

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES MEETING  
OCTOBER 17, 2007  
7:30 P.M.**

The regular monthly meeting of the Board of Trustees was held on Wednesday, October 17, 2007 at 7:30 p.m. in the Village Hall, 80 Lorillard Road, Tuxedo Park, NY 10987.

Present: Mayor Houston Stebbins  
Deputy Mayor Lawrence Darby  
Trustee Christopher Hansen  
Trustee Tinka Shaw

Absent: Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: John Ledwith, Jeff Voss, Sgt. Sanford, Jim Hays, Lucy Edwards, Dena Steele & ??, Meg Vaught, Mary Graetzer, Susan Goodfellow, Adrienne Lucas, Bill Bortnowsky, David Morton, Alan Heywood, Audrey Perry, Michele Lindsay, Uli Pendl, David McFadden, Lesley DeVore, Jim Hickey, David du Pont, Todd Yannuzzi, Matt King (Times Herald-Record)

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

## **REPORTS**

### **MAYOR**

Mayor Stebbins gave an overview of items accomplished during the month. He also reminded everyone about the retirement party for Richie Morrow on October 27<sup>th</sup> from 4:00-6:00 p.m.

**POLICE** – A copy of the synopsis for September is attached. Sgt. Sanford will be sending an officer to a training seminar regarding commercial vehicles so the Police Department will be able to conduct inspections within the Village.

**DPW** – A copy of the October report is attached. Jeff Voss (Acting DPW Superintendent) also reported: Repaired water leaks, treated Tuxedo Lake with copper sulfate, removed fallen trees from roadways, DPW crew clearing gutters, mechanic servicing all DPW vehicles, residents need to be informed about trimming their trees and brush along roads, recommendation to look into a second water line across Tuxedo Lake.

### **ADVISORY COMMITTEES**

**VIAC** – Michele Lindsay reported on the tree removal progress at the sound end of Tuxedo Lake. Their goal is to make the area safe for resident use of the property. The bid received from

Hickory Tree for \$6,000 for removal will be considered as well the capacity of the DPW to assist.

**WILDLIFE** – Trustee Hansen stated that information will be given for hunting and the deer drives for posting on the website. Written permission for use of the land abutting the Village will be received from the landowners, including Sterling Forest.

## **PUBLIC COMMENTS**

Speakers: David Morton, Susan Goodfellow, Michele Lindsay, David DuPont, Jim Hays, Jim Hickey, Uli Pendl

Comments: Not algae in Wee Wah Lake but cyanobacteria; Environmental Committee will have lake recommendations by February 2008; encourage residents to attend Town planning board meetings-other developments coming in besides Tuxedo Reserve; Tuxedo Reserve to provide copies of all materials to the Village; residents need to trim brush and trees along their property to keep roadways clear; Jim Hickey elected school board president and will be working with Mr. Zannetti to schedule meeting in the Village for presentation; thank you for bringing department heads back to monthly meetings; wish Jeff Voss lots of luck as Acting DPW Superintendent; urge residents to attend school board meetings; in the past letters sent to homeowners to trim their trees and shrubs.

Trustee Comments: Environmental Committee working with a number of organizations including the NYS Federation of Lakes. All issues need to be factored and the three lakes may need different types of treatment. The DPW and fire department will work jointly regarding keeping the roadways clear for truck clearance.

## **BUILDING PERMITS**

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the building permit application of Ed Stroz and Sally Spooner, 92 Lookout Road, for replacement of windows and gates and painting be approved. The vote was 4-0 in favor.

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the building permit application of Douglas Ewing, 8 Pepperidge Road, for relocation and replacement of a bedroom and a kitchen entry window be approved. The vote was 4-0 in favor.

## **UNFINISHED BUSINESS**

**O&R LIGHTING PROJECT** – Mayor Stebbins, Trustee Worthy and Bryan Colwell met with representatives of O&R regarding the replacement of the current street light fixtures in the Village. The Utility Advisory Committee is asked to join in the discussion or send the Board their written suggestions.

## **LETTERS RECEIVED**

Letters were received from: Michael Collins, Bonnie Blacklock, Jean Donnelly, and David Morton regarding Wee Wah Lake.

Also Todd Yannuzzi sent a letter regarding the safety of the wall along his property. A discussion was held.

**MAP DIGITIZATION DEMONSTRATION** - Mayor Stebbins stated that O'Brien & Gere and Weston & Sampson submitted proposals for the map digitization. However, the issues are complex and a demonstration needs to be given to the Trustees

### **SPECIAL BOARD OF TRUSTEES MEETING**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that a special Board of Trustees meeting be held on November 1, 2007 for the purpose of observing demonstrations by the engineers of the map digitization. The vote was 4-0 in favor.

**REVIEW OF COMMITTEE MISSION STATEMENTS & PROJECTS** - Mission Statements were received from the Website Policy Committee and the Environmental Advisory Committee.

**WEE WAH BEACH CLUB LEASE** – The Beach Club 3-year lease expired in September 2007. All documents will be reviewed and the building inspector will conduct an inspection of the property. Any one having recommendations regarding the Beach Club is asked to put it in writing stating a rationale and financial analysis.

### **NEW BUSINESS**

#### **TUXEDO CLUB FISH STOCKING**

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the request by the Tuxedo Club to stock fish in Tuxedo Lake be approved.

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

The motion was passed by a 4-0 vote.

#### **TUXEDO JOINT FIRE DISTRICT**

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that Edward Brennan be reappointed Commissioner in the Tuxedo Joint Fire District for the term January 1, 2008 through December 31, 2013.

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

The motion was passed by a 4-0 vote.

**EXPENSE REIMBURSEMENT BY BOARD APPLICATIONS** – A discussion was held.

A motion was made by Deputy Mayor Darby, seconded by Mayor Stebbins that the following resolution be passed regarding reimbursement of applicant consulting fees:

WHEREAS, at its January 17, 1996 meeting, the Board of Trustees considered a revised fee schedule for the Planning Board and Board of Zoning Appeals providing for reimbursement by applicants of legal, engineering and other professional costs incurred as a result of their applications;

WHEREAS, the functions of the Planning Board and the Board of Architectural Review were previously consolidated as both Boards sat together with the same members but the relevant Boards were separated in 2006;

WHEREAS, the Board of Trustees wishes to make clear that applicants to any of the Board of Architectural Review, the Planning Board and the Board of Zoning Appeals are responsible for all expenses of legal, engineering and other professional costs incurred by any such Board or the Board of Trustees as a result of their applications;

THEREFORE, it is

RESOLVED, that the January 17, 1996 resolution of the Board of Trustees be amended to provide that applicants to any of the Planning Board, Board of Architectural Review or Board of Zoning Appeals are responsible for the reimbursement in full to each said Board and the Board of Trustees of the Village of Tuxedo Park for all expenses incurred by any of them for legal, engineering or other professional costs in connection with their respective applications and that the fee schedule of the Village reflect the same.

Vote of the Board: Mayor Stebbins- aye  
Deputy Mayor Darby – aye  
Trustee Shaw – aye  
Trustee Hansen – aye

The motion was passed by a 4-0 vote.

**REQUEST BY DR. RAPAILLE** – The request by Dr. Rapaille to have a mirror installed on the curve on Crows Nest Road because of safety concerns was discussed. Since this subject is part of a survey that the VIAC would like to do, it will be tabled at this time.

**GARBAGE BID SUMMARY** – Three bids were received. Sicoli Sanitation @ \$8,999 -18% under current, Sterling Carting @ \$12,719.95 (+16% over current) and Interstate Waste @ \$14,014.08 (+27% over current). We currently pay \$11,000 per month to our current hauler, Interstate Waste. (18% under the current monthly payment of \$11,000.

A decision was be made at the November 1<sup>st</sup> Special Board of Trustees Meeting.

**WEE WAH DAM SAFETY INSPECTION** – A discussion was held.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Request for Proposal from Weston & Sampson in the amount of \$4,400 for the safety inspection of the Wee Wah Dam be approved.

Vote of the Board: Deputy Mayor Darby – aye  
Trustee Shaw – aye  
Trustee Hansen- aye  
Mayor Stebbins – aye

The motion was passed by a 4-0 vote.

**FENCE LAW** – Local Law Introductory 1 of 2007, which minimally modifies Local Law #4 of 2006 – Fence Law, was presented. A public hearing will be scheduled for the December Board of Trustees Regular Monthly Meeting. A copy of the proposed law is attached.

**NATIONAL FLOOD INSURANCE** – This is a voluntary government program. However, if the municipality does not participate, residents will not be eligible for assistance if needed. A discussion was held.

**NEW BOARD OF TRUSTEES MEETING DATES**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the meeting dates for the November and December Board of Trustees Meetings be changed to November 14, 2007 and December 12, 2007. The vote was 4-0 in favor.

**LETTERS FROM THE PUBLIC** – A discussion was held regarding letters received vs. public comments at Board of Trustees meetings.

**MINUTES**

A motion was made by Deputy Mayor Darby, seconded by Mayor Stebbins that the minutes of the September 19, 2007 Board of Trustees meeting be approved. The vote was 4-0 in favor.

**ADJOURN TO EXECUTIVE SESSION**

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the meeting be adjourned to executive session at 10:30 p.m. to discuss litigation matters, the O.C. DA proceedings and to address Village employee issues. The vote was 4-0 in favor.

**REOPEN REGULAR SESSION**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the regular meeting be opened at 12:00 a.m. The vote was 4-0 in favor.

**AUDIT OF CLAIMS** – Bills in the amount of \$128,361.61 for the General Fund, claim numbers 10-1 to 10-105 and \$8,113.90 for the Water Fund, claim numbers W10-1 to W10-11 were audited and ordered paid.

**ADJOURNMENT**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the meeting be adjourned at 12:40 a.m.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk