

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, February 9, 2009 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:44 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. Patrick W. Welsh, IV, Police Sergeant; Mr. David Maikisch, Building Inspector; Messrs. Frank Peverly and Andrew Rogers, Chairman and Member, respectively, of the Zoning Board of Appeals; Mrs. Patricia Monico-Sullivan, Town Bookkeeper; and Mrs. Elaine M. Laurent, Town Clerk.

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

MOMENT OF SILENCE AND REFLECTION TO HONOR MEMORY OF JOY TANZMAN

A moment of silence and reflection was observed to honor the memory of Joy A. Griffo-Tanzman, a resident of and business owner in Tuxedo, who passed away on January 28, 2009. Joy was an Associate Real Estate Broker with Prudential Rand Real Estate in Tuxedo and a longtime resident of the area. Appropriate to her first name, Joy was a warm, friendly, lovely woman who made others feel welcome and cared about. Joy is survived by her fiancé, John, her adoring daughter, Linda, and her husband, Sam, and her beloved grandsons, Robert and James.

PUBLIC HEARINGS

A Public Hearing Continuation was held to receive public comment on the Draft Comprehensive Plan Update, followed by a Public Hearing to receive public comment on Introductory Local Law entitled "Amendments to Town Ethics Code," separate minutes for which have been prepared.

MINUTES

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to accept the Town Board Minutes of the Reorganization Meeting and Regular Bi-Monthly Meeting held on January 26, 2009, as submitted.

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

MONTHLY REPORTS

Supervisor Dolan acknowledged receipt of the Monthly Reports for January, 2009 from the Dog Control Officer, Justice Court (2) and the Town Clerk.

PUBLIC COMMENTS ON AGENDA ITEMS

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

**MOMENT OF
SILENCE AND
REFLECTION TO
HONOR MEMORY
OF JOY TANZMAN**

PUBLIC HEARINGS

MINUTES

**MONTHLY
REPORTS**

**PUBLIC COMMENTS
ON AGENDA ITEMS**

AGENDA ITEMS:

1. Town Supervisor/Town Board Update

• **Personnel Issues**

Supervisor Dolan advised that he has devoted an extensive amount of time over the last several weeks addressing Town personnel issues.

• **Possible Hookup of Town and Tuxedo Reserve Sewer to Ramapo Treatment Plant**

Supervisor Dolan advised that he has been informed by representatives of the Tuxedo Reserve development that they were approached by officials for the Wastewater Treatment Plant being constructed in Ramapo offering them to connect to the plant because it has insufficient hookups to meet the capacity for which the plant was designed. The shortfall in capacity amounts to approximately one million gallons, which cannot be met even with Tuxedo Reserve customers. Supervisor Dolan has indicated the Town's willingness to hook up to that plant as well, and will research the matter fully.

2. Resolution Adopting Local law Entitled "Amendment of Town Ethics Code"

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

WHEREAS, Introductory Local Law #2 of 2009 entitled, "Amendment of Town Ethics Code," was introduced before the Town Board of the Town of Tuxedo on January 12, 2009 and, upon notice duly published and posted, a public hearing was held on February 9, 2009, before the Town Board; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of Introductory Local Law #2 of 2009 is hereby determined not to have a significant effect on the environment; and be it

FURTHER RESOLVED, that Introductory Local Law #2 of 2009 of the Town of Tuxedo be and hereby is adopted as Local Law #2 of 2009 of the Town of Tuxedo on February 9, 2009.

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

3. Resolution Appointing Members to Planning and Zoning Boards

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Phelps, that, effective as of January 1, 2009, 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>
Joseph Gartiser	Planning	December 31, 2013
George Langberg	Zoning Board of Appeals	December 31, 2013

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

Supervisor Dolan advised that the Board will hold an executive session at the end of this meeting to interview a candidate for appointment to the Architectural Review Board

4. Resolution to Approve Extension of Special Sign Permit for Tuxedo Place

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board hereby extends from December 31, 2008 to December 31, 2010 the special permit granted to

AGENDA ITEMS:

**Town Supervisor/
Town Board Update**

Personnel Issues

***Possible Hookup of
Town and Tuxedo
Reserve Sewer to
Ramapo Treatment
Plant***

**Resolution
Adopting Local law
Entitled "Amend-
ment of Town Ethics
Code"**

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

**Resolution
Approving Extension
of Special Sign Permit
for Tuxedo Place**

AGENDA ITEMS (Continued):

4. Resolution Approving Extension of Special Sign Permit for Tuxedo Place (Continued)

Tuxedo Place, L.P. to erect four directional signs at three locations in accordance with drawings on file in the Building Department, such signs not to exceed 24" x 24," SUBJECT TO any applicable Town Code revisions enacted by the Town Board.

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

5. Resolution Authorizing Town Clerk to Attend Training Conference

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board hereby authorizes the Town Clerk to attend the New York State Town Clerks Association annual training seminar and conference April 25 through April 29, 2009 in Rochester, New York, and to be reimbursed for reasonable and necessary expenses.

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

6. Notification of Full-Volume test of Indian Point Siren System – February 11, 2009

Supervisor Dolan notified the public that a full-system activation test of the new Indian Point siren system will be conducted on Wednesday, February 11, 2009, between the hours of 10 and 11 a.m. During the test, all sirens around the Indian Point Nuclear Plants, including the sirens in Orange county, will sound at full volume simultaneously for about four minutes.

7. Notification of Swearing-In Ceremony of Assemblywoman Annie Rabbitt – February 27, 2009

Supervisor Dolan notified the public that a swearing-in ceremony of The Honorable Annie Rabbitt will be held at the Greenwood Lake Middle School on Friday, February 27, 2009 at 1:00 p.m., marking Ms. Rabbitt's third term as New York State Assemblywoman of the 97th Assembly District. All those wishing to attend should *RSVP* by February 27 at 845-291-3631.

OTHER BUSINESS:

Notification of Vegetation Management Activities by O&R

Supervisor Dolan notified the public that Orange & Rockland Utilities will conduct tree trimming and removal activities, utilizing the services of Lewis Tree Service, along its rights-of-way on Route 17A, Long Meadow Road, South Gate Road, Summit Brook Road and Maple Brook Road beginning on or about February 15, 2009 and continuing for approximately three weeks. Should any residents have questions or concerns, they should call either the Supervisor's office at 351-2265, the Town Clerk's office at 351-4411 or O&R at 783-5480.

PUBLIC COMMENTS:

Supervisor Dolan asked for comments from the public.

Draft Comprehensive Plan Update Procedures

In answer to a question from Mrs. Dale Mottola regarding the next steps in the Comprehensive Plan Update process, Supervisor Dolan advised that the Board will review and public comments from the public hearings as well as those that may be submitted by mail through February 20, 2009, and will decide whether further amendments to the plan are necessary.

Supervisor Dolan asked for any further comments from the public. There were none.

**AGENDA ITEMS:
(Continued)**

**Resolution
Approving Extension
of Special Sign Permit
for Tuxedo Place
(Continued)**

**Resolution
Authorizing Town
Clerk to Attend
Training Conference**

**Notification of Full-
Volume test of Indian
Point Siren System –
February 11, 2009**

**Notification of
Swearing-In
Ceremony of
Assemblywoman
Annie Rabbitt –
February 27, 2009**

OTHER BUSINESS:

**Notification of
Vegetation
Management
Activities by O&R**

**PUBLIC
COMMENTS:**

**Draft Comprehensive
Plan Update
Procedures**

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 97 through 157
General Fund Claim totaling \$75,955.28
Part-Town Fund Claim totaling \$9,279.51
Highway Town Wide Claim totaling \$21,130.29
Highway Part-Town Claim totaling \$715.00
Tuxedo Refuse District Claim totaling \$30,951.00
Hamlet Sewer District Claim totaling \$638.56
Total abstract amount: \$138,669.64

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

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

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to adjourn the meeting at 9:23 p.m.

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

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk

**BUDGET
MODIFICATIONS:**

VOUCHERS

ADJOURNMENT