

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
JULY 18, 2007
7:30 P.M.**

The regular monthly meeting of the Board of Trustees of the Village of Tuxedo Park was held on Wednesday, July 18, 2007, in the Village Hall, 80 Lorillard Road, Tuxedo Park, NY.

Present: Mayor Houston Stebbins
Trustee & Deputy Mayor Larry Darby
Trustee Tinka Shaw
Trustee Charlotte Worthy

Absent: Trustee Christopher Hansen

Also: John Ledwith, Richard Morrow, Peter Regna, Celeste Gebhardt, Sioban Hansen, Joan Riccardi, David McFadden, Margaret Cheung, Kathy Norris, Meg Vaught, Nancy Hays, Susan Goodfellow, Denis & Linda Miller, Barbara & David DuPont, Dena Steele, Houston Stebbins, Jr., Daniel DeSimone, Greg & Linda Libby, Sue & Alan Heywood, Edward Kliewe, Uli Pendl, Doug Benedict, Doug Dyne, Tom Salierno, Audrey Perry, Dana Farrington, Lucy Edwards, Alan Stenberg, Jacqueline Urra, Paola Tocci, Lesley DeVore, William Westby, Mary Graetzer, Michele Lindsay, and others

Mayor Stebbins called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

DEPARTMENT HEADS – Mayor Stebbins announced that Department heads will be asked to attend all BOT meetings going forward.

REPORTS

DPW – Richard Morrow reported that there were two water main breaks over the weekend which his crew repaired. The striping of the lines on the Village roads will be done within the next couple of weeks, and he will start to order sand to stockpile for the coming Winter. He is getting quotes on a new leaf machine, which was budgeted. He requested a letter be sent in the fall to residents notifying them that the Village does not pick up leaves. He requested the Village considered putting an additional water line under the lake to serve the west side in case something happens to the existing water line. There is no other backup if there is a problem. Mayor Stebbins stated that the water line is a topic for the Infrastructure Committee and O'Brien & Gere engineers.

POLICE – A copy of the synopsis for June 2007 is attached.

PUBLIC COMMENTS:

The following residents spoke: Joan Riccardi, Susan Goodfellow, Dana Farrington, Nancy Hays, Alan Heywood.

Topics: Aggressive weed growth in Wee Wah, can it be tested; concern regarding Village e-mail, electronic communications, public records; have attorney come and address the electronic issues; request update on repairs of Wee Wah Dam and Tuxedo Lake Dam and when will they be done; use of pesticides and fertilizers around the lakes and the need for some kind of control; what are the office hours for the Mayor; concern with Wildlife committee Chair and members and the overall health of deer; what is the status of the Racetrack cleanup.

Mayor Stebbins responded:

Dam Repairs: An Executive Session meeting was held on July 11th with the NYSDEC regarding the Tuxedo Lake Dam repairs. The Infrastructure Committee will address the issue of the Wee Wah Dam repair.

Office Hours: Mayor's office hours will be Thursdays from 9-10:30 a.m.

Committees: He will ask those who have served who they recommend, who the members are and who they would like to serve as Chairman. He will be asking each committee to propose what their mission and proposed projects are. The BOT will evaluate the projects and prioritize.

Racetrack: He met with Town Supervisor Dolan to discuss. The Town currently needs the contractor to remedy a problem at the Town Recycling area. Therefore, cleanup is expected to take place in early August.

Public Comments was closed at 8:19 p.m.

UNFINISHED BUSINESS

POLICE REPORT SUMMARY – The BOT has a draft summary and will consider it in Executive Session.

GARBAGE CONTRACT – Village resident Richard Fuller has submitted a 60-page draft contract and list of haulers for the Trustees to review. The target is to authorize a bid opening date in August but no later than the September BOT meeting.

O'BRIEN & GERE – As a result of the expanded requirements of the NYSDEC regarding the Tuxedo Lake Dam repairs, O'Brien & Gere needs to develop their own data as opposed to using 12-year old data. Therefore, a new proposal is required.

A motion was made by Mayor Stebbins, seconded by Trustee Darby that the Board accept the all-in proposal by O'Brien & Gere in the amount of \$36,500 for increased engineering services relative to the Tuxedo Lake Dam.

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

The motion was passed by a 4-0 vote.

AMENDMENT TO LAKE LAW REVISION PANEL RESOLUTION

A motion was made by Trustee Darby, seconded by Mayor Stebbins that an amendment be made to the March 21, 2007 Lake Law Revision Panel Resolution by adding the words “or taxpayers” after the word residents in the second paragraph, third line.

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

The motion was passed by a 4-0 vote.

REQUEST BY JOSEPH MCCANN

Mayor Stebbins read the letter from Joseph McCann dated July 11, 2007 in which he offers to have the Fire Department use his 112 Turtle Point Road house for a training event. The house is slated to be demolished in order to construct a new one in its place. There were no objections by the Board. All liability for this exercise will be assumed by the Tuxedo Joint Fire District. They will be asked to draw up a release.

REQUEST BY ANTHONY URCIOLI

Mayor Stebbins read the letter from Anthony Urcioli dated June 6, 2007 in which is requests permission to use the Village Hall parking lot for the parking of about 35 cars on August 18th for a party he is having. There was no objection from the Board but they requested that Mr. Urcioli coordinate with the Tuxedo Park Police for parking detail.

NYS DOL SAFETY REPORT UPDATE

Mr. Morrow reported that he has mitigated 20 serious violations within the deadline date. There were an additional 19 non-serious violations of which Richie has completed half and is working on the others. He expects to complete all of them within the deadline. Situations are also being corrected in other Village buildings before NYS DOL comes to inspect them.

Frank Lunde, the DPW employees who was injured on the job in February, will return to work on Monday, July 23rd.

REQUEST FOR VEHICLE TAG

Mayor Stebbins read the letter from Carol Stachelek dated July 10, 2007 in which she requests a non-resident vehicle tag in order to enter through the South Gate to reach her job at the Tuxedo Park Library. The Board declined her request.

AFLAC INSURANCE OPTION

The Board agreed that eligible employees will be allowed to participate on their own in AFLAC's cafeteria plan under Section 125 of the IRS. Participants will have Payroll deductions which will be at no cost to the Village.

CLERICAL ASSISTANCE

A motion was made by Mayor Stebbins, seconded by Trustee Worthy to extend temporary clerical help in the Village Office from 30 days to 120 days at 4 hours per day at \$15 per hour and to hire a second temporary assistance with FOIL expertise for 30 business days at 4 hours per day at a maximum hourly rate of \$20 per hour.

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

The motion was passed by a 4-0 vote.

LETTER FROM ATTORNEY FOR TUXEDO PARTNERS

Mayor Stebbins read the letter from J. David MacCartney, Esq. of Feerick Lynch MacCarney dated July 18, 2007 regarding Tuxedo Partners request to be placed on the July 18th BOT agenda. The suggestion by the BOT is that Tuxedo Partners present their request to the PB first then to the BOT.

O'BRIEN & GERE

Mayor Stebbins stated that Richie Morrow will be retiring 9/30/07 and Village water & sewer maps need to be preserved. He and Richie will meet with O'Brien & Gere first and then other engineering firms to explain what is needed in order to obtain quotes for transferring data to an electronic media. Trustee Worthy was asked to participate in the meetings because of her expertise.

BUILDING PERMITS

A motion was made by Mayor Stebbins, seconded by Trustee Darby that the Board approve the building permit of Robert Simon, 53 Tower Hill Road, Tax Map No. 107-1-38, for a new side entrance, foyer, porch and stone patio at a cost of \$125,000. The vote was 4-0 in favor.

A motion was made by Mayor Stebbins, seconded by Trustee Darby that the Board approve the building permit of Conrad & Monica Volstad, 52 Turtle Mt. Road, Tax Map No. 103-1-20, for renovations including an addition at the west & east elevations (a setback variance was previously granted by the BZA), gazebo, enclosure and re-roofing at a cost of \$500,000. The vote was 4-0 in favor.

EXECUTIVE SESSION

A motion was made by Mayor Stebbins, seconded by Trustee Darby that the Board enter into Executive Session at 9:25 p.m. to discuss Police and DEC litigation matters. The vote was 4-0 in favor.

RE-ENTER REGULAR SESSION

A motion was made by Mayor Stebbins, seconded by Trustee Darby to re-enter Regular Session at 12:00 p.m. The vote was 4-0 in favor.

CORRECTION TO REORGANIZATION MEETING APPOINTMENT LIST

A motion was made by Mayor Stebbins, seconded by Trustee Darby that Lawrence A. Darby III be appointed to the additional position of Budget Officer and that his name be included in the motion approving the Appointments as listed in the Reorganization Meeting Agenda. The vote was 4-0 in favor.

AUDIT OF CLAIMS - Bills in the amount of \$120,365.09 for the General Fund, claim numbers 7-1 to 7-87, and \$12,407.34 for the Water Fund, claim numbers W7-1 to W7-14, were audited and ordered paid.

ADJOURNMENT

A motion was made by Mayor Stebbins, second by Trustee Darby to adjourn the meeting at 12:30 p.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Clerk-Treasurer

These minutes were approved at the 8/15/07 BOT meeting.