

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
JANUARY 19, 2005**

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

Also: John Ledwith, Richard Morrow, Deputy Chief Culhane, Jim Burger, Sally Sonne
Greg Libby, Tom Salierno

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 Hays, that the minutes of the December 15, 2004 Board of Trustees meeting be approved.

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 PARTICIPATION

Jim Burger thanked the DPW for keeping Camp Comfort Road clear during the winter storms. He also stated that the Tuxedo Chamber of Commerce is organizing a committee to determine the feasibility of attracting a Farmer's Market to Tuxedo, which would be held in the Hamlet. If anyone is interested, they should call Scott Lesko at 201-263-9100 or jscott@optonline.net. Chamber meetings are held on the fourth Wednesday of each month at 5:30 p.m. in the Town Hall.

ENGINEERING, BUILDINGS & GROUNDS REPORT - The report was prepared and read by Trustee Parker. A copy is attached. Mayor Kroeber stated that Trustee Parker has been working closely with the DPW and has been hands on with several projects. Mr. Burger noted that the repairs were made to the detention pond at the Tuxedo Park School and the completed report has been forwarded to Village Engineer Eugene Ninnie.

DPW REPORT - A copy is attached. The report was discussed. Mr. Morrow stated that the water leak alongside the Thruway has been repaired. In regard to ice skating on Pond #3, the DPW will test the ice and if it's safe, will put up the Skating signs. Mayor Kroeber instructed the Chief to have the Officer on duty open and close the lodge, and that the lodge will require daily surveillance during skating season.

POLICE REPORT - The report was reviewed by the Board. A copy of the synopsis is attached. Trustee du Pont noted that the fire department responded to 267 calls of which 20% were in the Village.

OLD BUSINESS

WILDLIFE ADVISORY COMMITTEE – Trustee Vernon stated that no meetings have been held recently. A meeting will be scheduled soon so that the spring and summer culling schedules can be determined.

ENVIRONMENTAL ADVISORY COMMITTEE – Trustee Hays reported that she and John Ledwith met with Larry Gordon, from Columbia Gas, regarding the proposed gas line that will run through Tuxedo and is proposed to run 200' north of the Village's sewer plant. She read a letter that she received from Columbia Gas dated January 7, 2005 in which the project director states he cannot confirm the proposed route until the Federal Energy Regulatory Commission completes its review. A copy of the letter is attached.

BEAUTIFICATION ADVISORY COMMITTEE – Mayor Kroeber stated that the next scheduled meeting will be held in February.

NEW BUSINESS

INFRASTRUCTURE FINANCING – Mayor Kroeber read the memo he prepared for the Board regarding the Village's infrastructure financing. A copy is attached. Because of the NYSDEC mandate to complete sewer repairs, there is a need to increase the Village's borrowing authorization from \$3,050,000 to \$3,500,000.

A motion was made by Trustee du Pont, seconded by Trustee Parker, that a Bond Resolution be passed to increase the Village's borrowing authorization from \$3,050,000 to \$3,500,000 as detailed in the attached Resolution as prepared by the Village's Bond Counsel.

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.

BOND ANTICIPATION NOTE (BAN) EXTENSION

A motion was made by Trustee Parker, seconded by Trustee du Pont, that the BAN for \$553,843 that matures in April 2005 be extended for another year.

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.

REGNA REQUEST – A request was received from Peter Regna to hold the annual Atlantic Region of the Rolls-Royce Owners' Club (RROC) Spring Luncheon on Sunday May 22, 2005, which would involve 50 classic automobiles coming to the Tuxedo Club. The event would not intrude onto private property and would be conducted in compliance with the Village Code.

A motion was made by Trustee Hays, seconded by Trustee Parker, that the request by Peter Regna to hold the RROC luncheon on May 22, 2005 be approved.

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

The motion was passed by a 5-0 vote.

SEWER AND GARBAGE CHARGES – Mayor Kroeber read the memo to the Board that he prepared regarding the levying of a 10% penalty onto unpaid sewer and garbage charges. A copy is attached. These charges are incurred by Town residents who use the Village's services and do not pay Village taxes.

A motion was made by Trustee du Pont, seconded by Trustee Vernon, that the penalty clause of the Village code be extended to include a 10% penalty on unpaid sewer and garbage charges, compounded quarterly.

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

The motion was passed by a 5-0 vote.

PROPOSED AMENDMENT TO CHAPTER 100 OF THE VILLAGE CODE – Mayor Kroeber read the memo he wrote to the Board regarding the proposal to change Section 100-26(C), Duties of the Building Inspector, of the Village Code to allow the following sentence to be added: *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.* The amendment would be known as Local Law #1 of 2005. A copy of the proposal and Local Law is attached.

A motion was made by Trustee Hays, seconded by Trustee du Pont, that Section 100-26(C) of the Village Code be amended as proposed in Local Law #1 of 2005.

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.

SET PUBLIC HEARING DATE

A motion was made by Trustee Hays, seconded by Trustee du Pont, that a public hearing on Local Law #1 of 2005 be held on Wednesday, February 16, 2005, at 7:30 p.m.

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.

CERTIFICATION – Mayor Kroeber reported that John Ledwith completed the required courses for the position of building inspector and that he received his NYS certification.

LAKE WARDEN REPORT – Mayor Kroeber stated that Lake Warden James Jospe submitted his year-end report. A copy is attached.

ICE SKATING – Mayor Kroeber reported that the new owners of the skating lodge have given permission for Village residents to use it during skating season. They have been provided a certificate of insurance by the Village.

TOWN TAX BILL – Mayor Kroeber reported that he received a letter from Daniel Gladding on behalf of the Tuxedo Park Library regarding the format of the Town Tax Bill.

BUDGET - Mayor Kroeber announced that the Village's Department heads will begin preparing their 2005-2006 budget. Upon completion, the Board will begin their review. The new budget will be adopted in April.

AUDIT OF BILLS - Bills in the amount of \$239,247.95 for the General Fund, claim numbers 1-1 to 1-124 and \$22,293.90 for the Water Fund, claim numbers W1-1 to W1-18 were audited and ordered paid.

ADJOURN TO EXECUTIVE SESSION – A motion was made by Mayor Kroeber, seconded by Trustee Parker, that the Board adjourn to Executive Session at 8:40 p.m. to discuss a specific personnel issue. The motion was passed by a 5-0 vote.

REOPEN REGULAR SESSION - The regular session was reopened at 9:00 p.m.

RESOLUTION – LAW SUIT

A motion was made by Trustee du Pont, seconded by Trustee Hays, that the Village comply with the court order in the Grach vs. Village of Tuxedo Park case as specified in the court sealed settlement agreement, subject to receipt of the proper signed releases.

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.

ADJOURNMENT – A motion was made by Trustee Vernon, seconded by Trustee Hays, that the meeting be adjourned at 9:10 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah Matthews
Clerk