

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
MAY 17, 2006
7:30 P.M.**

Present: Mayor David McFadden
Deputy Mayor Christopher Hansen
Trustee Nancy Hays
Trustee Oliver Parker
Trustee Gregory Gross

Clerk: Deborah Matthews

Also: John Ledwith, Celeste Gebhardt, Claude & Mary Jo Guinchard, Peter Regna, Susan Goodfellow, Greg Libby, Claudio Guazzoni, Donald Hanson, Mary Graetzer, Sally Sonne, Jim Burger, Sue & Alan Heywood, Jake Lindsay, Doug Benedict, Larry Darby, Kathy Norris, Tom Salierno, Joe & Antoinette Fontana, Uli Pendl and others.

Mayor McFadden called the meeting to order and led the Pledge of Allegiance.

MINUTES

A motion was made by Mayor McFadden that the minutes of the April 5, 2006 Special Board of Trustees Meeting be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden that the minutes of the April 11, 2006 Special Board of Trustees Meeting be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden that the minutes of the April 19, 2006 Regular Board of Trustees Meeting be approved.

Vote of the Board: Deputy Mayor Hansen – aye

Trustee Parker – aye
Trustee Hays – aye
Mayor McFadden – aye
Trustee Gross – aye

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden that the minutes of the May 5, 2006 Special Board of Trustees Meeting be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Trustee Parker that the May 11, 2006 Sewer Pipe Line Bid Opening Minutes be approved.

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

The motion was passed by a 5-0 vote.

BUILDING PERMITS

A motion was made by Mayor McFadden that the building permit application of Robert & Christina Dow, 120 Ridge Road, Tax Map No. 105-1-40, for a pole building for storage at a cost of \$60,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Projector 80 (Hellman), 104 East Lake Road, Tax Map No. 106-1-2.1, for landscaping within 100' of Tuxedo Lake at a cost of \$100,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Alan & Sue Heywood, 68 Fox Hill Road, Tax Map No. 108-1-14, for a bathroom window replacement at a cost of \$1,300 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Michael Schmidtberger, Cannon Hill Road, Tax Map No. 104-1-1.3, for an addition/alteration to the existing dwelling at a cost of \$500,000.

A motion was made by Mayor McFadden that the building permit application of Kurt & Pam Graetzer, 63 Clubhouse Road, Tax Map No. 107-1-59, for the installation of new roof and doors at a cost of \$6,500 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Douglas Brown, Patterson Brook Road, Tax Map No. 103-1-30.21, for removal of a 2 1/2 story wood frame structure at a cost of \$20,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Joseph Capella, 39 Laurel Road, Tax Map No. 107-1-78.1, for dormer and roof replacement at a cost of \$375,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Francine Liza (Rauch), 157 Tower Hill Road, Tax Map No. 106-1-25, for renovation to an existing dwelling at a cost of \$125,000-150,000 be approved. The vote was 5-0 in favor.

STOP WORK ORDERS

DONALD HANSON (Tower Hill Road) – Building Inspector John Ledwith had issued a full Stop Work Order on Mr. Hanson's renovation project because of inconsistencies in the construction, the architectural aesthetics, as well as two hazardous conditions on the property. Mr. Hanson objected to the issuance of the Stop Work Order.

A motion was made by Mayor McFadden that the board accept the Building Inspector's recommendation of the Stop Work Order. The vote was 5-0 in favor.

Mr. Ledwith suggested that the BAR do a comprehensive review of the project and a site visit, and that Mr. Hanson attend a BAR meeting for approvals.

A motion was made by Mayor McFadden that the parties get together for site visits and that there be a limit of attendance at 3 BAR meetings. The vote was 5-0 in favor.

JOSEPH FONTANA (Lookout Stable Road) – Building Inspector John Ledwith had issued a full Stop Work Order on the construction of Mr. Fontana's house. There are 13 items that do not comply with the approved plans from the house structure to landscaping. The BAR has looked at the project and do not concur with Mr. Fontana. Mr. Ninnie's previous concerns have also not been addressed.

A motion was made by Mayor McFadden that Mr. Fontana go to the BAR for a final meeting for a resolution of the issues. The vote was 5-0 in favor.

REPORTS

POLICE - Report previously submitted. A copy is attached.

DPW – Report previously submitted. A copy is attached.

PUBLIC COMMENT PERIOD – New Business Items

Village residents who spoke during the comment period: Mary Graetzer, Peter Regna, Kathy Norris.

Comments: Request that term limit local law be a referendum, Section 100-53, Village website password access for residents.

A motion was made by Mayor McFadden to close the comment period at 8:47 p.m. The vote was 5-0 in favor.

Comments in full may be heard on the audio tape of this meeting.

UNFINISHED BUSINESS

SCHEDULE PUBLIC HEARINGS

A motion was made by Mayor McFadden that a public hearing be scheduled for June 7, 2006 at 7:30 p.m. on Introductory Local Law #5-Term Limits.

Vote of the Board: Deputy Mayor Hansen – aye
Trustee Gross - aye
Mayor McFadden – aye
Trustee Hays – aye
Trustee Parker – no

The motion was passed by a 4-1 vote.

A motion was made by Mayor McFadden that a public hearing be scheduled for June 7, 2006 at 7:35 p.m. on Introductory Local Law #4-Siting Responsibilities of the PB and BAR.

Vote of the Board: Deputy Mayor Hansen – aye
Mayor McFadden – aye
Trustee Gross – aye
Trustee Hays – no
Trustee Parker – no

The motion was passed by a 3-2 vote.

NEW BUSINESS

VILLAGE VOTER REGISTRATION DAY

A motion was that by Mayor McFadden that Village Voter Registration Day be held on Saturday, June 10, 2006 from 12:00 noon to 5:00 p.m. in the Village Hall, and that the Village Election Day will be on June 20, 2006 from 12:00 noon to 9:00 p.m. in the Village Hall.

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

The motion was passed by a 5-0 vote.

RELEVY UNPAID WATER-VILLAGE RESIDENTS

A motion was made by Mayor McFadden that the unpaid water bills of Village residents in the amount of \$22,553.17, as shown on the attached list, be levied onto the 2006-2007 Village Tax bills.

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

The motion was passed by a 5-0 vote.

BUDGET TRANSFERS

A motion was made by Mayor McFadden that the budget transfers be approved as presented and as shown on the attached sheet.

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

The motion was passed by a 5-0 vote.

PASSWORD PROTECT WEBSITE FOR RESIDENTS

Mayor McFadden discussed a trial period for implementing a resident password protection for the website for such information as the tax map and tax information.

SCHEDULE PUBLIC HEARING-VILLAGE BOAT DOCK

A motion was made by Mayor McFadden that a public hearing be scheduled on the expansion of the Village Boat Club dock located on Tuxedo Lake on the Water Plant property, for June 21, 2006 at 7:30 p.m.

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

The motion was passed by a 5-0 vote.

NEW PROCEDURE-AUDITING BILLS

Deputy Mayor Hansen stated there is a need for stronger financial controls and a bill auditing procedure. This will be accomplished by having each department head enter their invoices for the month on a spreadsheet. Through a series of mathematical formulas, the data will show running budget balances for each budget category for each month. Bill auditing and budget reporting will be done at the front end of regular Trustee meetings. Department heads only need to attend the meetings if they are over budget. Expenditures over \$5,000 will need prior Trustee approval. He will draft the procedures and present for approval at the next Trustee meeting.

ESTABLISH WATER PLANT ADVISORY COMMITTEE

Mayor McFadden stated that he has discussed the topic with Larry Darby and Jim Hays. There is a need to take a close look at the water system expenses and related issues, both economic and environmental.

TREE SPRAYING AT WEE WAH BEACH

Mayor McFadden stated that two quotes of less than \$500 were received for treating the trees. One from Ramapo Mountain Tree & Shrub Spraying Corp. and the other Hudson Valley Horticultural Services. He asked that Trustee Hays review them and make the determination as to which company should be hired.

PUBLIC COMMENT PERIOD NO. 2 – OPEN

Village residents who spoke during the comment period: Claudio Guazzoni, Kathy Norris, Donald Hanson, Peter Regna, Jake Lindsay, Uli Pendl.

Comments: BAR does the fighting for the Village, security of the Village, compromise for Stop Work Order, Section 100-53 revision of text important, term limit law rewritten 3 or 4 times, legal fees, school tax increase of 5.8%, school budget of 771 votes in 2005, 481 in 2006.

Comments in full may be heard on the audio tape of this meeting.

AUDIT OF BILLS - Bills in the amount of \$96,524.45 for the General Fund, claim numbers 5-1 to 5-67, and \$17,904.08 for the Water Fund, claim numbers W5-1 to W5-16 were audited and ordered paid.

ADJOURNMENT TO EXECUTIVE SESSION

A motion was made by Mayor McFadden that the meeting be adjourned to Executive Session at 9:05 p.m. to discuss a specific employee matter. The vote of 5-0 in favor.

BORTNOWSKY RELEASE

Mayor McFadden stated that a final release document regarding former Chief Bortnowsky has been prepared, reviewed and approved by both Attorney Donnelly and Lovett & Gould (Attorney for B. Bortnowsky).

A motion was made by Mayor McFadden, seconded by Deputy Mayor Hansen, that the final release document between former Chief Bortnowsky and the Village which includes the reimbursement of legal expenses for Bortnowsky capped at \$35,500, lifetime health insurance benefits for B. Bortnowsky, and the final salary payment of \$16,000 to B. Bortnowsky be approved.

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

The motion was passed by a 5-0 vote.

CREATE SERGEANT POSITION/APPOINTMENT

A motion was made by Mayor McFadden that a second Sergeant position in the Tuxedo Park Police Department be created and that when the position is approved by New York State Civil Service, Police Officer Kenneth Sanford by appointed to fill the position.

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

The motion was passed by a 5-0 vote.

ADJOURNMENT

A motion was made by Mayor McFadden that the meeting be adjourned at 9:35 p.m. The vote was 5-0 in favor.

Respectively submitted,

Deborah A. Matthews
Village Clerk-Treasurer

Approved by BOT on 7/19/06