

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, March 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. Gary Phelps Councilperson
 Ms. Lisa Spivak Councilperson

Town Board Members Absent: Mr. Thomas Darling Councilperson

Other Town Officials Present: Donald G. Nichol, Esq., Town Counsel; Mr. Daniel J. Carlin, Police Chief; Mr. John Norton, Police Sergeant; Mr. Edward Pfizenmaier, Deputy Superintendent of Highways; Mr. David Maikisch, Building Inspector; Mr. Thomas Murphy, Dog Control Officer; Mr. Andrew Rogers, Zoning Board of Appeals Member; Ms. Dale Mottola and Mr. Michael Reardon, Architectural Review Board Member and Chairman, respectively; 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 Castricone, to accept the Town Board Minutes of the Joint Public Hearing held on February 2, 2009 and the Regular Bi-Monthly Meeting held on February 23, 2009, as submitted.

Adopted: AYES: [4] NAYS: [0] ABSENT: [1] ABSTAIN: [0]

MONTHLY REPORTS

Supervisor Dolan acknowledged receipt of the Monthly Reports for February, 2009 from the Justice Court (2).

PUBLIC COMMENTS ON AGENDA ITEMS

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

1. Town Supervisor/Town Board Update

• **Receipt of Train Station Funding**

Supervisor Dolan advised that representatives of the Metropolitan Transit Authority will inspect the train station this Thursday morning, review the certificate of occupancy issued for the renovations and present the Town with a check in the amount of \$250,000 as the final installment on their funding of the project.

• **Proposed Rate Increase - United Water South County Sewer**

Supervisor Dolan advised that two proposals for a reduction and phasing-in of the proposed rate increase have been submitted to Town Counsel for comment, after receipt of which Supervisor Dolan will discuss the issue with Warwick Town Supervisor Sweeton. The Town Boards of Tuxedo and Warwick must respond by March 31, 2009.

• **Receipt of Grant for Emergency Services Communications**

Supervisor Dolan announced that the Town has been awarded a \$275,000 grant for a new microwave communications system for Tuxedo first responders. Tuxedo Police Sergeant John Norton submitted a grant request to address serious telecommunication breakdown problems in the Town and the need for a stable and secure network across Tuxedo's multi-environment terrain. Through Sgt. Norton's efforts, the Town will be one of the first municipalities to receive Stimulus Package funds to implement a new system with superior operating performance, assuring a reliable communications link throughout all of Tuxedo's 45 square miles of land area, and from one end of the county to the other, enabling its Police, Fire and

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Town Supervisor/
Town Board Update

*Receipt of Train
Station Funding*

*Proposed Rate
Increase - United
Water South County
Sewer*

*Receipt of Grant for
Emergency Services
Communications*

AGENDA ITEMS (Continued):

1. Town Supervisor/Town Board Update (Continued)

• **Receipt of Grant for Emergency Services Communications (Continued)**

Ambulance Corps to respond rapidly to emergencies. Supervisor Dolan said that keeping up with continued advances in communication technology in our Town's challenging topographical makeup provides Tuxedo's emergency services with the ability to better serve the public. As a bonus, this network's minimal downtime, coupled with its efficiency and predictable expenses, will be a cost-effective replacement of the more expensive, outdated system currently in use.

2. Resolution Approving Towing Licenses

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Applications for Towing License submitted by the below-listed businesses, having received approval of the Police Chief, are hereby approved through December 31, 2009:

Beverly J. Properties, Inc., d/b/a Tuxedo Gulf, 191 Route 17, Tuxedo, New York
Loyal Tire & Auto Center, Inc., 152 Route 17M, Harriman, NY 10928
NJV Auto Center Inc., 27 Orange Turnpike, Sloatsburg, New York
Tuxedo Auto Body, 962 Route 17, Southfields, New York
Harriman Auto, 2 Ramapo Avenue, P.O. Box 104, Harriman, NY 10926
C.A.R.S, P.O. Box 805, Harriman, NY 10926

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

3. Resolution Authorizing Surplus of Office Furniture

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that the Town Board hereby declares the below-listed defective item of office furniture as surplus and authorizes the Town Clerk to make arrangements to have it discarded:

<u>Department</u>	<u>Item</u>	<u>Year</u>	<u>UPC#</u>	<u>Serial #</u>
Justice Court	Small Metal Desk	1986	0195	None

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

4. Resolution Granting Special Permit for Farmers' Market and Chamber Banners

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Phelps, that the Town Board hereby grants a Special Sign Permit authorizing the placement of Farmers' Market and Chamber of Commerce banners, interspersed among American Flags, along Route 17 throughout Town and in Southfields, as depicted on the drawing to be submitted jointly by the Farmers' Market Committee and the Chamber of Commerce.

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

5. Presentation of Petition Objecting to Road from Tuxedo Reserve Development onto South Gate Road

Mr. Andrew Rogers, a Maplebrook resident, submitted petitions bearing 151 signatures under the following statement: "We, the undersigned residents, do hereby OBJECT to the addition of a ROAD from the proposed TUXEDO RESERVE onto SOUTH GATE ROAD in southern TUXEDO." The petitions stem from comments made at public hearings regarding the Draft Comprehensive Plan Update held by the Town Board on September 8, 2008 and February 9, 2009, as well as a community meeting held at the

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

***Receipt of Grant for
Emergency Services
Communications
(Continued)***

**Resolution
Approving Towing
Licenses**

**Resolution
Authorizing Surplus
of Office Furniture**

**Resolution
Granting Special
Permit for Farmers'
Market and Chamber
Banners**

**Presentation of
Petition Objecting to
Road from Tuxedo
Reserve Development
onto South Gate
Road**

AGENDA ITEMS (Continued):

5. Presentation of Petition Objecting to Road from Tuxedo Reserve Development onto South Gate Road (Continued)

Eagle Valley Firehouse on March 5, 2009. The petitioners object to changing a road leading from the proposed Tuxedo Reserve development onto South Gate Road from the designation of "emergency only" to "full" access. Councilperson Castricone pointed out that the Draft Comprehensive Plan Update does not call for the opening of the proposed road to through traffic. Rather, he stressed that it recommends that the limitation on this access point be reanalyzed for the *option* of making it a full-access road. He noted that such an analysis would not occur until the Tuxedo Reserve development were to be approved and built, that it would be a matter for public hearings at that time in the future, and that it would be subject to traffic studies. Supervisor Dolan suggested that other considerations for the road can include prohibiting construction vehicles, making it a one-way road, disallowing left turns between certain hours and limiting access to police vehicles, ambulances and school buses only. Supervisor Dolan also emphasized the need for connectivity in the Town, including for future residents of Tuxedo Reserve. Councilperson Castricone advised that he will work with the Town Planner to broaden the language in the Update to clarify that it does not call for changing the designation of the road unless an in-depth study, inclusive of the foregoing suggestions, supports it and the public has had an opportunity to comment on it. Another public hearing continuation will be held so that the public can review the revised Update.

6. Reminder of PTO Dinner/Dance

Supervisor Dolan reminded the public that the Tuxedo Parent/Teacher Organization will hold a Spring celebration on Saturday, March 28, 2009 from 7:00 p.m. to 11:00 p.m. at the ski center. Tickets may be purchased at \$30.00 per person and include dinner and music by a deejay.

OTHER BUSINESS:

Resolution Scheduling Public Hearing Regarding Increase in Senior Citizen Tax Exemptions

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that a public hearing be held before the Town Board at 7:30 p.m. on Monday, March 23, 2009, at the Tuxedo Town Hall to hear comments regarding an amendment to the senior citizen maximum income ceiling for basic tax exemption to correspond to the recently-increased New York State maximum.

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

Ribbon-Cutting Events for New Tuxedo Businesses

Councilperson Castricone advised that he will work with the Tuxedo Chamber of Commerce to institute a practice of recognizing and publicizing new businesses in Town through a ribbon-cutting or similar ceremony which would include newspaper coverage.

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

PUBLIC COMMENTS:

Supervisor Dolan asked for comments from the public.

Operation Clean Sweep

Ms. Dale Mottola, President of the Tuxedo Chamber of Commerce, advised that the Chamber will once again sponsor the town-wide Clean Sweep event this year, to take place on Saturday, April 25. She requested the assistance that day from the Highway Department and Police personnel, to which the Town Board unanimously concurred.

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

AGENDA ITEMS:

Presentation of Petition Objecting to Road from Tuxedo Reserve Development onto South Gate Road (Continued)

Reminder of PTO Dinner/Dance

OTHER BUSINESS:

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Ribbon-Cutting Events for New Tuxedo Businesses

PUBLIC COMMENTS:

Operation Clean Sweep - 04/25/09

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 264 through 355
General Fund Claim totaling \$121,875.98
Part-Town Fund Claim totaling \$9,188.61
Highway Town Wide Claim totaling \$8,867.43
Highway Part-Town Claim totaling \$-0-
Tuxedo Refuse District Claim totaling \$30,951.00
Hamlet Sewer District Claim totaling \$1,232.03
Total abstract amount: \$172,115.05

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

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

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, to adjourn the meeting at 9:08 p.m.

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

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent
Town Clerk

**BUDGET
MODIFICATIONS:**

VOUCHERS

ADJOURNMENT