

The Regular Bi-Monthly Meeting of the Town Board of the Town of Tuxedo held on Monday, April 27, 2009 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:43 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. John P. Norton, Police Sergeant; Mr. Edward Pfizenmaier, Acting Superintendent of Highways; Mr. David Maikisch, Building Inspector; Mr. Nils Gerling, Planning Board Chairman; Mr. Andrew Rogers, Zoning Board of Appeals Member; Ms. Dale Mottola, Architectural Review Board Member; and Mrs. Antionette Matthews, Deputy 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 Castricone, to accept the Town Board Minutes of the Regular Bi-Monthly Meeting held on April 13, 2009, as submitted.

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

MONTHLY REPORTS

MONTHLY REPORTS

Supervisor Dolan acknowledged receipt of the Monthly Report for March, 2009 from the Dog Control Officer.

PUBLIC COMMENTS ON AGENDA ITEMS

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Supervisor Dolan asked for public comments on agenda items.

Lengthy discussion was held with the public concerning the Tuxedo Reserve development. Mr. Eric Nimke documented his comments in a letter, a copy of which is attached to these Minutes.

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

1. Town Supervisor/Town Board Update

Town Supervisor/
Town Board Update

- **Train Station Restoration**

*Train Station
Restoration*

Supervisor Dolan reported that the train restoration work is nearing completion and should be ready for the grand opening on Memorial Day.

- **Tichy Field Dugouts**

Tichy Field Dugouts

Supervisor Dolan reported that the dugouts at Tichy Field have been completed and are a useful addition to the field and the Little League.

- **Clean Sweep**

Clean Sweep

Supervisor Dolan was joined by the entire Town Board in expressing thanks to the many volunteers, the Police Department, the Highway Department and the Ambulance Corps for all their fine work and assistance in making this year's Clean Sweep a successful event.

AGENDA ITEMS (Continued):

2. Acknowledgment of Receipt of Planning Board Report on Tuxedo Reserve 3rd Amendment to Special Permit

The Town Board acknowledged receipt on April 17, 2009 of a report from the Tuxedo Planning Board dated April 14, 2009 and entitled "Tuxedo Reserve Application to Amend the Special Permit and Preliminary Plan: PID Report of the Tuxedo Planning Board to the Tuxedo Town Board." The report, consisting of 15 pages with a 5-page attachment, is available for inspection at the Town Clerk's office, at the Tuxedo Library and on the Town website, www.tuxedogov.org.

The Town Board is in the process of reviewing this technical and complex document, after which the Board will consult with Town Counsel to determine the next steps in the review process. The public will be informed as the review proceeds.

3. Resolution Approving Form of Petition of Proposition to Raise Library Taxes

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

WHEREAS, the Town of Tuxedo is an authority named in Education Law §255, which, pursuant to Education Law §259(1)(a), may levy library taxes ; and

WHEREAS, Education Law §259(1)(b)(1) provides a mechanism by which qualified voters in a number equal to at least ten percent (10%) of the total number of votes cast in the Town with the Governor at the last Gubernatorial Election may petition and the Library Board of Trustees shall endorse the question increasing the amount of funding of the annual contribution to the operating budget of a free association library to a sum specified in the petition, which shall be voted on in the next general election of such municipality upon due notice; and

WHEREAS, Town Law Article VII sets forth the procedures for permissive referendum in the Town; and

WHEREAS, the Library Board of Trustees of the Tuxedo Park Library has submitted a proposed form of petition and requested approval thereof; and

WHEREAS, the Town Counsel has reviewed the form and reported to the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Tuxedo, Orange County, New York, that the form of petition as submitted is hereby approved.

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

4. Resolution Appointing Regina Maloney as Recreation Summer Camp Director

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that the Town Board hereby appoints Regina C. Maloney as part-time Recreation Summer Camp Director, effective July 1, 2009 at the salary rate of \$5,000.00 for the 2009 camp season.

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

5. Acknowledgment of Receipt of Liquor License Renewals for Orange Top and Renaissance Faire

Supervisor Dolan acknowledged receipt of liquor license renewals for the Tuxedo Spartans Inc. d/b/a Orange Top Inn Diner and for two Meadow Mimosa Booths operated by Alan Greenfield d/b/a Fest Fare Inc. The Police Department has confirmed that they have reviewed their records and have no objection to the renewals. Accordingly, the Town will not file any opposition with the New York State Liquor Authority in connection with such renewals.

**AGENDA ITEMS:
(Continued)**

**Acknowledgment of
Receipt of Planning
Board Report on
Tuxedo Reserve 3rd
Amendment to Special
Permit**

**Resolution
Approving Form of
Petition of Proposition
to Raise Library Taxes**

**Resolution
Appointing
Regina Maloney as
Recreation Summer
Camp Director**

**Acknowledgment of
Receipt of Liquor
License Renewals for
Orange Top and
Renaissance Faire**

AGENDA ITEMS (Continued):

6. Reminder of Memorial Day Parade/Library Picnic and Train Station Grand Opening- May 25, 2009

Supervisor Dolan reminded the public that the grand opening of the Train Station, sponsored the by Tuxedo Train Station Committee and the Friends of the Restoration Project, will take place following the Memorial Day Parade and Ceremonies on Monday, May 25, 2009. The parade will step off at 11:30 a.m. from the Tuxedo High School, followed by closing ceremonies at St. Mary's-in-Tuxedo Episcopal Church. The grand opening, which will coincide with the Library annual picnic, will take place at the train station beginning at 1:00 p.m. There will be activities for children, tastings from the Farmers' Market, and an open house tour of the renovated train station.

OTHER BUSINESS:

There were no 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 Phelps, that the following vouchers, having been audited by the Town Board, are hereby approved for payment:

Claim numbers 443 through 560
General Fund Claim totaling \$114,270.51
Part-Town Fund Claim totaling \$29,271.88
Highway Town Wide Claim totaling \$11,124.88
Highway Part-Town Claim totaling \$-0-
Special Drainage District-Sterling Mine Estates Claim totaling \$269.45
Tuxedo Refuse District Claim totaling \$30,951.00
Hamlet Sewer District Claim totaling \$2,549.61
Total abstract amount: \$188,437.30

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

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

ADJOURNMENT

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Darling, to adjourn the meeting at 8:30 p.m.

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

Meeting adjourned.

Respectfully submitted,

Antionette Matthews
Deputy Town Clerk

Elaine M. Laurent
Town Clerk

AGENDA ITEMS:

Reminder of Memorial Day Parade/Library Picnic and Train Station Grand Opening- May 25, 2009

OTHER BUSINESS:

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BUDGET MODIFICATIONS:

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ADJOURNMENT