

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES MEETING  
MAY 19, 2004**

Present: Mayor C. Kent Kroeber  
Trustee David du Pont  
Trustee Nancy Hays  
Trustee Oliver Parker

Absent: Trustee Russell Vernon

Clerk: Deborah Matthews

Also: John Ledwith, Dep. Chief Culhane, Sally Sonne, Claude Guinchard, Greg Libby, Tom Salierno, Jake Lindsay, Bruce Gebhardt, Gary Brown & Attorney, Jim Burger

Mayor Kroeber called the meeting to order at 7:30 p.m. and led everyone in the Pledge of Allegiance. Mayor Kroeber announced that Richie Morrow and Trustee Vernon both had recently been hospitalized and would not be in attendance. Both, he reported, are recovering well. He also stated that Trustee Vernon had informed the Mayor that he will still be running for Trustee in the June election.

#### **MINUTES**

A motion was made by Trustee Hays, seconded by Trustee du Pont, that the minutes of the April 21, 2004 Board of Trustees meeting be approved.

Vote of the Board: Trustee Parker – aye  
Trustee Hays – aye  
Trustee du Pont - aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

#### **PUBLIC PARTICIPATION**

Jake Lindsay Blasting Permit: Mr. Lindsay stated that a neighbor on Lookout Road complained about the proposed site work blasting for his three lot project. He also stated that a pre-blast survey will be done. Mayor Kroeber stated that the Board received a letter (a copy is attached) from the neighbor as well and suggested that Mr. Lindsay meet with the Village Engineer and Mr. Reitzfeld to resolve his concerns. Blasting permit approval will be granted upon resolution of all the issues.

Engineering Bills: Claude Guinchard questioned the engineering bills for his project for which he is required to reimburse the Village. Mayor Kroeber asked that he contact the engineer directly, and if no resolution is reached, to bring it to the Mayor's attention.

Tuxedo Park School: Jim Burger announced the Open House of the middle school wing at noon on May 22<sup>nd</sup> followed by a picnic lunch.

**ENGINEER'S REPORT** - The Civil Technologies & Engineering report was read by Trustee Parker. A copy is attached. A discussion was held on the Village's drainage problems in relation to the NYSDEC requirements for I&I.

**DPW REPORT** – The report was discussed. A copy is attached.

**POLICE REPORT** - The synopsis of the monthly report is attached.

Fire: Deputy Chief Culhane reported that there was a fire at the Haber residence, Tower Hill Road. It appears to have been electrical in origin and caused extensive damage to the structure. Mayor Kroeber asked that when there is a fire in the Village, the Police notify the water department immediately so that hydrant water pressure can be property regulated.

### **BUILDING PERMITS**

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the six-month building permit extension application of Mr. & Mrs. Edgar Stegmann, Continental Road, for reconstruction of their single family dwelling, be approved.

Vote of the Board:     Trustee Hays –aye  
                              Trustee du Pont – aye  
                              Trustee Parker – aye  
                              Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

A motion was made by Trustee du Pont, seconded by Trustee Hays, that the building permit application of Audrey & Gary Brown, Eagle Mt. Road, for construction of a new home at a cost of \$1,100,000, be approved.

Vote of the Board:     Trustee Parker – aye  
                              Trustee du Pont –aye  
                              Trustee Hays – aye  
                              Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

A motion was made by Trustee Hays, seconded by Trustee Parker, that the building permit application of Drew Goldman, 154 East Lake Road, for window and door changes, screening, and general repair, at a cost of \$30,000, be approved.

Vote of the Board:     Trustee Vernon – aye  
                              Trustee du Pont – aye  
                              Trustee Hays – aye  
                              Trustee Parker – aye  
                              Mayor Kroeber – aye

The motion was passed by a 5-0 vote.

The building permit application of the Guinchard's was discussed. It was approved by the Board of Architectural Review with the caveat that the Trustees review Village Law and State Law Section 133-13

for it's application to, and possible negation, of this application. The Mayor stated that he had reviewed the applicable section of the Code and was in agreement with the BAR's recommendation to approve the application.

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the building permit application of Claude & Mary Jo Guinchard, 122 Turtle Point Road, for site work and construction of a horse barn, at a cost of \$140,000, be approved.

Vote of the Board: Trustee Hays – aye  
Trustee Parker- aye  
Trustee du Pont – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

## **OLD BUSINESS**

**ENVIRONMENTAL ADVISORY COMMITTEE** – Trustee Hays reported on an environmental statement that she secured from Marblehead, Massachusetts. After discussion, the Mayor requested that the Environmental Committee consider drafting a similar environmental statement for the Village.

**BEAUTIFICATION ADVISORY COMMITTEE** – Mayor Kroeber reported that the Committee meets monthly and the minutes of the last meeting were distributed to the Trustees. Included in the projects is the construction of a walking path at the racetrack that will be kept mowed, the heightening of the berm at the refuse area, and the chipping of the existing debris.

**DISCLOSURE STATEMENT** – Mayor Kroeber made a disclosure statement regarding his affiliation with the Tuxedo Club. He stated that he is a member of the Board of Governors, is Secretary of the Tuxedo Club, and is a member of the Executive Committee, up for re-election this year. In addition, he stated that the application for docks at the Tuxedo Club previously submitted does not affect him personally since he has no boat at the Tuxedo Club or any plans to purchase a boat in the future.

## **NEW BUSINESS**

### **LAKE WARDEN**

A motion was made by Mayor Kroeber, seconded by Trustee Parker, that Greg Libby, 29 West Lake Drive, be appointed to the volunteer position of Lake Warden.

Vote of the Board: Trustee du Pont – aye  
Trustee Hays – aye  
Trustee Parker – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

Mayor Kroeber asked Deputy Chief Culhane to order badges for the two Lake Wardens.

**UNPAID WATER BILLS**

A motion was made by Trustee Parker, seconded by Trustee Hays, that unpaid water balances over \$10 of Village residents be levied to their 2004-2005 Village Tax Bill in the amount of \$12,929.87.

Vote of the Board: Trustee du Pont – aye  
Trustee Parker – aye  
Trustee Hays – aye  
Mayor Kroeber - aye

The motion was passed by a 4-0 vote.

**BUDGET TRANSFERS**

A motion was made by Trustee Hays, seconded by Trustee du Pont that the Board approve the budget transfers for the fiscal year ending May 2004 as shown on the attached list.

Vote of the Board: Trustee Parker – aye  
Trustee Hays – aye  
Trustee du Pont – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**VILLAGE VOTER REGISTRATION DAY**

A motion was made by Trustee Hays, seconded by Trustee du Pont, Voter Registration Day for the Village Election will be held on Saturday, June 5<sup>th</sup>, 2004 from 12:00 noon to 5:00 p.m. in the Village Hall.

Vote of the Board: Trustee Parker – aye  
Trustee Hays – aye  
Trustee du Pont – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**ELECTION INSPECTORS**

A motion was made by Trustee Hays, seconded by Trustee Parker, that Nils Gerling, Diane Sanford, Teddy Darling, Joyce LaBar and Margaret Iannone be appointed election inspectors for the Village and that three of those appointed will work at the June 15<sup>th</sup> Village election.

Vote of the Board: Trustee du Pont – aye  
Trustee Parker – aye  
Trustee Hays – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**NEW YORK STATE ARCHIVES – SUNSET PROVISION**

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the Village of Tuxedo Park support the elimination of the “Sunset Provision” of the Local Government Records Management Improvement Fund in order for all municipalities to be able to continue receiving grants and funding for their records management programs.

Vote of the Board:     Trustee Hays – aye  
                              Trustee du Pont – aye  
                              Trustee Parker – aye  
                              Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**JASON CONKLIN MEMORIAL SCHOLARSHIP FUND** – Mayor Kroeber stated that a request was received for a donation to the fund. Since the Village cannot donate public money, he stated that he will send a check for \$200 and asked each Board member to reimburse him \$40.

**FINANCIAL TRANSACTION** - Mayor Kroeber read the memo he prepared explaining the recent Village’s borrowing of a \$553,843 Bond Anticipation Note for the sewer plant improvements. A copy is attached.

**AUDIT OF BILLS**– Bills in the amount of \$83,322.92 for the General Fund, claim numbers 5-1 to 5-93 and \$11,404.84 for the Water Fund, claim numbers W5-1 to W5-11 were audited and ordered paid.

**ADJOURN TO EXECUTIVE SESSION** – A motion was made by Mayor Kroeber, seconded by Trustee du Pont, that the Board adjourn to Executive Session at 8:33 p.m. to discuss a specific personnel issue and union negotiations. The motion was passed by a 4-0 vote.

**REOPEN REGULAR SESSION** - The regular session was reopened at 8:50 p.m.

**DPW CONTRACT**

A motion was made by Mayor Kroeber, seconded by Trustee du Pont, that the Village agree to the terms and conditions of the DPW Contract as outlined in the Memorandum of Agreement detailing 10 items, which reflect wage and benefit increases and contract clarification.

Vote of the Board:     Trustee Hays – aye  
                              Trustee du Pont – aye  
                              Trustee Parker – aye  
                              Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**REGISTRAR OF VITAL STATISTICS**

A motion was made by Trustee Hays, seconded by Trustee du Pont, that Elaine Laurent, Town of Tuxedo Town Clerk, be appointed Registrar of Vital Statistics and Antoinette Matthews, Deputy town Clerk, be appointed Deputy Registrar of Vital Statistics.

Vote of the Board: Trustees Parker – aye  
Trustee Hays - - aye  
Trustee du Pont – aye  
Mayor Kroeber – aye

The motion was passed by a 4-0 vote.

**ADJOURNMENT**

A motion was made by Trustee Hays, seconded by Trustee Parker that the meeting be adjourned at 9:00 p.m. The motion was passed by a 4-0 vote.

Respectfully submitted

Deborah A. Matthews  
Village Clerk-Treasurer