

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, June 23, 2008 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:40 p.m.

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. David Maikisch, Building Inspector; 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

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on June 9, 2008, as submitted.

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

MONTHLY REPORTS

Supervisor Dolan acknowledged receipt of the Monthly Reports for May, 2008 from the Justice Court (2).

PUBLIC COMMENTS ON AGENDA ITEMS

Supervisor Dolan asked for public comments on agenda items.

Discussion was held with the public regarding Agenda Item #4.

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

AGENDA ITEMS:

1. Town Supervisor/Town Board Update

• **Powerhouse Site**

Supervisor Dolan advised that last Tuesday he, Councilpersons Darling and Phelps, Highway Superintendent Tripoli and Building Inspector Maikisch met with DEC officials to conduct a site inspection. The DEC confirmed its findings that the filling and grading done by the Town are in compliance. The DEC reiterated that the Town must maintain the spillway and may not fill in the spillway. The Highway Department will commence cutting brush along the Ramapo River shortly. The Army Corps of Engineers is looking into flooding amelioration from the Powerhouse to the south end of Town.

• **Sterling Mine Estates Subdivision**

Supervisor Dolan advised that the developer has contracted for and paid for paving of Juniper Terrace. It was the recommendation of Town Counsel and the consensus of the Town Board that Highway Superintendent Tripoli contact the paving company and, if Mr. Tripoli deems that they will perform the work well, to allow the paving to commence. Town Counsel pointed out that the Town may withdraw a partial amount of the performance bond on file with the Town if necessary to reimburse the Town for any expenses it has incurred with respect to this subdivision.

MINUTES

MONTHLY REPORTS

PUBLIC COMMENTS ON AGENDA ITEMS

AGENDA ITEMS:
**Town Supervisor/
Town Board Update**
Powerhouse Site

**Sterling Mine Estates
Subdivision**

AGENDA ITEMS (Continued):

1. Town Supervisor/Town Board Update (Continued)

• **Offer of Sale of Property on Benjamin Meadow Road**

Supervisor Dolan advised that he has received an offer of sale from the Renaissance Faire for a one-acre parcel on Benjamin Meadow Road near its intersection with Route 17A for a purchase price of \$168,000. Further inquiry will be made and consideration given by the Town. If the Town does not purchase the property, it will be offered to the public.

• **Ironman Competition**

Supervisor Dolan advised that he has been contacted by organizers of the Ironman triathlon and will meet with them this Wednesday to discuss holding one of the qualifying races in Tuxedo in September, 2009. Discussions will include renting the Powerhouse property as a staffing area. Since it began as a challenge between a group of Navy Seals in 1980, the Ironman has grown to become one of the most recognized endurance events in the world. The Ironman qualifying series includes 22 triathlon events for both men and women throughout the world that qualify athletes for the Ford Ironman World Championship held every October in Kona, Hawaii. The Ironman consists of a 2.4 mile swim, a 112-mile bike ride and a 26.2 mile run and is regarded as the world's most challenging endurance event.

• **Commendation of Police Officer Shiloh**

Councilperson Darling expressed his gratitude to the Police Chief for his presence at a tragic accident on the New York State Thruway on June 14 that involved 11 injured persons and claimed the lives of three women. Councilperson Darling especially commended Tuxedo Police Officer Girard Shiloh who worked diligently and untiringly, well above and beyond his duties. Chief Carlin advised that he has written a commendation letter for Officer Shiloh's file.

• **Sterling Mine Court Office Plaza**

At Supervisor Dolan's request, the Building Inspector provided an update of the status the construction and eventual rental of the subject building. Mr. Maikisch advised that the owner is seeking financing and hopes to complete the building under the existing building permit.

2. Resolution Appointing Darren Maynard as Architectural Review Board Member

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby appoints Darren Maynard as a member of the Architectural Review Board effective immediately, with his term of office to expire on December 31, 2011.

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

3. Resolution Promoting Highway Laborer to Motor Equipment Operator

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Phelps, that, on the recommendation of the Highway Superintendent, the Town Board hereby appoints Robert A. Marsh as Motor Equipment Operator effective June 23, 2008, at a salary rate in accordance with the collective bargaining agreement between the Town and the Highway Department.

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

4. Resolution Scheduling Public Hearing Regarding Comprehensive Plan Update

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

**AGENDA ITEMS:
(Continued)**

**Town Supervisor/
Town Board Update**

***Offer of Sale of
Property on Benjamin
Meadow Road***

Ironman Competition

***Commendation of
Police Officer Shiloh***

***Sterling Mine Court
Office Plaza***

**Resolution
Appointing Darren
Maynard as
Architectural Review
Board Member**

**Resolution Promoting
Highway Laborer to
Motor Equipment
Operator**

**Resolution
Scheduling Public
Hearing Regarding
Comprehensive Plan
Update**

AGENDA ITEMS (Continued):

4. Resolution Scheduling Public Hearing Regarding Comprehensive Plan Update (Continued)

WHEREAS, the Town of Tuxedo is in the process of preparing a draft Comprehensive Plan Update; and

WHEREAS, pursuant to §272-a of the Town Law of the State of New York, the Town Board shall hold one or more public hearings as it deems necessary to assure full opportunity for citizen participation in the preparation of the draft Comprehensive Plan Update and thereafter hold an additional hearing or hearings concerning the adoption of the final Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby directs that a public hearing on the preparation of the draft Comprehensive Plan Update be held at Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, at 7:30 p.m. on Monday, September 8, 2008 and that said public hearing be noticed as required by §272-a of Town Law; and be it

FURTHER RESOLVED, that a copy of the draft Comprehensive Plan Update shall be filed in the Office of the Town Clerk, the Office of the Village Clerk of the Village of Tuxedo Park and the Tuxedo Park Library, and it shall be made available for review on the Tuxedo website at www.tuxedogov.org; and be it

FURTHER RESOLVED, that written public comment shall be accepted during normal business hours by the Town Clerk on behalf of this Board at Town Hall, One Temple Drive, Tuxedo, New York, 10987, until 3:00 p.m. on Friday, September 5, 2008.

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

5. Resolution Rescheduling Town Board Meetings for July and August, 2008

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Darling, that the Town Board will follow the below schedule for its meeting during July and August, 2008:

July 8, 2008	Vouchers-Only Meeting	9:30 a.m.
July 28, 2008	Regular Meeting	7:30 p.m.
August 12, 2008	Vouchers-Only Meeting	9:30 a.m.
August 25, 2008	Regular Meeting	7:30 p.m.

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

OTHER BUSINESS:

Resolution Appointing Joseph A. Dunko as Motor Equipment Operator

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that, on the recommendation of the Highway Superintendent, the Town Board hereby appoints Joseph A. Dunko as Motor Equipment Operator effective as of July 7, 2008, at a salary rate in accordance with the collective bargaining agreement between the Town and the Highway Department.

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

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.

**AGENDA ITEMS:
(Continued)**

**Resolution
Scheduling Public
Hearing Regarding
Comprehensive Plan
Update (Continued)**

**Resolution
Rescheduling Town
Board Meetings for
July and August,
2008**

OTHER BUSINESS:

**Resolution
Appointing
Joseph A. Dunko as
Motor Equipment
Operator**

**PUBLIC
COMMENTS**

**BUDGET
MODIFICATIONS**

VOUCHERS

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 836 through 910
General Fund Claim totaling \$77,684.43
Part-Town Fund Claim totaling \$47,242.81
Highway Town Wide Claim totaling \$34,856.12
Highway Part-Town Claim totaling \$-0-
Tuxedo Refuse District Claim totaling \$27,612.00
Hamlet Sewer District Claim totaling \$8,629.28
Total abstract amount: \$196,024.64

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

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

ADJOURNMENT

ADJOURNMENT

RESOLVED, motion made by Councilperson Castricone, seconded by Councilperson Phelps, to adjourn the meeting at 8:38 p.m.

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

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk