

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, June 25, 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
	Mr. Andrew L. Siegel	Councilperson
	Ms. Lisa Spivak	Councilperson
Town Board Members Absent:	Ms. Francine Rauch	Councilperson

Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel; Mr. Daniel J. Carlin, Police Chief; Mr. Stanley G. Puszcz, Town Engineer; Mr. Andrew Rogers, Zoning Board of Appeals Member; and Mrs. Elaine M. Laurent, Town Clerk.

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

MINUTES

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RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spiegel, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on June 11, 2007, as submitted.

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

MONTHLY REPORTS

MONTHLY REPORTS

Supervisor Dolan acknowledged that, all Monthly Reports for May, 2007 having been received at the June 11, 2007 meeting, no reports were submitted at this meeting.

PUBLIC COMMENTS ON AGENDA ITEMS

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Supervisor Dolan asked for public comments on agenda items.

Comments were received and discussion held regarding Agenda Items 2, 3 and 7.

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

AGENDA ITEMS:

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1. Supervisor/Town Board Update

Supervisor/Town Board Update

• **Update of Tuxedo Reserve Development Status with Sloatsburg Mayor**

Update of Tuxedo Reserve Development Status with Sloatsburg Mayor

Supervisor Dolan advised that he met with Sloatsburg Mayor Carl Wright regarding the status of the Tuxedo Reserve development. Mayor Wright was already fully up to date on the development progress and contributed to the discussion.

• **Update of Millennium Pipeline Project**

Update of Millennium Pipeline Project

Supervisor Dolan advised Columbia Gas has begun construction of the Millennium Pipeline and that residents should expect considerable activity in the area.

2. Resolution to Appoint Town Prosecutor

Resolution to Appoint Town Prosecutor

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board hereby authorizes the Town Supervisor to enter into an agreement with an individual whom he deems qualified to act as Town Prosecutor on an Independent Contractor basis, to prosecute Vehicle and Traffic infractions, for the period of June 21, 2007 through December 31, 2007, at a rate of \$62.50 per bi-weekly court session, or \$1,500 per annum.

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

AGENDA ITEMS (Continued):

3. Resolution to Introduce Local Law #3 of 2007, Entitled "Sign Law Amendments"

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

BE IT RESOLVED, that an Introductory Local Law, entitled "Sign Law Amendments," be and it hereby is introduced by Supervisor Dolan before the Town Board of the Town of Tuxedo, County of Orange, State of New York; and be it

FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board; and be it

FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Town Hall, One Temple Drive, in the Town of Tuxedo, New York at 7:30 p.m. on Monday, July 9, 2007; 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 public hearing at least ten (10) days prior thereto.

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

4. Acknowledgment of Retirement of Paul Mitchell from the Highway Department

Paul Mitchell worked for the Highway Department from 4/1/74 through 9/6/85 and then from 1/25/99 to present. His contributions are greatly appreciated.

5. Notification of Posting of Open Position Notice for Highway Motor Equipment Operator

Supervisor Dolan notified the public that an open position notice has been posted for the position of Highway Motor Equipment Operator, with a return date of July 2, 2007

6. Resolution to Authorize Filing of State Pollutant Discharge Elimination System Permit Application

Supervisor Dolan offered the following resolution and moved its adoption; Councilperson Spiegel seconded its adoption.

WHEREAS, NYSDEC requires that a State Pollutant Discharge Elimination System ("SPDES") permit renewal application be submitted every five years for wastewater treatment plants operating within New York State; and

WHEREAS, NYSDEC has requested that the Town complete, execute and submit a SPDES permit renewal application for the Tuxedo Hamlet Wastewater Treatment Plant (SPDES Permit No. NY - 0031224); and

WHEREAS, said SPDES permit renewal application has been completed by the Town; and

WHEREAS, said application must be executed and submitted to the NYSDEC by June 26, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby designates Peter M. Dolan, Town Supervisor, and Joseph P. Tripoli, Sr., Sewer Administrator, as the official representatives of the Town and authorizes them to execute and submit the SPDES renewal application and related documents to the NYSDEC for the existing Tuxedo Hamlet Wastewater Treatment Plant (SPDES Permit No. NY - 0031224).

This Resolution shall take effect immediately.

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

**AGENDA ITEMS
(Continued)**

**Resolution
to Introduce Local
Law #3 of 2007,
Entitled "Sign Law
Amendments"**

**Acknowledgment of
Retirement of
Paul Mitchell from
the Highway Dept.**

**Notification of Open
Highway MEO
Position**

**Resolution
to Authorize Filing of
State Pollutant
Discharge Elimination
System Permit
Application**

AGENDA ITEMS (Continued):

7. Resolution to Adopt Retirement System Section 41(j) to Provide Service Credits for Unused Sick Leave

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board of the Town of Tuxedo does hereby elect to provide the additional pension benefits of Section 41(j) of the Retirement and Social Security Law, as presently or hereafter amended; and

BE IT FURTHER RESOLVED, that the effective date of such shall be the 26th day of June, 2007.

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

8. Resolution to Grant Special Sign Permit for Decorative Banners at Eagle Valley Firehouse

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby issues a special use sign permit, for the period of April 1 through November 1 of every calendar year, to the Eagle Valley Ladies Auxiliary to place a maximum of three (3) banners measuring up to 6' x 30" at the below-listed locations:

Near Intersection of Eagle Valley Road and Sterling Mine Road (County Route 72)
Near Intersection of Eagle Valley Road and Long Meadow Road (County Route 84)
Corner of Eagle Valley Road and Scott Mine Road

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

OTHER BUSINESS:

Resolution Authorizing Justice Court Application for Grant Funds

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby authorizes the Tuxedo Town Court to apply for funding under the 2007 Justice Court Assistance Program for computers, NYS flag with flag stand, hand-held metal detector, security window and jury chairs.

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

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

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board, in accordance with the Zoning Code of the Town of Tuxedo under Article 3, Section 98-10, Column H, Item 8-K, grants a special use permit to 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, at the Red Apple Rest parking lot in Southfields, New York 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.

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

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

**AGENDA ITEMS
(Continued)**

**Resolution
to Adopt Retirement
System Section 41(j)
to Provide Service
Credits for Unused
Sick Leave**

**Resolution
to Grant Special Sign
Permit for Decorative
Banners at Eagle
Valley Firehouse**

OTHER BUSINESS

**Resolution
Authorizing Justice
Court Application for
Grant Funds**

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

PUBLIC COMMENTS:

Supervisor Dolan asked for comments from the public.

Train Station Renovation

In answer to a question from Mr. Andy Berish, Supervisor Dolan provided an update regarding the renovations to the train station. He advised that that an engineering report was received three weeks ago and is being reviewed. Plans to install a concrete sill around the entire building are moving forward. After that, installation of a slate roof is planned. Mr. Erik Nimke suggested that the train station be used to augment tourism in the town, county and region.

Survey of Town Property

Mr. Erik Nimke suggested that the Town hire a surveyor and monument every corner of Town property.

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

Claim numbers 860 through 913
General Fund Claim totaling \$26,568.55
Part-Town Fund Claim totaling \$35,289.10
Highway Town Wide Claim totaling \$2,844.43
Highway Part-Town Claim totaling \$36,247.20
Tuxedo Refuse District Claim totaling \$-0-
Hamlet Sewer District Claim totaling \$68.70
Total abstract amount: \$101,017.98

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

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, to adjourn the meeting at 8:34 p.m.

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

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk

PUBLIC COMMENTS

BUDGET
MODIFICATIONS

VOUCHERS

ADJOURNMENT