

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

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

Also: James Sweeney (Village Attorney), Peter Regna, John Ledwith, Richard Morrow, Deputy Chief Culhane, Jim Burger, Sally Sonne, Lucy Edwards, Mary Graetzer

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 January 19, 2005 Board of Trustees meeting be approved as corrected.

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

The motion was passed by a 5-0 vote.

PUBLIC HEARING – LOCAL LAW #1 OF 2005

Mayor Kroeber opened the hearing at 7:35 p.m. He stated that the purpose of the proposed local law is to allow the Building Inspector to measure the square footage of residences for data collection purposes. Assessor John Ledwith will work with Andy Jackson on determining the method of calculation.

Some issues raised were: 1) if a resident removes the pipes in a non-heated portion of his house, would the assessment be reduced, or 2) is a house assessed on market value independent of livability.

Trustee du Pont noted that many homes listed for sale state the square foot as being more than it actually is.

Trustee Vernon stated that if there are two similar homes and one of the owners doesn't need the third floor and removes the heat, the unheated third floor would still be of importance to an interested buyer.

Mayor Kroeber stated that if heat is removed from an unused portion of the house, it should have less value than one with heat.

Mayor Kroeber reiterated that the purpose of the local law is to strengthen the Village's authority to collect square footage data for its property files and to set the criteria on how it's determined.

There being no other comments, Mayor Kroeber closed the hearing at 7:40 p.m.

ADOPTION OF LOCAL LAW #1 OF 2005

A motion was made by Trustee du Pont, seconded by Trustee Hays, that Local Law #1 of 2005, which amends Section 100-26(C) of the Code of the Village of Tuxedo Park, by adding the sentence: *Prior to the issuance of a certificate of Occupancy or Certificate of Completion, the Building Inspector, or Deputy Building Inspector, will verify and confirm the total square footage and take appropriate photographs of the residence for property data files*, be adopted as presented.

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

The motion was passed by a 5-0 vote.

TUXEDO RESERVE

Mayor Kroeber reported that he and Peter Regna, along with Village Attorney James Sweeney, have been negotiating for many years with Tuxedo Reserve for them to provide the Village such items as a land buffer surrounding Tuxedo Park, Fox Hill Tract annexation, Northern Tract land buffer, Brook Farm Road annexation, easement for Mt. Farm Road water tower, and 'no rights' to the 1952 TPA road restriction agreement.

The final documents for these agreements have been circulated to the Board of Trustees for their review. In addition, Mr. Sweeney wrote a letter to the attorney for Tuxedo Reserve stating some additional concerns and he is awaiting a reply.

Mr. Sweeney is proposing to the Board that the Mayor be authorized to execute the final documents on behalf of the Village. The Trustees are in agreement that the Mayor will execute the documents when complete, but would like to review the final version as well as the accompanying maps.

A motion was made by Trustee du Pont, seconded by Trustee Parker, that the Mayor be authorized to finalize the negotiations regarding the Village Agreements with Tuxedo Reserve, that all remaining negotiations are satisfactorily resolved, and that he be authorized to execute said final agreements after review and approval by the majority of the Board of Trustees.

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.

PUBLIC PARTICIPATION

Jim Burger stated that Mrs. Burger is on the Tuxedo Park Library Board, that Kevin Clifford is home from Iraq, and that the proposal for a Farmers' Market is being presented to the Town Board on February 22nd at 7:30 p.m.

Sally Sonne suggested that fuel delivery trucks be required to place safety cones around their trucks when blocking the road during deliveries, especially on West Lake Road near the Mengel property. Mayor Kroeber asked that Chief Culhane issue a notice to fuel delivery trucks and landscapers to use safety cones.

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

DPW REPORT – The report was reviewed by the Board. A copy is attached. Mr. Morrow reported that dye testing of the storm drain connections will begin when the weather becomes warmer.

POLICE REPORT - The report was reviewed by the Board. A copy of the synopsis is attached

BUILDING PERMITS

A motion was made by Trustee Hays, seconded by Trustee Vernon, that the building permit application of Neil and Jane Garafano, Mt. Farm Road, for completion of a bedroom extension at a cost of \$7,000 be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Trustee Vernon, seconded by Trustee du Pont, that the building permit application of Drew Goldman, 154 East Lake Road, for modifications to the south elevation of the single family dwelling at a cost of \$30,000 be approved.

Vote of the Board: Trustee Hays – aye
Trustee Parker – aye
Trustee Vernon- aye
Trustee du Pont – 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 building permit application of The Tuxedo Club, West Lake Road, for an addition to the Squash Court at a cost of \$650,000 be approved.

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.

OLD BUSINESS

WILDLIFE ADVISORY COMMITTEE Trustee Vernon reported that a meeting will be held on March 2nd and will include culling agents Hock and Reilly. Since the paid culling program began, 292 deer have been culled. The weapon being used is a 22 caliber. Thus far, no noise complaints have been received. In order to determine what the effects have been on the deer population, the Committee will be looking at such items as the policies and procedures of the program, identifying deer culled, disposition of culled deer, etc. It was suggested that a limit of 10 deer per month be set. After further discussion, it was determined that a moratorium on culling will be put in place until the other issues are resolved.

ENVIRONMENTAL ADVISORY COMMITTEE – Trustee Hays reported that she attended the meeting at the Town Hall regarding the Columbia Gas Line Project. She spoke to Mr. Lake, the director of the project, and he indicated that he was not aware that the Village's water line is in the area of the proposed location of the pipeline. She gave Mr. Morrow's number to Mr. Lake so that he can contact him directly to discuss the water line.

BEAUTIFICATION ADVISORY COMMITTEE – Mayor Kroeber reported that the Committee has been in existence for one year. They recently held a Committee meeting on February 10th. Some of the projects that continued to be worked on include guide rails, refuse area, S. Gate, road safety, S curves, and the DPW facility.

NEW BUSINESS

VILLAGE ELECTION

A motion was made by Trustee Hays, seconded by Trustee Vernon, that the Village Election be held on Tuesday, June 21, 2005 from 12:00 noon to 9:00 p.m. in the Village Hall and that the positions of Mayor and two Trustees will be open for election.

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

The motion was passed by a 5-0 vote.

TUXEDO CLUB – No representative was present. The item is moved to the March meeting.

AUDIT OF BILLS - Bills in the amount of \$103,190.69 for the General Fund, claim numbers 2-1 to 2-105 and \$20,796.05 for the Water Fund, claim numbers W2-1 to W2-18 were audited and ordered paid.

ADJOURNMENT – A motion was made by Trustee du Pont, seconded by Trustee Parker, that the meeting be adjourned at 8:20 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah Matthews
Clerk