

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
DECEMBER 21, 2005**

Present: Mayor David C. McFadden
Deputy Mayor Russell Vernon
Trustee Christopher Hansen
Trustee Nancy Hays
Trustee Oliver Parker

Clerk: Deborah Matthews

Also: Richard Morrow, Deputy Chief Culhane, John Ledwith, Peter Regna, Celeste & Bruce Gebhardt, Sally & Chris Sonne, Alan & Sue Heywood, Susan Goodfellow, Mary Graetzer, Peter Simonetta, Patrick Orr, Greg Libby, Sheila & Gary Pompan, Jake & Michele Lindsay, Jim Hays, Tom Salierno, JoAnn Hanson, David du Pont, Paula Tocci, Mary Jo & Claude Guinchard, Peter Hempel, Uli Pendl, Jean Marie Hitchen, Joe Cappella, Bill Bortnowsky, Adrienne Lucas, and others.

Mayor McFadden called the meeting to order and asked Trustee Parker to lead the Pledge of Allegiance.

PUBLIC HEARING – LOCAL LAW INTRODUCTORY NO. 4 OF 2005

Mayor McFadden opened the public hearing at 7:31 p.m. Clerk Debbie Matthews read the contents of the proposed local law, which provides for required attendance for members of the Planning Board/Board of Architectural Review to match the regulations currently used by the BZA. Mayor McFadden called for any comments from the public. There being no comments,

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the hearing be closed at 7:35 p.m. The vote was 5-0 in favor of closing.

REGULAR SESSION

Mayor McFadden opened the regular meeting at 7:35 p.m.

MINUTES

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon, that the minutes of the November 16, 2005 regular Board of Trustees Meeting be approved.

Vote of the Board: Trustee Parker – aye
Trustee Hays – aye
Trustee Hansen – aye
Deputy Mayor Vernon – aye
Mayor McFadden – aye

The motion was passed by a 5-0 vote.

A motion was made by Deputy Mayor Vernon, that the minutes of the November 30, 2005 #2 Fuel Oil Bid Opening be approved.

Vote of the Board: Trustee Hansen – aye
Trustee Parker – aye
Trustee Hays – aye
Mayor McFadden – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

BID AWARD

A motion was made by Deputy Mayor Vernon that the contract for #2 Fuel Oil be awarded to the low bidder, SOS Fuels, Tuxedo, NY, at a cost of \$2.00 per gallon, effective December 21, 2005.

Vote of the Board: Trustee Parker – aye
Trustee Hansen – aye
Mayor McFadden – aye
Trustee Hays – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

BUILDING PERMITS

A motion was made by Deputy Mayor Vernon that the building permit application of Michael Calabrese, 3 Old Park Road, Tax Map No. 106-1-30, for replacement of an existing deck and the addition of a conservatory at a cost of \$200,000 be approved.

Vote of the Board: Trustee Hays – aye
Mayor McFadden – aye
Trustee Hansen – aye
Trustee Parker – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

A motion was made by Deputy Mayor Vernon that the building permit application of Francine Liza, 157 Tower Hill Road, Tax Map No. 106-1-25, for renovations to a single family dwelling to include windows, doors, roof, siding, deck and air conditioning at a cost of \$150,000 be approved.

Vote of the Board: Mayor McFadden – aye
Trustee Hays – aye
Trustee Parker – aye
Trustee Hansen – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

A motion was made by Deputy Mayor Vernon that the building permit application of 197 Wee Wah, 197 Wee Wah Road, Tax Map No. 104-1-43 for reconstruction of a single family dwelling on the existing foundation at a cost of \$1,500,000 be approved.

Vote of the Board: Trustee Parker – aye
Trustee Hays – aye
Mayor McFadden – aye
Trustee Hansen – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

A motion was made by Deputy Mayor Vernon that \$9,000 of the \$10,000 bond being held by the Village for completion of the driveway of David Segal, One East Lake Road, Tax Map No. 106-1-50.2, be released to the applicant as approved by the PB/BAR and Eugene Ninnie, Village Building Inspector. \$1,000 will be retained until plantings are complete and the final inspection is made sometime in the Spring.

Vote of the Board: Trustee Hays – aye
Trustee Parker – aye
Trustee Hansen – aye
Mayor McFadden – aye
Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

REPORTS

POLICE – A copy of the synopsis is attached.

DPW – A copy of the report is attached. Mayor McFadden announced that Mr. Morrow had been in an automobile accident a couple of weeks ago, but was not injured. However, the Village's DPW Blazer was totaled. Insurance reimbursement is expected to be about \$8,000.

COMMITTEES

UAC – Trustee Parker read the e-mail report by Bryan Colwell, Chair of the UAC. Issues discussed at a meeting held with O&R on December 20th were the Village's street lighting/fixtures, brownouts and outages. A copy of the report is attached.

BAC – Michele Lindsay stated that membership is complete. She read her report of the Beautification Committee, which included past accomplishments and goal strategy for projects in the coming year.

TAC – Celeste Gebhardt, Chair of the TAC, reported that the Committee is comprised of two groups. One is the TAC/BAR with Mrs. Gebhardt Chairing this group. The TAC/BAR is working on the research and development of the design guidelines, and the revision of the applicant checklists and process. JoAnn Hanson, as Chair of the second group, reported the TAC/PB is focusing on gathering information for an updated, electronic version of the official Village Tax Map and Zoning Map. The TAC project schedule was also read into the record. . A copy of the reports is attached.

FSAC – David du Pont, Chair of the FSAC, read his report regarding the inspection of trees and shrubs along the Village's roads that are the responsibility of the individual property owners to remove. Letters were sent out by the Village Office to those identified in the FSAC report. A copy of the report is attached.

EDAC – Deputy Mayor Vernon read the report submitted by Philip Lobkowitz, Chair of the EDAC, in which he stated the committee is proceeding with its planning and expects to make a presentation at the January Trustees meeting. A copy of the report is attached.

EWAC – A report will be given at the January Trustees meeting.

FAC – Trustee Hansen reported that the committee has been working on understanding the budget – Town and Village – and how to manage expenditures and identify cost savings. They are also focusing on organizing the tax spreadsheets, with the assistance of John Ledwith, in preparation of this year's tax assessment.

UNFINISHED BUSINESS

DISCUSSION – LOCAL LAW INTRODUCTORY NO. 4 OF 2005

Deputy Mayor Vernon stated that he supports the law and it has been working for the BZA. Trustee Hays agreed and noted that some flexibility would be needed and discretion used in dealing with absences.

ADOPT LOCAL LAW INTRODUCTORY NO. 4 OF 2005

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon, that Local Law Introductory No. 4 of 2005 be approved as presented.

Vote of the Board: Trustee Hansen – aye
 Mayor McFadden – aye
 Trustee Hays – aye
 Trustee Parker – aye
 Deputy Mayor Vernon – aye

The motion was passed by a 5-0 vote.

PUBLIC COMMENT

Term Limits: Jim Hays stated that he is against term limits. He feels the Village might not have enough people with the desire to serve and the available pool of qualified people would be reduced. Mayor McFadden stated that having term limits for our elected and appointed officials will keep the Village government dynamic and accountable.

NEW BUSINESS

VILLAGE BOAT CLUB DOCK APPLICATION – Mayor McFadden stated that a few months ago an application for an additional non-permanent, floating dock for the Village Boat Club on the Water Plant property was received. The existing dock is 5'x13' and the proposed new dock is 5'x18', which would make a "T". He noted that when the Village Boat Club was formed in 2001, no approval was given at that time for installation of the existing dock. In view of this application and the inconsistencies with the Tuxedo Club docks, the Board feels the dock laws need to be updated and uniform. The issue was tabled to the next meeting.

TERM LIMITS – Trustee Parker stated that although there seems to be no shortage of interested people at the present time, in the past the Village has found it difficult to fill memberships on the Boards. Because of that he would prefer to wait for some time to pass before raising the issue of term limits.

Deputy Mayor Vernon stated that he is in favor of term limits. Mayor McFadden stated that the matter will be discussed at the next Trustees meeting.

REGISTRAR OF VITAL STATISTICS (Birth, Marriage, Death Records)

A motion was made by Mayor McFadden that Town Clerk Elaine Laurent be appointed Registrar of Vital Statistics and that Deputy Town Clerk Antoinette Matthews be appointed Deputy Registrar of Vital Statistics for the Village of Tuxedo Park.

Vote of the Board: Trustee Parker – aye
Trustee Hays – aye
Mayor McFadden – aye
Deputy Mayor Vernon – aye
Trustee Hansen – aye

The motion was passed by a 5-0 vote.

WEBMASTERS – Mayor McFadden stated that he had reached out to find someone with skills to be the Webmaster for the Village's Website and that the person would take over its maintenance. He asked that the Board appoint volunteers Leslie DeVore and Jean Marie Hitchen.

A motion was made by Mayor McFadden that Leslie DeVore and Jean Marie Hitchen be appointed as Webmasters for the Official Village Website.

Vote of the Board: Trustee Hansen – aye
Deputy Mayor Vernon – aye
Mayor McFadden – aye
Trustee Hays – aye
Trustee Parker – aye

The motion was passed by a 5-0 vote.

Mayor McFadden stated that the current Website Policy will need to be revised and a discussion will be held at the next Trustees meeting.

PRESENTATION – IMPACT OF STERLING PLACE DEVELOPMENT

Trustee Hansen gave a Power Point presentation on the potential impact that the Sterling Place Development will have on Tuxedo Park residents. He stated that this residential development of 63 homes adjacent to Wee Wah Lake will have a negative impact on the Village's taxes and quality of life. The project, which complied with Town zoning, is moving forward at a fast pace.

PUBLIC COMMENT

Village Boat Club Docks: Tom Salierno stated that the dock that was there previously was partially concrete and wood. The wood was unsafe and was replaced.

Sterling Place: Peter Simonetta stated that the Town Planning Board approved Sterling Place a year ago. The original plan was reduced from 75 homes to 63. They are now working on their water and sewer source. Chris Sonne stated that the property was originally a golf course owned by the TPA but was sold in 1959. In 1972 the Town rezoned and made the property R4, the same as the Hamlet. Supervisor elect Peter Dolan has met with Lou Heimbach and said the development is going to happen. In addition, the

Sterling Forest Ski Center could also be developed. Susan Goodfellow asked what the current market value of the Sterling Place property is. Trustee Hansen stated somewhere between \$7-10 million.

SOS: Peter Simonetta stated that he has copies of correspondence from the Town of Tuxedo going back to 1982 in which a zoning change prohibited the recently proposed SOS 30,000 gallon propane tank. The Town residents came out against the proposal as well as the Village, and the expansion was stopped.

Builders in the Park: Peter Regna stated that the BAR has had a string of difficulties with speculators building in the Park, in many cases significantly deviating from the approved plan. He asked that the Board take a firm stand against this and treat all building consistently and even handedly, as everyone should be held to a high standard.

Website and E-mail: Mary Graetzer asked what happened to the new Village Website that was approved in November. She also questioned her receipt of an e-mail from Mayor McFadden's business e-mail and another from the Village Website e-mail. Mayor McFadden explained that the Village's e-mail doesn't allow him to send out subsections of bulk e-mails using the Bcc section and whatever is sent from the business e-mail will be kept private. He also stated that the new Website is in transition with no deadline.

Deer Culling: Sue Heywood asked if the deer culling is still going on and how many have been culled in the last six months. Mayor McFadden stated that none have been culled during his administration. Deputy Mayor Vernon stated that the numbers are reported in the Police reports and can be obtained at the Village Office.

AUDIT OF CLAIMS – Bills in the amount of \$192,733.90 for the General Fund, claim numbers 12-1 to 12-106, and \$30,342.53 for the Water Fund, claim numbers W12-1 to W12-27 were audited and ordered paid.

ADJOURNMENT TO EXECUTIVE SESSION

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the Board adjourn to Executive Session at 9:10 p.m. to discuss a specific employee matter and a legal matter. The vote was 5-0 in favor of adjourning.

ADJOURNMENT

A motion was made by Mayor McFadden that the meeting be adjourned at 10:15 p.m. The vote was 5-0 in favor of adjourning.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer