

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
MARCH 16, 2005**

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

Also: Peter Regna, Richard Morrow, Deputy Chief Culhane, Sally Sonne, Lucy Edwards, Greg VanSchaack, Susan Heywood, P.O. John Reilly, P.O. Louis Hock, Bill Bortnowsky, Adrienne Lucas, Alan Barnett

Clerk: Deborah Matthews

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 Parker, that the minutes of the February 15, 2005 Grievance Day Meeting be approved.

Vote of the Board: Trustee Hays – aye
Trustee Vernon – aye
Trustee du Pont – aye
Trustee Parker – 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 minutes of the February 16, 2005 Board of Trustees Meeting be approved as corrected.

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.

PUBLIC PARTICIPATION

Dogs: Susan Heywood asked the Board if the Village could do something about the nuisance dogs that are running loose and to have the dogs' owners take responsibility for them. She reported that several dogs run loose and are causing traffic hazards. Mayor Kroeber stated that the first step is to raise the Board's concern in the Newsletter and to identify the dogs' owner. The next step would be to send a letter to each owner informing him/her of the Village Code regarding nuisance dogs.

TUXEDO DOCK APPLICATION – Mayor Kroeber stated for the record that he has been Secretary of the Tuxedo Club for five years, he uses the Club party boat once a year, that no current Trustees have dock space at the Tuxedo Club, and that Trustee Hays only has a canoe that is kept inside the boathouse. Greg VanSchaack presented revisions to the previously submitted Tuxedo Club dock application for adding new docks. The following comments were rendered by the Board: 1) The width is shown as 4' whereas all others are 5'. They should be consistent at 5'; 2) Environmentally treated cedar cannot be used. It should be natural cedar; 3) Removal of the concrete and debris was agreed to in the Fall by the Board; 4) NYSDEC permission must be received prior to working in the lake; 5) No new pontoon boats will be added; 6) An inventory of the dock space to be done and incorporated into the 1,482 sq. ft. of current space. There will be no dock creepage; 7) There will be no concrete dock in front of the Main Club building; 8) New docks shall be parallel to the shore and not perpendicular. The Board asked that Mr. VanSchaack have the Club's engineer revise the proposed plan, indicating sizes and materials of the docks as well as the placement. They also ask that at least six copies of the revised plan be given to the Village Clerk for distribution to the Trustees.

Trustee Vernon questioned whether residents could add an additional dock on their property. Mayor Kroeber stated that the precedent would be based on replacing an existing dock that is consistent with the Village Code, and that the resident would need proof of a pre-existing dock. Trustee Vernon feels the Tuxedo Club is being given considerations not given to residents.

WILDLIFE ADVISORY COMMITTEE – Trustee Vernon stated that at the last Trustee meeting it was agreed that a deer culling moratorium would be put in place until the Wildlife Advisory Committee could meet and make recommendations to the Village Board. Some of the issues necessitating the moratorium were the extensive number of deer being culled, distribution of the deer for food, and disposition of unused carcasses. Culling agents Reilly and Hock had met with the Committee and reiterated to the Trustees that their sole priority was killing the deer and minimizing the population, that they use a 22 caliber rifle during hours of darkness, that the \$20.00 fee per deer barely covers their cost and time, and that they leave many carcasses in the woods. Mayor Kroeber noted that the culling rate is surpassing the disposal rate.

A discussion followed. The Trustees were in agreement that a modified deer count should be conducted to see what the effect of the culling has been on the herds, that culling be limited to 15 per month, and that a paper trail be established for all deer culled. The documentation to include tags and incident reports showing the date, time, location and disposition method. It was also suggested that a greater effort be given to finding a source for using the deer for food.

ENGINEERING, BUILDINGS & GROUNDS REPORT - The report was prepared and read by Trustee Parker. A copy is attached.

Also discussed was a letter received from the O.C. Water Authority regarding a proposed flood insurance program for Orange County municipalities. Village Engineer Eugene Ninnie will obtain more information.

Mr. Morrow received three quotes for brush grinding, with the lowest quote being \$5,250 from Atlantic Grinding Services, Franklin Lakes, New Jersey. The Board was in agreement to have Atlantic do the grinding.

Mr. Morrow received a price of \$22,100 under New York State bid for a new pickup truck with a plow attachment and asked for the Board's approval to order it.

A motion was made by Trustee Vernon, seconded by Trustee du Pont, that Mr. Morrow be authorized to order the new truck under the New York State bid at a cost of \$22,100, with the invoice to be dated June 1, 2005 for purchase under the 2005-2006 Village budget.

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.

POLICE REPORT – A copy of the synopsis is attached. Topics discussed were speeding school buses, commuter parking at St. Mary’s Church, and the front gate being in the up position during late night hours.

BUILDING PERMITS

A motion was made by Trustee du Pont, seconded by Trustee Parker that the Board ratify the prior approval given for the following building permits: The application of Web Turner, West Lake Stable Road, for a new roof, at a cost of \$40,000; the application of Michael Schmidtberger, Cannon Hill Road, for an addition and alteration of an existing structure, at a cost of \$500,000; and the application of Goldstar Real Estate, Lookout Stable Road, for new construction of a two-story dwelling, at a cost of \$750,000 be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Trustee du Pont, seconded by Trustee Hays, that the application of Jody & Peter Howard, Acoma Road, for two new dormers, and a new door and windows, at a cost of \$60,000 be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the application of Richard & Kerri Bartlett, Continental Drive, for removal of old walls, new fieldstone walls, landscaping, and painting of the house, at a cost of \$56,500 be approved.

Vote of the Board: Trustee Hays – aye
Trustee Vernon – aye

Trustee Parker – aye
Trustee du Pont – aye
Mayor Kroeber

The motion was passed by a 5-0 vote.

OLD BUSINESS

TUXEDO RESERVE AGREEMENTS – Mayor Kroeber reported that a copy of the agreements were provided to the Target Group. In addition, he and Peter Regna again met with Glen Vetromile and all concerns were addressed. The final copy should be ready in a few weeks.

ENVIRONMENTAL ADVISORY COMMITTEE – Trustee Hays reported that she is sending out a flyer with the Newsletter regarding pesticides.

BEAUTIFICATION ADVISORY COMMITTEE – Mayor Kroeber stated that no recent meetings have been held. Assignments have been given to various committee members.

NEW BUSINESS

TUXEDO DAM – Mayor Kroeber stated that a letter was received from the NYSDEC informing us they did an inspection of the Tuxedo Dam in August 2004. They also stated that an updated Emergency Action Plan has not been submitted. Mayor Kroeber asked that Trustee Vernon and Deputy Chief Culhane update the report for submittal to the DEC.

BUDGET UPDATE - Mayor Kroeber stated that budgets were received from the department heads and that a preliminary budget is being prepared. Indications are there will be an increase in the tax rate this year due to increases in pension, insurance, garbage service and petroleum based products costs.

VILLAGE CLUBS – Mayor Kroeber stated that the lease agreements with the Wee Wah Beach Club, Wee Wah Fishing Club and the Village Boat Club are up for renewal this year. He has met with the Wee Wah Beach Club to discuss various issues.

AUDIT OF BILLS - Bills in the amount of \$104,009.07 for the General Fund, claim numbers 3-1 to 3-92 and \$38,388.08 for the Water Fund, claim numbers W3-1 to W3-17 were audited and ordered paid.

ADJOURNMENT – A motion was made by Trustee du Pont, seconded by Trustee Parker, that the meeting be adjourned at 9:30 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah Matthews
Clerk