

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
SEPTEMBER 20, 2006
7:30 P.M.**

The regular monthly meeting of the Board of Trustees of the Village of Tuxedo Park was held on Wednesday, September 20, 2006 at 7:30 p.m. in the Village Hall, 80 Lorillard Road, Tuxedo Park, NY 10987.

Present: Mayor David C. McFadden
Deputy Mayor Christopher Hansen
Trustee Lawrence Darby
Trustee Oliver Parker
Trustee Houston Stebbins

Clerk: Deborah Matthews

Also: John Ledwith, Richie Morrow, Sgt. Sanford, Nancy & Jim Hays, Sally Sonne, Lucy Edwards, Bryan Colwell, Claudio Guazzoni, Sally Spooner, Uli Pendl, Susan Goodfellow, Claude & Mary Jo Guinchard, Mary Graetzer, Gregg Libby, Tom Salierno, Jake & Michele Lindsay, Peter Regna, Dana Farrington, Cindy VanSchaack, Diana Larsen, Jim Burger, Geoff Isles, Francine Liza-Rauch, Dr. Linda Miller, Mr. Naclerio, and others.

Mayor McFadden called the meeting to order and Sgt. Sanford led everyone in the Pledge of Allegiance.

REPORTS

DPW – A discussion was held on the insertion valves needed for repairing one of the water mains, money put aside in this year’s budget for dam repairs, infrastructure repair budgeting, capital expenditure planning and a Village Comprehensive Plan.

POLICE – Sgt. Sanford requested that the Police Crown Victoria sedan be decommissioned as a Police vehicle and that it be replaced with the Police Department’s unmarked Ford Explorer. He will have the DPW remove the lights and radios from the sedan and reinstall on the Explorer. In addition, he will have the Explorer painted to match the other two Police cars, and have the sedan painted a solid color. The sedan can then be used by the Building Inspector to do inspections within the Village.

The Board was in agreement with Sgt. Sanford’s requests.

ADVISORY COMMITTEES

VIAC – Michele Lindsay gave a report on the Committee and listed the completed and ongoing projects, and those that will require capital expenditures such as drainage at the Racetrack, guide rail on Tuxedo Road, DPW building and water plant building painting.

VIEW SHED COMMITTEE – Scheduled to meet on Saturday, September 23rd at 9:00 a.m. in the Village Hall. Trustee Liaison is Mayor McFadden and members are Gary Glynn-Chair, JoAnn Hanson, and Charlotte Worthy. New members are welcome and can contact Gary Glynn.

WILDLIFE – Trustee Stebbins is the Trustee liaison and reported that Chairman Alan Barnett is looking for someone to replace himself as Chairman.

POLICE & TRAFFIC GUARD CONTRACTS – Mayor McFadden and Michael Richardson (Village Labor Consultant) met with the Police, Traffic Guards, and PBA to begin negotiations on a new contract. The previous three-year contract expired on May 31, 2006.

PUBLIC COMMENT PERIOD

Speakers: Nancy Hays, Uli Pendl, Geoff Isles, Susan Goodfellow, Sally Spooner, Jake Lindsay, Jim Hays, Cindy VanSchaack, Claudio Guazzoni, Jim Burger, Mary Graetzer, Peter Regna, Diana Larsen.

Comments Made: Trees in the lake good cover for fish, request for an informational meeting with DEC on bears, who gave authority for video taping the meeting, how often does financial committee meet, Village's legal fees are high, Tuxedo Club dock expansion and revocation of permission for new docks, don't feed bears, reconsider wording for hiring of Tuxedo Park Police for private parties, Tuxedo Reserve well drilling, request to start BAR meetings at 7:00, request for more Village resident participation in Town meetings, security tags, apology for filing lawsuit, boat docks in relation to all of Tuxedo Lake, Tuxedo Park School is available to use for a bear seminar. Statement by Susan Goodfellow read regarding Tuxedo Lake Dam is attached. Also attached is the statement made by Peter Regna as transcribed from the video tape (by Lynda Lawler of Ubiquis/Nation-Wide Reporting & Convention Coverage, NY, NY) regarding the lawsuit filed by Lindsay-Regna.

TRUSTEE COMMENTS

The Board was in agreement that a seminar should be held by the DEC regarding bear and asked Sgt. Sanford to set it up.

It was agreed that trees in the lake provide cover for the fish.

Attorneys working for the Village should submit estimates for litigation to the Board prior to proceeding.

MINUTES

A motion was made by Mayor McFadden, seconded by Trustees Stebbins, that the minutes of the July 19, 2006 regular Board of Trustees meeting be approved as amended.

Vote of the Board: Trustee Parker – aye
Trustee Darby – aye
Mayor McFadden – aye
Deputy Mayor Hansen – aye
Trustee Stebbins – aye

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden, seconded by Deputy Mayor Hansen, that the minutes of the August 16, 2006 regular Board of Trustees meeting be approved as amended.

Vote of the Board: Trustee Stebbins – aye
Trustee Parker – aye
Trustee Darby –aye
Mayor McFadden – aye
Deputy Mayor Hansen –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 Edwin & Pamela Cromey, 48 Clubhouse Road, for expansion of an existing driveway to accommodate two cars at a cost of \$1,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Claude & Mary Jo Guinchard, 194 East Lake Road, for construction of a new single family dwelling at a cost of \$1,500,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Peter MacDonald & Maureen Hopkins, 130 Continental Road, for a new roof 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 Robert & Katherine Silvay, 81 Lorillard Road, for conversion of an outdoor, enclosed porch to a patio at a cost of \$5,000 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Walter Deane, 103 West Lake Road, for replacement of windows on the sun porch and installation of railings in the front of the house and chimney caps at a cost of \$7,500 be approved. The vote was 5-0 in favor.

A motion was made by Mayor McFadden that the building permit application of Mary Diem (Diem Family Credit Trust), West Summit Road, for construction of a single family dwelling at a cost of \$1,000,000 be approved.

CODE CHANGE – Mayor McFadden, with agreement from the other Board members, will draft a local law to change the section of the Village Code that requires Trustee approval on building permits. The draft will be presented at the next regular meeting.

STOP WORK ORDERS

Ian Howard Property – Stop Work Order

Building Inspector John Ledwith issued a Stop Work to Ian Howard, owner of 15 Ridge Road. Mr. Howard's tenant, Andrew Naclerio was doing work to the house that requires a permit and BAR approval. Mr. Naclerio was here this evening but had to leave. However, he stated that he would go to the BAR to seek the proper approvals.

The Board was in agreement that the Stop Work Order be held in abeyance and recommended that Mr. Naclerio go to the BAR to resolve the issues.

Oppen Property – 1994 Stop Work Order

A motion was made by Mayor McFadden, seconded by Trustee Darby, that the Board of Trustees authorize the building department to modify the 1994 Stop Work Order on the Oppen property to allow Mr. Oppen to make repairs on his roof.

Vote of the Board: Trustee Stebbins – aye
Deputy Mayor Hansen – aye
Mayor McFadden – aye
Trustee Darby – aye
Trustee Parker – aye

The motion was passed by a 5-0 vote.

AUDIT OF CLAIMS – Deputy Mayor Hansen presented the audit report spreadsheets and explained the various budget categories of the Village Departments. Bills in the amount of \$276,614.49 for the General Fund, claim numbers 9-1 to 9-100 and \$34,177.44 for the Water Fund, claim numbers W9-1 to W9-12 were authorized for payment.

ADJOURNMENT TO EXECUTIVE SESSION

A motion was made by Mayor McFadden, seconded by Deputy Mayor Hansen, that the Board adjourn to Executive Session at 9:50 p.m. to discuss a specific Village Employee and legal matters, Sterling Forest, LLC vs. Tuxedo Park, the Village Attorney's opinion regarding the Tuxedo Club dock permit granted in Mayo 2005 and the lawsuit filed today by John Lindsay and Peter Regna, Plaintiffs, against David C. McFadden and Village of Tuxedo Park, Defendants for actual and punitive damages, of not less than, \$2,000,000 for defamation. The vote was 5-0 in favor of adjourning.

Respectfully submitted,

Deborah A. Matthews
Clerk-Treasurer

These minutes approved by the BOT on 10/18/2006