEREFORE, IT IS FOUND, RESOLVED AND ORDERED by the Town Board of the Town of Tuxedo finds as follows:

- Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.
- Section 2. That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.
- Section 3. That the proposed annexation of said Annexation Parcels in the Town to the Village as described in the aforesaid petition is in the overall public interest that such annexation was contemplated during the review and consideration of the Tuxedo Farms development in the Town of Tuxedo and that the Town, Village and Developer had entered agreements that considered and include the proposed annexation now before the Town Board; and that the Town determines such annexations are in the best interests of the Town and Village in having such

parcels inside the Village to enhance the planned buffer between the proposed Town project development and the Village.

- Section 4. That all unpaid or delinquent taxes levied or charges made against the Annexation Parcels shall be due and payable and collected in all respects the same as if such territory had not been annexed.
- Section 5. That any other taxes levied or other charges made against or on account of the annexation for the fiscal year in which the annexation shall take effect shall be paid to the Town of Tuxedo.
- Section 6. That any taxes levied or other charges made against or on account of the annexation for a fiscal year commencing after the date such annexation takes effect shall be due and payable to and collected by the Village of Tuxedo Park.
- Section 7. That the Annexation Parcels, after annexation, shall remain in the same districts with respect to Tuxedo Joint Fire District and Tuxedo Library and accordingly shall continue to pay for such services on the same terms as prior to the annexation.
- Section 8. That there is no other indebtedness, liabilities or interest in connection with Annexation Parcels and accordingly, no amount is otherwise due to the Town or Village in connection with the annexation.
- Section 9. The consent and approval of the Town Board is hereby given to the annexation of the territory now situated in the Town and described in the aforesaid petition (Exhibit A) to the Village.
- Section 10. That the Town Clerk shall file this Order, together with copies of the Annexation petition, the notice, the written objections, if any, and testimony and minutes of proceedings taken and kept on the public hearing.
- Section 11. That no election shall be required with respect to the instant annexation as there are no residents residing in the annexation parcels and based upon existing case law, an election is not required under such circumstances.
- Section 12. That the Supervisor is hereby authorized and directed to execute this Finding, Resolution and Order.
- Section 13. The Village is hereby charged with the obligation to cause (a) a survey to be made of the annexed territory, (b) the boundaries of the same to be marked with monuments, and (c) a map to be made of such local government including the annexed territory or, in the event such survey already exists and such boundaries are already marked, such requirement may be dispensed with upon review by the Engineer.

Section 14. In cooperation with the Village of Tuxedo Park, the Supervisor shall also cause a partial map to be made of the Village and Town of Tuxedo, which map shall be sufficient to show the exclusion of the Annexed territory from the Town of Tuxedo and to file a copy of such map in the office of the Town Clerk, the Village Clerk, the Office of the Orange County Clerk and in the Office of the New York Secretary of State. The Supervisor is authorized to arrange for the preparation of such maps through Orange County offices, including the Geographic Information Systems office and/or Real Property Tax Office.

Section 15. With respect to any issues that arise with finalizing the annexation of the Annexation Parcels, the Town shall work cooperatively with the Village of Tuxedo Park.

Section 16. The Supervisor, and any officer, employee or consultant, as directed by the Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Finding, Resolution and Order.

Section 17. This Resolution, Finding and Order shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call by _____, seconded by _____, which resulted as follows:

<u>Ayes</u>	<u>Noes</u>	<u>Abstain</u>	<u>Absent</u>
[]	[]	[]	[]
[]	[]	[]	[]
[]	[]	[]	[]
[]	[]	[]	[]
[]	[]	[]	[]

Agenda Item #3 – Resolution to Approve Rental Fees for Town Owned Properties

<u>Facility/Park</u>	<u>Proposed Rental Fee</u>	<u>Amenities</u>
Train Station	\$400.00	Kitchen, 2 bathrooms
Murphy Field	\$300.00	Concession stand, pavilion, 2 bathrooms
Tichy Field	\$300.00	Concession stand, pavilion, 2 bathrooms
Quarry Field	\$100.00	Field
Powerhouse Park	\$100.00	Pavilion

Agenda Item #4 – Resolution to Solicit Bids for Repairs to Police Station Project

Whereas the Town Engineer, Sean Hoffmann, has prepared specifications for repairs to the Town of Tuxedo Police Station and whereas those specifications are in proper form for bidding, and whereas putting this Proposal out for bid is a Type II Action under the State Environmental Quality Review Act;

Now therefore, be it resolved the town board here by authorizes the publication and receipt of bids for the Restoration and Repair of the Tuxedo Police Station with the deadline to submit bids electronically until May 9, 2024.

Agenda Item #5 – Resolution to Enter into Agreement with Enterprise Fleet for Leasing Town Vehicles

Where is the Town Board has received a proposal for a fleet management agreement with Enterprise Fleet for leasing of Town vehicles; and whereas set agreement is a type two action under the Satan environmental quality review act; and whereas the agreement has been reviewed and approved that the form by the attorney for the Town; now therefore be resolved that the agreement Dated _____ with Enterprise Fleet management is here approved and the supervisor is authorized to sign the agreement.

Agenda Item #6 – Resolution to Accept Employee Resignations

1. Motion made by _____, seconded by _____ that the Town Board of the Town of Tuxedo hereby accepts the resignation from Jeff Dowding. He is retiring after 29 years in the Highway Department and we thank him for his dedication to the Town.

2. Motion made by _____, seconded by _____ that the Town Board of the Town of Tuxedo hereby accepts the resignation of Chris Dollbaum from Zoning Board of Appeals effective April 26, 2024.

Agenda Item #7 - Resolution to Appoint Full-Time Laborer

Motion made by _____, seconded by _____ that the Town Board of the Town of Tuxedo hereby appoints Christopher Posta as a full-time Laborer in the Highway Department at the rate of _____per hour.

Supervisor David McMillen
Town of Tuxedo

Dear Dave,

This letter is to inform you that I am hiring Chris Posta to replace Jeff Dowding who is retiring April 29, 2024.

Chris has been working several years for us as a seasonal employee and doing a fine job. Chris will serve the Highway Department well with his many skills and his willingness to work.

His official full time start date is April 30, 2024.

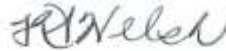
Agenda Item #8 - Resolution to Appoint Fire Commissioner

Motion made by _____, seconded by _____ that the Town Board the Town Board hereby approves the appointment of Kent Clark to the Board of Fire Commissioners for the Tuxedo Fire District, to complete the five-year term vacated by the resignation of Jeff Dowding expiring on December 31, 2025

During the Board of Fire Commissioners meeting on April 1, 2024, the Commissioners unanimously voted to recommend Kent Clark to complete the five year term vacated by the resignation of Jeff Dowding expiring on December 31, 2025.

As always, if you have any questions, I can be reached by email at secretarytjfd@yahoo.com or by phone at 845-325-1561.

Very truly yours,



Rebecca S. Welsh
Secretary/Treasurer

Agenda Item # 9 - Resolution to Accept Scholarship Award for Town Clerk Training

Motion made by _____, seconded by _____ that the Town Board the Town Board hereby accepts a \$300.00 scholarship that was awarded by the Orange and Sullivan Town Clerk’s Association for the NYSTCA conference held in Albany.

Agenda Item #10 - Resolution to Appoint Town Realtor

Agenda Item #11- Resolution to approve sign permit – Tuxedo Park Library

On a motion made by _____, seconded by _____, that the Town Board of the Town of Tuxedo approves the Tuxedo Park Library’s sign permit to display their 24 x 36 advertising signs at various locations throughout the Town except at intersections with State Route 17 to advertise for the Memorial Day Parade and Picnic.

The Tuxedo Park Library will be hosting a Memorial Day Picnic again this year on Memorial Day, May 27, 2023 from 12:00 P.M. to 2:30 P.M. at the library premises. We are asking to have Store Road directly behind the Library closed for the duration of the activities on the 27th as well as the afternoon of Sunday the 26th when our tents will be delivered and setup.

Attached is a certificate of liability insurance listing the town as an additional insured on our policy for Memorial Day.

I also ask permission to place signs measuring approximately 24” x 36” at various locations throughout the town, except at intersections with State roads, for the period beginning May 1 through June 5, 2024. I have attached the required sign permit.

Agenda Item #12 - Resolution to approve Form of Petition for the Proposition to Increase Town Board Budgetary Allocation for the Tuxedo Park Library

On a motion made by _____, seconded by _____, that the library may circulate a form of petition annexed below for the Proposition to Increase Town Board Budgetary Allocation for the Tuxedo Park Library.

TO THE TOWN BOARD OF THE TOWN OF TUXEDO IN THE COUNTY OF ORANGE.

PROPOSITION TO INCREASE TOWN BOARD BUDGETARY ALLOCATION FOR TUXEDO PARK LIBRARY

I, the undersigned, do hereby state that I am a registered voter of the TOWN OF TUXEDO, that my present place of residence is truly stated opposite my signature hereto, and that I do hereby petition that the following question be placed upon the ballot and voted on at the next general election of the TOWN OF TUXEDO:

SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF TUXEDO FOR THE OPERATING BUDGET OF THE TUXEDO PARK LIBRARY BE INCREASED BY (X) DOLLARS TO THE SUM OF (X) DOLLARS ANNUALLY.

Date	Signature	Residence Address	Town
1. _____			Tuxedo
2. _____			Tuxedo
3. _____			Tuxedo
4. _____			Tuxedo
5. _____			Tuxedo
6. _____			Tuxedo
7. _____			Tuxedo
8. _____			Tuxedo
9. _____			Tuxedo
10. _____			Tuxedo
11. _____			Tuxedo
12. _____			Tuxedo
13. _____			Tuxedo
14. _____			Tuxedo

I, _____ state: I am a duly qualified voter of the State of New York and I am also duly qualified to sign the petition. I now reside at _____ which is in the _____ of the _____ in the _____

Other Business

Town Supervisor/Town Board Updates

Minutes

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

VOUCHERS

Below are the vouchers totaling \$5000 or greater:

2012923142	Global Montello Group Corp	5,794.41	Fuel & Diesel March Delivery 2 of 2
2012923151	H2O Innovation Operation & Maintenance	7,017.59	Monthly Fee and Testing March
201292315	Fusco Engineering	12,600.00	April 2024- Building Inspector Subcontractor Fee
2012923159	IWS of New York	32,441.09	March 2024 Garbage & Recycling
2012923163	Global Montello Group Corp	9,069.72	Fuel & Diesel April Delivery 1 of 2
2012923169	Benistar	5,982.60	May 2024 Retiree Health Insurance
2012923183	J&G Law, LLP	11,181.58	March 2024 Legal Fees

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: 2012923133 through 2012923197

General Fund:	\$53,528.42
Part-Town Fund:	\$23,118.03
Highway Town Wide:	\$16,441.20
Highway Part Town	\$1,547.67
Refuse and Garbage	\$32,441.09
Hamlet Sewer District	\$14,171.20
Trust and Agency	\$0
<u>Total Abstract Amount:</u>	\$141,247.61

PUBLIC COMMENTS

Executive Session

Motion made by _____ and seconded by _____ to enter into an Executive Session for the purpose of _____ at _____pm.

Motion made by _____ and seconded by _____ to leave Executive Session and re-enter the public meeting at _____pm.

ADJOURNMENT

Motion made by _____ seconded by _____, to adjourn the meeting at _____pm.