

**VILLAGE OF TUXEDO PARK
SPECIAL BOARD OF TRUSTEES MEETING
JANUARY 29, 2008
7:30 P.M.**

A special meeting of the Board of Trustees was held on Tuesday, January 29, 2008, 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
Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: Gary Glynn, Bonnie Franson, Mike Donnelly, Sara Cassis, Kathy Norris,

Mayor Stebbins called the meeting to order and led the Pledge of Allegiance. He noted that some items have been added to tonight's agenda: Fraud Hotline Reporting, Reimbursement rate for DPW third party billing, Orange County Workers' Compensation Program, Temporary Help in the Village Office and Executive Session to discuss litigation and Village employee matters.

Mayor Stebbins noted that the purpose of the meeting and presentation is to inform the Board and the public about the Viewshed Committee Report and how it relates to the proposed new local law (Introductory Local Law #2 of 2008-Viewshed Overlay Districts). He thanked Gary Glynn and his Viewshed Advisory Committee as well as Bonnie Franson and Attorney Mike Donnelly for all the time they put in on the report and law.

**PRESENTATION – VIEWSHED PROTECTION FOR THE VILLAGE
THROUGH VIEWSHED OVERLAY DISTRICTS**

Gary Glynn opened with a brief history of the Viewshed Committee and the need for preserving the historical and aesthetic character of Tuxedo Park.

Village Planner Bonnie Franson explained the methods used to create the proposed overlay districts as well as the extensive research done.

BZA Attorney Mike Donnelly outlined the procedural steps involved in enacting the proposed local law. He also addressed the 'grandfathering' of existing properties.

TRUSTEE COMMENTS

Are there studies that show how similar laws may have affected land values; will the new legislation lift prohibition on building on a ridgeline; would existing homes in the districts have to comply; why would the law be enforced by the PB and BAR; how were the properties in the districts selected; old foundations are within the districts - so could they be built to original specs under the new law?

PUBLIC COMMENTS

In favor of the new law but the suggested standards should be applied to other areas of the Park; would the applicant process change; the proposed standards and restrictions would devalue properties and discourage new purchasers; the language in the law is capricious, vague and arbitrary; delays foreseen in the application process; a Special Use Permit would provide more clarity for applicants; the law will limit architectural style; concern that the Village would be divided into separate areas with different standards; not enough analysis done and encourage Trustees to do so, especially on the long term effects on property values, local schools, and the economics.

ADDITIONAL COMMENTS

Mayor Stebbins stated that anyone wishing to make additional comments should submit them in writing to Debbie at the Village Office.

This portion of the meeting was closed at 9:50 p.m.

NEW BUSINESS**FRAUD HOTLINE**

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that Lighthouse Services, Inc., Lower Gwynedd, Pennsylvania, be contracted to set up and monitor a fraud and ethics hotline using a toll free number at a cost of \$552.50 per year, that any complaints will be sent by email to the Village Attorney and the Mayor, and that monthly activity reports will be forwarded to the Mayor.

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

The motion was passed by a 5-0 vote.

DPW REIMBURSEMENT FOR THIRD PARTY WORK

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that any work the Village DPW performs for a third party, such as water and sewer line repairs, will be billed at the DPW's regular hourly rate plus benefits.

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

The motion was passed by a 5-0 vote.

EXIT FROM ORANGE COUNTY SELF-INSURED WORKERS' COMP PROGRAM

A discussion was held regarding the circumstances and consequences of the Village exiting the Orange County Self-Insured Workers' Comp program.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Mayor be authorized to sign such documents as may be required by the provider, Orange County, by giving notice to the Self-Insured Workers' Compensation Plan of Orange County of the Village of Tuxedo Park's termination date as a participant under such plan provided however that the Village of Tuxedo Park have new Workers' Compensation insurance in effect with PERMA on such termination date of January 31 and that no monetary penalties are incurred as a result of such termination recognizing that the Village will have to pay for its January 2008 insurance coverage, tail claim payments made by Orange County and similar related costs in the ordinary course and the letter would go out as approved by Deputy Mayor Darby or Village Attorney James Roemer.

There was no vote taken.

After further discussion it was decided that more information is needed on the Village's rights and the appropriate exit letter should be prepared by the Village Attorney. It was noted that an emergency Board of Trustees meeting may be needed to approve such letter.

TEMPORARY VILLAGE OFFICE CLERICAL ASSISTANCE

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that temporary clerical assistance for the Village Office be extended to April 15th.

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.

ADJOURN TO EXECUTIVE SESSION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the Board enter Executive Session at 10:30 p.m. to discuss litigation and Village employee matters. The vote was 5-0 in favor.

REOPEN REGULAR SESSION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby to re-open regular session at 1:00 a.m. The vote was 5-0 in favor.

APPOINT DPW SUPERINTENDENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that Jeffrey Voss, Acting DPW Superintendent, be appointed to the position of Superintendent of the DPW at a base salary of \$68,000, effective February 1, 2008.

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

The motion was passed by a 5-0 vote.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Darby that the meeting be adjourned at 3:10 a.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer