

Hon. Joseph Gartiser  
Town Planning Board  
Tuxedo, NY 10987

Re: Planning Board issues

Dear Chairman Gartiser and Board Members:

On behalf of the Town Board and myself personally, I would like to thank all the members of the Planning Board for their service to the Town. We know the time you all spend and the effort you all make in order to serve your fellow townspeople and to administer the provisions of the zoning code for the benefit of the public. Your efforts and service are truly, greatly appreciated.

Your mission is challenging by itself, so it is important that the Planning Board be insulated from political pressure and influences so that it may deal fairly with property owners whose rights under the law may be unpopular with some of our friends and fellow townspeople – or of concern to the public. Your job is to carry out our zoning law, and that is not always easy in the face of outside influence – but the law is the law, and it must be followed.

Historically, the Town Board has selected a law firm, as well as planning and engineering consultants, to represent the Town based on particular skill and expertise, as well as knowledge of the Town and of local, regional, and state issues. This selection by the Town Board of such consultants has been beneficial to the Town. When I was chairman of the Zoning Board, the Board's attorney was selected by the Town and that practice continues. The Town Board has always selected the Town's consultants.

It is efficient and beneficial for the Town to have the same consultants representing the boards and agencies of the Town. This arrangement is very common among smaller Towns and Villages like ours and rarely results in any conflict.. Unified representation helps provide internal communication and helps keep us all on the same page. Tuxedo's attorney firm represents numerous towns and villages and, in most cases, represents all the boards within the municipality. Unified representation will provide efficiencies extending on into the future. The Town Board is confident that the Town's interests will be best served by using the skill and expertise of our current consultants.

In response to your recent communication, please be advised that no funds have been appropriated by the Town Board for separate Planning Board counsel. In the absence of an appropriation for that purpose, the Planning Board may not hire separate counsel. We understand the concerns which you have expressed, but we are confident that time and effort will overcome any issues.

The Town Board's appointment of consultants has been, and will continue to be, for the best overall interest of the Town in accordance with the trust the public has given us in electing us to office. The Town Board has no intent to, and will not, usurp the Planning Board function in

administering Tuxedo's zoning and subdivision laws. We hope to assist the Planning Board by making available to it sound legal advice and counsel in order to assist you to do your duty in carrying out the law. If, however, any member feels that he or she cannot continue to serve within these parameters, we would regretfully accept a resignation.

Numerous opportunities and challenges are coming in the Town's future. By working together for the benefit of the Town, we can make the best of the opportunities and overcome the challenges. We look forward to serving the Town together. Again, thank you for your service to the Town.

Very truly yours,  
*Peter M. Dolan*  
Peter M. Dolan, Supervisor