

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES MEETING  
JUNE 16, 2004**

Present: Mayor C. Kent Kroeber  
Trustee David du Pont  
Trustee Nancy Hays  
Trustee Russell Vernon

Absent: Trustee Oliver Parker

Clerk: Deborah Matthews

Also: John Ledwith, Dep. Chief Culhane, Richie Morrow, Sally Sonne, Greg Libby, Tom Salierno, Mr. & Mrs. Gebhardt, Jim Burger, Greg VanSchaack, Lucy Edwards, Lili Neuhauser, Aubrey deBordenave, Peter Regna

Mayor Kroeber called the meeting to order at 7:30 p.m. and led everyone in the Pledge of Allegiance.

#### **MINUTES**

A motion was made by Trustee Hays, seconded by Trustee du Pont, that the minutes of the May 19, 2004 Board of Trustees meeting be approved.

Vote of the Board: Trustee du Pont – aye  
Trustee Hays – aye  
Mayor Kroeber – aye  
Trustee Vernon – abstained as he wasn't present at the May 19<sup>th</sup> meeting.

The motion was passed by a 3-0 vote.

#### **ELECTION RESULTS**

The Clerk announced the results of the June 15<sup>th</sup> Village Election: Incumbent Trustee Nancy Hays – 155 votes, Incumbent Trustee Russell Vernon – 182 votes, and Candidate Bruce Gebhardt – 141 votes. Mayor Kroeber congratulated the incumbents on their win.

#### **PUBLIC PARTICIPATION**

Bruce Gebhardt: Congratulated Trustees Hays and Vernon on their success in the election. He also commended them for their professional conduct during the campaign.

Mrs. Sonne expressed an issue with the statement in the Mayor's newsletter announcing the appointment of Sam Bornstein as Planning Board/BAR Chairman and having Peter Regna stay on as a five-year member. She stated these changes weren't discussed at the May Board meeting. She stated the announcement was premature and feels all open positions should be made public so that other residents can apply. Mayor Kroeber stated that he supported these appointments and they will be recommended to the Board at the July Reorganization meeting. He further stated that the opening was mentioned in the newsletter and any resident could have applied if interested. Trustee Vernon agreed with Mrs. Sonne.

**TUXEDO CLUB DOCKS**

Greg VanSchaack again appeared before the Board regarding the repair of existing docks and the addition of docks to the Tuxedo Club boat area. Mayor Kroeber stated that in the current Village Code Section 65-6(I), the Tuxedo Club is restricted from “expanding those docks in existence since 1991”. However, he stated that the Club is also a taxpayer and finds the clause exceedingly restrictive and discriminatory. He feels the Club should not be treated differently from other residents of the Village whereby they are not restricted. Trustee Vernon stated he felt that everyone should be treated equally. Trustee du Pont stated that he would like to see revised plans with “to scale” drawings. Mayor Kroeber asked Mr. VanSchaack to have the Tuxedo Club hire an engineer to prepare the plans for the entire project. The Trustees will do a site inspection of the dock areas. Procedurally, the applicant (Tuxedo Club) must seek approval from the Board of Trustees for permission for repair of the docks and any addition on the lake. If permission is granted, the Building Inspector reviews the plans and then the application must go to the BAR for environmental and aesthetic issues.

A motion was made by Trustee Vernon, seconded by Trustee du Pont, that the Tuxedo Club be allowed to remove the existing cement docks from Tuxedo Lake pursuant to Building Inspector approval.

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

The motion was passed by a 4-0 vote.

**ENGINEER’S REPORT** - The Civil Technologies & Engineering report was received. There were no comments from the Board.

**DPW REPORT** – The report was discussed. A copy is attached. Mayor Kroeber noted that the wood and brush at the Racetrack have been mulched. It is available to residents and Village landscapers free of charge. However, some of it will be used to add to the berm at the Racetrack. Orange & Rockland is trimming trees in the Park and will give wood chips to the residents if asked. Mayor Kroeber announced that a walking path has been mowed at the Racetrack. Also, the majority of the snow fence on West Lake Road has been removed. Trustee du Pont thanked the DPW for lowering Wee Wah Lake so that the railing at the lake could be repaired. He also asked about the cost of replacing the Village’s guide rails if damaged in a motor vehicle accident. The Board felt that the person responsible should reimburse the Village for the cost of the repair if a non-resident.

A motion was made by Trustee Vernon, seconded by Trustee Hays, that the cost of any repairs for damage to any Village property caused by a resident or non-resident should be borne by the person causing the damage.

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

The motion resulted in a tie vote and therefore defeated.

**POLICE REPORT** - The synopsis of the monthly report is attached. A discussion was held on the Local Laws recently passed regarding heavy equipment and heavy construction activity. Mayor Kroeber stated that the intent was to restrict the number and hours of large trucks and noise bearing construction in the Village. It is not intended to restrict residential landscapers, normal property maintenance, interior construction, or household deliveries.

## **OLD BUSINESS**

**ENVIRONMENTAL ADVISORY COMMITTEE** – Trustee Hays stated that she is sending a brochure regarding pest management to the landscapers who work in the Park. She also reported that the Village arborist, Jim Presutti has sprayed the three Village properties. Mayor Kroeber asked that Mr. Presutti provide the Village with a written report as to the progress of the spraying for the woolly adelgid.

**BEAUTIFICATION ADVISORY COMMITTEE** – Mayor Kroeber reported that a copy of the minutes from the June 8<sup>th</sup> meeting was distributed to the Trustees. The next meeting will be on July 13<sup>th</sup>. Trustee du Pont stated that trees along the roadways need to be trimmed as well as those hanging over resident's driveways. Trees that are below the 12' mark knock equipment and lights off emergency vehicles. Driveways need to have a 12' high by 10' wide clearance.

**WILDLIFE ADVISORY COMMITTEE** – Trustee Vernon stated that the next meeting is scheduled for June 30<sup>th</sup>. Culling has resulted in only 5 per month. Some residents currently have permits. No additional requests have been received from homeowners for permits.

## **NEW BUSINESS**

### **TUXEDO CLUB FIREWORKS**

A motion was made by Trustee du Pont, seconded by Trustee Hays, that the Tuxedo Club's request to hold a fireworks display on Saturday, July 3<sup>rd</sup> with a rain date of July 5<sup>th</sup> be approved, that they will provide the Village with a certificate of insurance naming the Village additional insured, and that the hours at the Wee Wah Beach be extended on the night of the fireworks.

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

The motion was passed by a 4-0 vote.

**INSURANCE POLITY DEDUCTIBLE** – Mayor Kroeber stated that the Village has the option to raise the deductible on the Public Officials Liability portion of our insurance policy from \$5,000 to \$10,000, which in turn will lower the premium by \$1,400±.

A motion was made by Mayor Kroeber, seconded by Trustee du Pont, that the deductible for the Public Officials Liability insurance be kept at \$5,000 and not be raised to \$10,000.

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

The motion was passed by a 4-0 vote.

**INTERSTATE WASTE SERVICES** – Mayor Kroeber stated that the current garbage contract is expiring and that Interstate Waste is increasing their prices. We are currently paying \$85,000 per year for two weekly back-door pickups that include recycling and two bulk pickups per year. The proposed rates are: \$119,000 for 2004-2005, \$127,200 for 2005-2006, and \$133,000 for 2006-2007. Trustee Vernon, in charge of refuse issues, will contact Interstate Waste and try to negotiate lower rates.

**AMBULANCE SERVICE** – Trustee Vernon expressed his concern about the lack of ambulance drivers. He asked if ambulance service could be tied in with existing 24-hour Police departments. Mayor Kroeber stated that there might be a possibility of pooling resources to have a driver available at all times.

**VILLAGE BOAT CLUB** – Trustee Vernon questioned the Village Boat Club rule that members can only be a Village taxpayer and not a renter. He stated that renters are allowed to vote in the Village but cannot be a boat club member. Lake Warden Greg Libby stated that the whole idea of the boat club was to allow Village taxpayers access to Tuxedo Lake. Trustee Vernon stated that for the record he disagrees with the rule.

**AUDIT OF BILLS**– Bills in the amount of \$99,098.24 for the General Fund, claim numbers 6-1 to 6-100 and \$22,391.84 for the Water Fund, claim numbers W6-1 to W6-20 were audited and ordered paid.

#### **ADJOURNMENT**

A motion was made by Trustee Hays, seconded by Trustee Vernon that the meeting be adjourned at 8:50 p.m. The motion was passed by a 4-0 vote.

Respectfully submitted

Deborah A. Matthews  
Village Clerk-Treasurer