

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES MEETING  
JULY 21, 2004**

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

Clerk: Deborah Matthews

Also: John Ledwith, Sally Sonne, Peter Regna, Sam Bornstein, Barbara du Pont, Bruce Gebhardt, Greg Libby, Gene Boshes (Tuxedo Partners), Ben Farrell, Esq.

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 du Pont, seconded by Trustee Hays, that the minutes of the June 16, 2004 Board of Trustees meeting be approved.

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

The motion was passed by a 5-0 vote.

**PUBLIC PARTICIPATION** – Ben Farrell, Esq., representing Tuxedo Partners, stated that the 12-lot subdivision plans are almost complete and they are seeking relief from the NYSDEC sewer moratorium for sewer line extensions levied on the Village. He asked the Board's permission to make application to the NYSDEC for relief from the moratorium. Before the DEC entertains an application from Tuxedo Partners, the Trustees must agree to it. Mayor Kroeber stated the Board has reservations about giving developers permission to go to the DEC to request an exception. In addition to the Tuxedo Partners project, there are approximately 88 other sewer extensions proposed. The Village is working on a five-year I&I plan to upgrade its sewer system which is currently in year three. Trustee Vernon felt Tuxedo Partners should be allowed to go to the DEC. The Board agreed to have Tuxedo Partners come to the August Trustees meeting to present their proposal which they would present to the DEC.

**ENGINEER'S REPORT** - The Civil Technologies & Engineering report was read by Trustee Parker. A copy is attached.

**DPW REPORT** – The report was received and noted for the record.

**POLICE REPORT** – The report was received and a synopsis is attached. Trustee du Pont asked that the Police Department record all false alarms in the computer to keep better track and that they fine violators.

**BUILDING PERMITS**

A motion was made by Trustee Vernon, seconded by Trustee Hays, that the building permit application of the Diem Family Trust, Summit Road, for the construction of a new single family home, at a cost of \$1M, be approved.

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

The motion was passed by a 5-0 vote.

Peter Regna noted that a salient variance was granted by the BZA and as a result, the Diems reduced the size of the house and moved it back

A motion was made by Trustee Parker, seconded by Trustee du Pont, that the building permit application of Pam and Kurt Graetzer, East Lake Road, for driveway improvements, at a cost of \$40,000 be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Trustee Hays, seconded by Trustee Parker, that the building permit application of Peter Regna, West Lake Road, for a stone wall cap, outdoor staircase, low voltage lights, and a wrought iron fence, at a cost of \$20,000 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.

**OLD BUSINESS**

**ENVIRONMENTAL ADVISORY COMMITTEE** – Trustee Hays stated that a report was received from the Village's arborist stating that the Hemlock trees on the three test sites have responded well and are showing signs of new twig growth. However, it is still too soon to say that this is an effective treatment for the Woolly Adelgid.

**BEAUTIFICATION ADVISORY COMMITTEE** – Mayor Kroeber stated that the Committee met on July 13<sup>th</sup> and minutes have been distributed. He reported that the mesh fence along the lake on West Lake Road had been removed and replaced by boulders. It was the recommendation of the Committee that the

guide rail on Tuxedo Road be replaced with large boulders. Other projects being looked at are unification of signs, improvements to the South Gate area and to the DPW area.

A motion was made by Trustee Hays, seconded by Trustee du Pont, that the guide rail on Tuxedo Road be removed and replaced with large boulders.

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

The motion was passed by a 5-0 vote.

**WILDLIFE ADVISORY COMMITTEE** – Trustee Vernon reported that the Committee met on June 30<sup>th</sup>. Culling is ongoing with 5-10 deer taken per month. Additional properties in the Village have been identified for future culling. The owners will be asked to apply for a DEC permit by first contacting the Village Police Department. The Committee is recommending that the Village culling agents be paid \$20 for each deer that is culled. A discussion was held.

A motion was made by Trustee Vernon, seconded by Trustee du Pont, that the Village approved culling agents be reimbursed \$20 for each deer that they cull.

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

The motion was passed by a 5-0 vote.

A discussion was held on ways to eliminate the geese problem.

**SANITATION COLLECTION** – Trustee Vernon reported that the new rates proposed by Interstate Waste for garbage pickup represent a 45% increase to the Village. However, there has been no increase in four years. The Village currently pays \$7,045 per month. He has negotiated with Interstate and the revised per month schedule would be \$8,675 the first year, \$10,000 the second year, and \$11,000 the third year. Overall the Village will save \$23,700 over the three years with the revised schedule. It was noted that the Town of Tuxedo recently went out to bid for sanitation services and the lowest bid was \$88,000 more than they are currently paying. Trustee Vernon also reported that he verified with Mr. DiBella (Interstate Waste) that the blue recycling bags are separated from the regular trash at the transfer station. If they had to do a separate pickup for recycling in the Village, the monthly rate would be much higher.

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the Village accept the proposal from Interstate Waste Services for Sanitation service for three years as follows: 2004-2005/\$8,675 per month (\$104,100 per year); 2005-2006/\$10,000 per month (\$120,000 per year) and 2006-2007/\$11,000 per month (\$132,000 per year).

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

The motion was passed by a 5-0 vote.

## **NEW BUSINESS**

**DRAINS AND WALLS** – A discussion was held on the issue of maintenance of stone walls and underground drains that are in the Village. It was noted that when the Village incorporated in 1952, the TPA dedicated only roads, water and sewer to the Village. The Village is not liable for any walls or drains that are not on Village property. They are the responsibility of the property owner on which the wall and drain is located.

**CORNERSTONE TELEPHONE COMPANY** – Village Clerk Debbie Matthews reported that a proposal was received from Cornerstone Telephone Company, a communications provider of local and long distance phone services, to consolidate our line charges and long distances charges into one bill and charge us a greatly reduced rate over Verizon and AT&T. Our service provider will still be Verizon. The savings for the Village for all departments are approximately \$6,500 per year.

The Board agreed to retain the services of Cornerstone Telephone Company with a 90-day trial period.

**ORANGE & ROCKLAND** - A discussion was held on reporting electrical power outages. In the next newsletter, Mayor Kroeber will advise residents to immediately call the Village Police Department if they have a power failure at their home.

**TOWN SEWER PROPERTIES** – Mayor Kroeber stated that there are four Town of Tuxedo homes that utilize the Village sewer system. These home have recently been sent an updated bill for sewer charges based upon sewer plant operating costs, employee salaries, and debt service. The charge equates to \$85 per month.

A motion was made by Trustee Hays, seconded by Trustee Parker, that the Village be authorized to levy charges for sewer and sanitation services to those homes using the Village services but not paying Village taxes.

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.

**REQUEST TO PURCHASE ROAD** – Mayor Kroeber stated that Vladimir Slep and Svetlana Gorda own property at the end of Cliff Road on the westerly side. They want to build a house on the lot but do not have 250' of road frontage. The Sleps have been to the BAR and to the BZA asking for relief from putting in the required public utilities and 250' of roadway. They were previously given direction by both Boards. They are now asking to purchase a portion of Cliff Road that runs in front of their property to use for a driveway. Mayor Kroeber stated as a result of the NYSDEC moratorium for sewer extensions in the

Village, the Sleps are also seeking permission to put in a well and septic system. The Mayor asked Trustee Parker to be the Board's liaison to the Sleps, and he referred the request to the BAR and the Village Attorney.

**AMBULANCE SERVICE** – Trustee Vernon reported that he is still working with the Police in developing a system for 24-hour ambulance service drivers.

**SAFETY TRAINING** – Mayor Kroeber asked Trustee Parker to contact Mr. Morrow regarding required safety training for DPW employees.

**AUDIT OF BILLS** – Bills in the amount of \$113,673.34 for the General Fund, claim numbers 7-1 to 7-120 and \$15,315.71 for the Water Fund, claim numbers W7-1 to W7-16 were audited and ordered paid.

**ADJOURNMENT TO EXECUTIVE SESSION** – A motion was made by Mayor Kroeber, seconded by Trustee Parker, that the Board adjourn to Executive Session at 8:45 p.m. to discuss Tuxedo Reserve land negotiations. The motion was passed by a 5-0 vote.

**REOPEN REGULAR SESSION** – The regular session was reopened at 9:15 p.m.

#### **ADJOURNMENT**

A motion was made by Trustee Hays, seconded by Trustee Parker, that the meeting be adjourned at 9:20 p.m. The motion was passed by a 5-0 vote.

Respectfully submitted

Deborah A. Matthews  
Village Clerk