

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, March 24, 2008 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:39 p.m.

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|-----------------------------|-----------------------|---------------|
| Town Board Members Present: | Mr. Peter M. Dolan | Supervisor |
| | Mr. Daniel Castricone | Councilperson |
| | Mr. Thomas Darling | Councilperson |
| | Mr. Gary Phelps | Councilperson |
| | Ms. Lisa Spivak | Councilperson |

Town Board Members Absent: None

Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel; Mr. Daniel J. Carlin, Police Chief; Mr. Joseph P. Tripoli, Sr., Highway Superintendent; Mr. Edward Pfizenmaier, Deputy Highway Superintendent; Mr. Andrew Rogers, Zoning Board of Appeals Member; Mr. Francis Peverly, Zoning Board of Appeals Chairman; 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 Spivak, to accept the Town Board Minutes of the Public Hearing and Regular Bi-Monthly Meeting held on March 10, 2008, as submitted.

Adopted: AYES: [5] NAYS: [0] ABSENT: [0] ABSTAIN: [0]

MONTHLY REPORTS

MONTHLY REPORTS

Supervisor Dolan acknowledged that, all Monthly Reports for February, 2008 having been received at the March 10, 2008 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. There were none.

AGENDA ITEMS:

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1. Town Supervisor/Town Board Update

- Millennium Pipeline

Millennium Pipeline

Supervisor Dolan advised that he met with representatives of the Millennium Pipeline Company LLC and was informed that the next phase of the project will involve installing a 30" diameter pipe along the floor bed of the Indian Kill Reservoir. Preliminary work is scheduled to begin on April 15, with work in earnest commencing on or about May 1. On a related matter, Millennium is working toward providing the Tuxedo Fire District with a vehicle for use in patrolling the open areas where the pipeline has been placed. This vehicle is intended to be used jointly by Tuxedo's first responders.

- Recreation Fields

Recreation Fields

Supervisor Dolan advised that the Highway Department has completed a practice field and the installation of electrical equipment at Murphy Field and is now finishing up installing electrical service at Tichy Field.

- Powerhouse

Powerhouse

Supervisor Dolan advised that the demolition of a portion of the Powerhouse continues, and the roof will be removed tomorrow. The project is a larger and more involved process than originally anticipated, but will not cost anything extra. The bricks might be salvageable.

AGENDA ITEMS (Continued):

2. Resolution Appointing Members to the Planning and Zoning Boards

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Phelps, that, effective immediately, the Town Board hereby appoints the below-listed individuals to the board so indicated through the term expiration so specified next to their names:

| <u>Name</u> | <u>Board</u> | <u>Term Expiration</u> |
|------------------|--------------|------------------------|
| Susan Goodfellow | Planning | December 31, 2012 |
| Robert Thompson | Planning | December 31, 2009 |
| Clifford Loncar | Zoning | December 31, 2009 |

Adopted: AYES: [5] NAYS: [0] ABSENT: [0]

3. Resolution Granting Sign Permit to Prudential Realty for Sign at Sterling Mine Court Retail/Office Plaza

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that, pursuant to Section 79-6 of the Town Code of the Town of Tuxedo, the Town Board hereby grants an extension of the Special Sign Permit allowing Prudential Rand Commercial Services to place a two-sided sign measuring 4' by 8' for the period of April 1, 2008 through September 30, 2008, to advertise the availability of rental space at the Sterling Mine Court retail/office plaza located at 655 Sterling Mine Road, Tuxedo; and be it

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

Adopted: AYES: [5] NAYS: [0] ABSENT: [0]

4. Recognition of Supervisory Court Clerk Sandra Boss for Obtaining Court Grant Funds

The Town Board recognized Supervisory Court Clerk Sandra Boss for successfully applying for and receiving a grant in the amount of \$8,300.00 for the following items: Metal Detectors (walk-through and hand-held), 7 Jury Chairs, Label Printer, Calculator, NYS Flag and Stand, Paper Shredder, 3 Computers and 1 Printer/Fax/Copier.

OTHER BUSINESS:

Resolution to Authorize Retaining Appraiser in Tax Certiorari Proceedings Brought Against the Town

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

WHEREAS, International Paper Company, has commenced a tax certiorari proceeding against the Town of Tuxedo in the Supreme Court, State of New York, County of Orange, for the 2007-08 tax year; and

WHEREAS, it appears from the recommendation of the Town Assessor and John H. Thomas, Jr., Esq., of Jacobowitz and Gubits, counsel for the Town of Tuxedo in the aforesaid proceedings, that preliminary appraisal information and/or a full court appraisal of the above matters is needed; and

WHEREAS, Griffin Valuation & Realty Services, Ltd., has submitted a fee proposal for the above proceeding as set forth in the letter from Gerald Griffin, Jr., MAI of Griffin Valuation & Realty Services dated, November 19, 2007, which are filed in the Town Clerk's office.

**AGENDA ITEMS:
(Continued)**

**Resolution
Appointing Members
to the Planning and
Zoning Boards**

**Resolution
Granting Sign Permit
to Prudential Realty
for Sign at Sterling
Mine Court
Retail/Office Plaza**

**Recognition of
Supervisory Court
Clerk Sandra Boss
for Obtaining Court
Grant Funds**

OTHER BUSINESS:

**Resolution
to Authorize
Retaining Appraiser
in Tax Certiorari
Proceedings Brought
Against the Town**

OTHER BUSINESS (Continued):

Resolution to Authorize Retaining Appraiser in Tax Certiorari Proceedings Brought Against the Town (Continued)

NOW, BE IT THEREFORE RESOLVED, that the fee proposal as described above is hereby accepted and that Gerald Griffin, Jr., MAI of Griffin Valuation and Realty Services, Ltd., is hereby retained to provide the necessary appraisal opinions described above in the amounts set forth in the proposal.

Adopted: AYES: [5] NAYS: [0] ABSENT: [0]

Discussion of Letter of Criticism from ARB Members

Councilperson Castricone introduced discussion concerning an email, a copy of which is attached to these Minutes, written by Architectural Review Board members Sharon Radulov and Michael Reardon and sent to numerous recipients, including the Times Herald Record. Also attached hereto are copies of the Times Herald Record article to which Ms. Radulov's and Mr. Reardon's email refers as well as letters of response from three individuals: Mr. Robert Thompson, Mrs. Dale Mottola and Mr. Jerald Mottola.

It was the consensus of the Town Board that Councilperson Phelps will discuss the email with Mrs. Mary Hanson, Architectural Review Board Chairman.

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

PUBLIC COMMENTS:

Supervisor Dolan asked for 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 342 through 420
General Fund Claim totaling \$82,639.17
Part-Town Fund Claim totaling \$38,934.16
Highway Town Wide Claim totaling \$10,410.03
Highway Part-Town Claim totaling \$0-
Tuxedo Refuse District Claim totaling \$27,612.00
Hamlet Sewer District Claim totaling \$7,886.52
Total abstract amount: \$167,481.88

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

EXECUTIVE SESSION

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to recess to executive session at 8:16 p.m. to discuss personnel disciplinary actions.

Adopted: AYES: [5] NAYS: [0] ABSENT: [0]

The Board reconvened the regular meeting at 8:45 p.m.

**OTHER BUSINESS:
(Continued)**

**Resolution
to Authorize
Retaining Appraiser
in Tax Certiorari
Proceedings Brought
Against the Town
(Continued)**

**Discussion of Letter
of Criticism from
ARB Members**

**PUBLIC
COMMENTS**

**BUDGET
MODIFICATIONS**

VOUCHERS

**EXECUTIVE
SESSION**

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Phelps, to adjourn the meeting at 8:45 p.m.

Adopted: AYES: [5] NAYS: [0] ABSENT: [0]

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk

ADJOURNMENT