

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
MAY 21, 2008
7:30 P.M.**

Present: Mayor Houston Stebbins
Deputy Mayor Lawrence Darby
Trustee Christopher Hansen
Trustee Anna (Tinka) Shaw
Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: John Ledwith, Jeff Voss, Michael Donnelly, Esq., Bonnie Franson (Planner), Jim & Nancy Hays, Andy Jackson, Chris & Sally Sonne, Mary Graetzer, Peter Regna, Meg Vaught, Sue & Alan Heywood, Dena Steele, Kathy Biehl, Mike Santoianni, Greg Libby, Celeste Gebhardt, Alan Barnett, JoAnn Hanson, Jock & Ann MacKinnon, Rob Silvay, Gary Glynn, Matt King (THR Reporter) and four attorneys

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

REPORTS

Mayor Stebbins

Executive Session was held prior to the regular session to discuss DEC litigation with the Village Attorney.

Thanked Deputy Mayor Darby for all his efforts, which include financial work, legal insight and negotiating skills, on behalf of the Village as he is not running in the June election.

Deputy Mayor Darby

Reported the Village is in sound financial condition. The individual departments have done well with their budgets. Water fund revenues are up.

The challenge the Village now faces is to develop an infrastructure spending plan.

POLICE – A synopsis of April activities is attached.

DPW

Jeff Voss reported: East Lake Road resurfacing on Friday at 8am; Tuxedo Lake treated today (bi-annually) with copper sulfate - Fred Lubnow of Princeton Hydro said for the size of the lake, we are under dosing; hydrant flushing started today.

BUILDING PERMITSSammann

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the building permit application of Todd & Karinn Sammann, 104 Clubhouse Road, Tax Map No. 107-1-41 for driveway alternation and construction of a new rock wall as approved by the BZA and BAR be approved.

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

The motion was passed by 5-0 vote.

Gazin

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the stop work order previously issued to Gennady Gazin, 60 Lorillard Road, be lifted since he complied with the Board's request and changed the vinyl clad windows back to wood windows.

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

The motion was passed by a 5-0 vote.

Granito

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Board approve the stop work order issued to Michael Granito for the installation of Belgian block curbing and driveway apron without a building permit.

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

The motion was passed by a 5-0 vote.

Maslov and Mason

Upon the recommendation of John Ledwith, building inspector, who brought in an arborist to assess the tree cuttings and damage, the Board was in agreement to pursue legal action against property owner Maslov (West Summit Road) and Mason (Camp Comfort Road) for the topping

and removal of trees 48” above the ground and 5” in diameter in excess of the yearly allowed four trees.

PUBLIC COMMENTS

Speaker: Sally Sonne

Comments: More effort is required by the Village to inform residents to recycle and hand out notices to those who don't.

OLD BUSINESS

LOCAL LAW INTRODUCTORY #4 OF 2008 – LAKE LAW

EAF Review

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the Board of Trustees declares itself lead agency for Local Law Introductory #4 of 2008.

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

The motion was passed by a 5-0 vote.

The EAF form was reviewed at length. The letter from the Village Engineer will be attached to the EAF form as Part 3.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the Mayor be authorized to sign the verification of the EAF form.

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

The vote was 5-0 in favor.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that Local Law Introductory #4 of 2008 is a Type I action under SEQRA, that the Board of Trustees has determined it will have no adverse environmental impact, and the Board issues a Negative Declaration.

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

The motion was passed by a 5-0 vote.

PUBLIC HEARING – CONTINUATION

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 10:00 p.m.

Speakers: Sally Sonne, Mike Santoianni, Andy Jackson, Peter Regna, Greg Libby,

Comments: Other methods to clean boats besides steam cleaning should be done; docks are not removed from the lakes and don't need cleaning; anything put in the lakes – boats, trailers, docks – should be cleaned; VBC dock should be approved; docks should be documented.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be closed at 11:15 p.m.

A discussion was held.

LOCAL LAW INTRODUCTORY #2 OF 2008 - GATEWAY OVERLAY DISTRICT

PUBLIC HEARING

The public hearing was opened at 11:16 p.m.

Speakers: Greg Libby, Meg Vaught, Attorneys from Keane & Bean

Comments: Neighbors weren't notified of this law change; it's not in the Village code that neighbors must be notified; how would the gateway law affect subdivisions within it's boundary; believe it's reverse spot zoning;

EAF Review

A motion was made by Mayor Stebbins, seconded by Deputy Trustee Worthy that Local Law Introductory #2 of 2008 is a Type I action under SEQRA.

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

Trustee Shaw – aye

The motion was passed by a 5-0 vote.

A motion was made by Mayor Stebbins, seconded Trustee Worthy that the Mayor be authorized to sign the verification of the EAF form.

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

The vote was 5-0 in favor.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the Board of Trustees has determined that Local Law Introductory #2 of 2008 will have no adverse environmental impact and the Board issues a Negative Declaration.

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

The motion was passed by a 5-0 vote.

A discussion was held.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing on Local Law Introductory #2 of 2008 be adjourned at 12:55 a.m. to be continued on June 2, 2008 at 7:30 p.m. The vote was 5-0 in favor.

WEE WAH BEACH CLUB LICENSE AGREEMENT

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the changes to the License Agreement of the Wee Wah Beach Club be approved and that the Mayor be authorized to sign the agreement.

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

The motion was passed by a 5-0 vote.

BUDGET TRANSFERS

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board approve the budget transfers for the fiscal year ending May 31, 2008 as show on the attached list.

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

The motion was passed by a 5-0 vote.

GENERAL LIABILITY INSURANCE POLICY RENEWAL

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Board accept the one year contract with Selective Insurance inclusive with the increase and that the Mayor be authorized to sign the contract.

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

The motion was passed by a 5-0 vote.

LEVY UNPAID WATER BILLS

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the Clerk be authorized to levy any unpaid water account balances over \$10 onto the 2008-2009 Village tax bill of any Village resident who has an outstanding balance as of May 27, 2008 in the total amount as shown on the attached list.

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

The motion was passed by a 5-0 vote.

TUXEDO CLUB FIREWORKS REQUEST

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board approve the request of the Tuxedo Club to hold its fireworks display on July 2, 2008 with a rain date of July 5, 2008 and that an insurance certificate be provided to the Village prior to the event naming the Village as additional insured.

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

The motion was passed by a 5-0 vote.

TOWN OF TUXEDO RECREATION REQUEST - Mayor Stebbins noted the topic of using the Wee Wah Beach area for the Town Recreation Program is covered in the Wee Wah Beach Club License Agreement.

AUDIT OF CLAIMS - Bills in the amount of \$165,320.07 for the General Fund, claim numbers 5-1 to 5-116, and \$15,809.41 for the Water Fund, claim numbers W5-1 to W5-16 were audited and ordered paid.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the meeting be adjourned at 1:45 a.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer

These minutes were approved by the BOT on 7/8/09.