

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
FEBRUARY 15, 2006
7:30 P.M.**

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

Clerk: Deborah A. Matthews

Also: John Ledwith, Deputy Chief Culhane, Robin McFadden, Celeste Gebhardt, Peter Regna, JoAnn Hanson, Sally Sonne, Lucy Edwards, Claudio Guazzoni, Meg Vaught, Susan Goodfellow, Peter Simonetta, Patrick Orr, Mary Graetzer, David du Pont, Rickie Marsh, Gardiner Hempel, Charles Markarian, Susan & Alan Heywood, Audrey Perry, Alan Barnett, Michele Lindsay, Jim Barth, Jake Lindsay, Todd Yannuzzi, Richard & Bonnie Suggs, Susan & John Boyle, Mary Jo & Claude Guinchard, Chiu-Yin Hempel, Tom Wilson, Jim Hickey, Charlotte Worthy, Leslie de Vore, Adrienne Lucas, Bill Bortnowsky, Houston Stebbins, Richard Witte, Neal & Linda Strohmeier, and others.

Mayor McFadden opened the meeting at 7:30 p.m. and led the Pledge of Allegiance.

MINUTES

A discussion was held on the procedure for corrections and content revisions. The Board agreed that detailed public comments are not required. The minutes of the January 18, 2006 minutes were tabled until the March meeting.

PUBLIC HEARING – PROPOSITION NO. 1 – TERM LIMITS (copy attached)

Village residents who spoke during the Public Hearing were: Howard Madden, Jake Lindsay, Peter Regna, Sally Sonne, Susan Goodfellow, and Tom Wilson.

Public Comments: Term limit language confusing, neighboring municipalities don't have term limits, service on PB/BAR/BZA boards good training for Trustee position, experience invaluable, need experience when new members are on governing board, staggered five year terms work well, the Village may have had term limits prior to 1987, a way to recall vote on Village Board as addendum to Code, wrong to combine term limits for appointed and elected officials

Written Statements from the public attached: Chris Sonne

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the public hearing be closed at 8:06 p.m.

Vote of the Board: Trustee Parker – aye
Trustee Hays – aye
Trustee Hansen – aye

Deputy Mayor Vernon – aye
Mayor McFadden – aye

The motion to close the hearing was passed by a 5-0 vote.

Public comments may be heard in full on the audio cassette tape of the February 15, 2006 BOT meeting, which is available upon request at the Village Office.

DISCUSSION – was held by the Trustees on Proposition No. 1.

Deputy Mayor Vernon: Agrees appointed and elected officials terms should be separate. Service on the PB/BAR/BZA is good stepping stone and training ground.

Trustee Hansen: Also agrees terms should be separate. Elected officials terms determined through the electorate process. A ten year limit for appointed officials with a two year break at the end of ten is fine.

Trustee Hays: Not a great proponent of term limits. Term limits for elected officials not necessary. Should reinstate previous proposal about re-establishing eligibility to serve.

Trustee Parker: Questioned whether the ten year term limit would begin at the end of a board member's current term.

Mayor McFadden: Agrees in a disconnect of the elected officials from the appointed officials. Should decide when the ten year limit would begin. He suggests that current members serve out their term before the ten years begins. There would be a disassociation for two years after ten consecutive years.

SCHEDULE PUBLIC HEARING

Suggested revisions to Proposition No. 1 are incorporated in the following motion:

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the revisions listed below be incorporated into a revised Proposition No. 1 draft and that a public hearing on the revised draft be scheduled for March 15, 2006 at 7:30 p.m.

1. No connection between elected and appointed boards
2. No term limits for elected officials
3. Appointed boards would serve a total of ten consecutive years
4. There would be a two year break after ten years of service
5. If no one is willing to fill a vacancy, an exception could be made to the ten year limit
6. The ten year limit would not be retroactive, but begin at the end of the board member's current term

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

The motion was passed by a 5-0 vote.

BUILDING PERMITS – None

REPORTS**ADVISORY COMMITTEES****TAC**

Celeste Gebhardt gave a report on the progress of the TAC Committee regarding the BAR issues. A copy is attached.

JoAnn Hanson, Co-Chair, reported on the progress of the TAC Committee regarding the Planning Board issues and a Master Plan. Some of the topics to address include permit application process, siting and design, retaining four-acre zoning, need for view shed regulations, protection of the Park, mapping out of Village for input on AutoCAD to include water and sewer lines, developable lots, public utilities, conservation and open space.

VIAC

Michele Lindsay reported on the progress of the Village Improvement Advisory Committee and the members' projects: They include Bob Curry-road signs, Oliver Parker-blind curves and steep drop-offs, Peter Humphrey-the Tuxedo Road causeway, Bonnie Suggs and Michele Lindsay-Tuxedo Road triangle and improvements for the DPW area and Water Treatment Plant, Eric Honor-open storm drains along Tuxedo and West Lake Roads and roadbed improvements, Desiree Hickey and Alan Heywood-proposal for Racetrack. Alan Heywood prepared a history of the Racetrack project. A copy is attached.

DPW – Mr. Morrow is on vacation. A copy of the DPW report is attached.

POLICE – A copy of the synopsis is attached.

UNFINISHED BUSINESS**ELECTRICAL LICENSING LAW**

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that a public hearing be held on March 15th regarding the Orange County Legislature's proposed law regarding electrical licensing.

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

The motion was passed by a 4-1 vote.

PROPERTY MAINTENANCE FEE – This matter was tabled.

HUDSON VALLEY GREENWAY – Trustee Hays stated that this pertains to walking trails and would be more relevant to the Town. Mayor McFadden asked Trustee Hays to obtain more information.

WEE WAH BEACH CLUB DUMPSTER – As a Director for the Beach Club, Mary Graetzer asked if she could do more research into a bear-proof dumpster as the Club has limited funds. The Board was in agreement.

UPDATES/DISCUSSIONS

NYSDEC/SEWER MORATORIUM – Mayor McFadden met with the DEC on February 3rd regarding the sewer moratorium. A copy of the DEC letter dated February 7th summarizing the meeting is attached.

RIDGELINES AND ELEVATIONS – A public meeting is scheduled for Saturday, February 18th at 9:30 a.m. to discuss Ridgelines and View Sheds. The three Village attorneys as well as the BZA, TAC, PB/BAR members are invited to attend.

FIRE DEPARTMENT PICNIC AT WEE WAH BEACH – A clarification of the intent of the Firemen's Picnic on August 5th was given to the Board. The event will be limited to the three companies that make up the Tuxedo Joint Fire District. A copy of the letter is attached.

A motion was made by Mayor McFadden, seconded by Trustee Parker that the Tuxedo Joint Fire District be allowed to hold their Bi-Annual Firemen's Picnic at the Wee Wah Beach on August 5, 2006 and that they will adhere to the schedule in the attached letter.

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

The motion was passed by a 5-0 vote.

TUXEDO LAKE DAM – Trustee Parker reported that he met with Attorney Sweeney and the Village will take a cooperative approach with the NYSDEC. The ownership question is on hold.

SEWER PLANT CHEMICAL BUILDING – Trustee Parker reported that he and Mr. Morrow are researching modifications to the building and heating system.

PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS – Mayor McFadden met with Peter Hempel for clarification on the requested property tax exemption for volunteer firefighters. Although the tax savings are very minimal, the fire department members request that the Village approve it.

A motion was made by Deputy Mayor Vernon, seconded by Mayor McFadden that the Village approve the NYS approved Village property tax exemption for volunteer firefighters.

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.

PUBLIC COMMENT PERIOD ON NEW BUSINESS AGENDA ITEMS – None**NEW BUSINESS****APPOINT BUILDING INSPECTOR**

A motion was made by Mayor McFadden, seconded by Trustee Parker that John Ledwith be appointed Building Inspector replacing Eugene Ninnie of CTE who is currently on “hold over” status for the remainder of the term ending June 2006.

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

The motion was passed by a 5-0 vote.

APPOINT VILLAGE CHIEF ENFORCEMENT OFFICER

A motion was made by Mayor McFadden, seconded by Trustee Parker that John Ledwith be appointed Village Chief Enforcement Officer (CEO), as defined by the NYS Uniform Building Code, for the remainder of the term ending June 2006.

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

The motion was passed by a 5-0 vote.

POLICE CONTRACT DISCUSSIONS

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the Mayor be authorized to hold contract discussions with the Village Police Department.

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

The motion was passed by a 5-0 vote.

PUBLIC COMMENT PERIOD ON MATTERS THAT AFFECT THE VILLAGE

Village residents who spoke during the Public Comment Period were: Peter Simonetta, Mary Graetzer, Claudio Guazzoni, Susan Goodfellow, Uli Pendl, Sally Sonne, Leslie deVore, Tom Wilson, Larry Darby and Jake Lindsay.

Public Comments: Letters from former Building Inspector, when was TAC charged with doing a Master Plan, TAC was suppose to do transitioning of PB and BAR, agenda changed after January meeting, should have term limits for elected officials, people shouldn't be asked not to run, sewer moratorium time line, Sterling Place study, should be an agreement to have a referendum to recall votes, agenda posting, equal reward for firefighters and ambulance corps, inappropriate comments, request for apology, request retraction, Town Recreation and Sterling Place (possible receipt of Parkland Fees), View Shed meeting on Saturday, pro development issue, conflicts of interest, re-write Village Code to conform to split boards, more workload for BAR than PB, legislative work needs to be done first.

Written Statements from the public attached: Peter Simonetta, Susan Goodfellow, and Leslie deVore.

Public comments may be heard in full on the audio cassette tape of the February 15, 2006 BOT meeting, which is available upon request at the Village Office.

AUDIT OF CLAIMS - Bills in the amount of \$114,262.65 for the General Fund, claim numbers 2-1 to 2-92, and \$35,845.47 for the Water Fund, claim numbers W2-1 to W2-26 were audited and ordered paid.

ADJOURN TO EXECUTIVE SESSION

A motion was made by Mayor McFadden, seconded by Deputy Mayor Vernon that the Board adjourn to Executive Session at 10:22 p.m. to discuss an employee matter. The vote was 5-0 to adjourn.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer