

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
JANUARY 21, 2009
7:30 P.M.**

Present: Mayor Houston Stebbins
Trustee Christopher Hansen
Trustee James Hays
Trustee Anna (Tinka) Shaw

Absent: Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: Chief Sanford, John Ledwith, Rick Golden, Esq., Meg Vaught, Mary Graetzer, Mary Grimmig, Dena Steele, Alan Heywood, Michelle & Jake Lindsay, Chiu-yin Hempel, Kathy Biehl, Joanne Hanson, Serene Swirbul, Anne Zgonena, Bonnie Franson, Brian Nugent (Esq.-Feerick Lynch MacCartney), Steve Stern (Esq.-Sokoloff & Stern for Selective Insurance), and videographer for Donald Hanson.

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

REPORTS

Mayor Stebbins

Reported the Village's General Fund cash position at the end of December was 5% below 2007 (\$1,672,000 vs. \$1,759,000), the reason being that about \$112,000 has been spent outside of the budget for infrastructure related items. However, the Village is well situated and in total has spent 68.5% of budgeted funds through January 10th, which is consistent with where we are in our fiscal year. We expect to make additional collections relating to professional review fees and water bills to offset the year over year decline in the Village's cash position. Attention is being given to arranging the needed financing for the Village's infrastructure projects.

The adopted noise law was crafted to focus on weekend noise, specifically leaf blowers. A few complaints have been received recently that landscapers are now using leaf blowers to move snow around. In the noise law, only three weekends in November were granted as a noise exception for leaf removal. Snow removal with a leaf blower is not discussed in the noise law; this will be addressed later in the meeting.

DPW Superintendent Jeff Voss was in the hospital at the beginning of the year and is now doing well.

Deputy Mayor Hays

Reported that all the DPW equipment is now protected from the elements in a rental space on Benjamin Meadow Road.

He's working on sharing certain equipment with the Town. The Town of Tuxedo is now authorized to perform NYS Inspections on municipal vehicles and will inspect the Village's vehicles at no cost.

Police

Chief Sanford read the synopsis of last month's activities. He noted there have been recent problems at the front gate and suggested that a video and audio system be installed for monitoring purposes. He obtained a quote of \$4,500 from our current supplier for the South Gate system. The Board asked him to work with Trustee Hansen to formulate an RFP to send out to other companies.

DPW

The new dump truck/snow plow was received. The Village's salt supply is running low. It was noted that the salt mixture used on the Village roads is $\frac{3}{4}$ sand and $\frac{1}{4}$ salt.

Advisory Committees

Infrastructure: Jake Lindsay gave the report for the committee. (A copy is attached.) Items discussed were continued GIS work – request additional \$7,000 for W&S to validate modeling information, Tuxedo Lake Dam/water line, Wee Wah Dam, DPW facility repair and structures, East Lake Road wall repair, West Lake Road guide rail repair and Tuxedo Road guide rail repair.

VIAC: Michele Lindsay gave the report for the committee. (A copy is attached.) Items discussed were O&R street lights, guide rails, Village sign at the front gate (request of \$950 to replace), making Clubhouse Road One-Way from Tower Hill Road to Tuxedo Road, and budget requests which will be submitted for the 2009-2010 budget.

A discussion was held on the above. Attorney for the Village Rick Golden will research the issue of converting the two-way street to a one-way street.

PUBLIC COMMENTS

Speakers: Michele Lindsay, Jake Lindsay, Dena Steele, Joann Hanson,

Comments: Opposed to the purchase of a Village parcel by a Village resident whose intent is to preserve it as 'forever green'.

REQUEST REGARDING VILLAGE OWNED LAND ON EAGLE MT. ROAD

Gary Glynn had asked the Village (beginning in January 2007) to consider selling him one of the two Village owned parcels on Eagle Mt. Road. He would put a conservation easement on it in order to make it 'forever green'. A discussion followed. Attorney for the Village Rick Golden will research whether the Village ever declared the parcel (part of a subdivision by the TPA) as Parkland and if it was recorded in the deed.

BUILDING PERMITS – none for this month.

OLD BUSINESS**PRECIPICE & RIDGELINE ADVISORY COMMITTEE REPORT**

Chiu-yin Hempel, Chair of the Committee, gave a presentation on the Second Interim Report. She requested a \$2,000 allocation of funds so that the committee can hire a lighting consultant to develop a plan and present it at a Board of Trustees meeting.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Precipice and Ridgeline Advisory Committee be given a special budget of up to \$2,000 to hire a lighting expert to assist the committee and to give a final report to the Board of Trustees.

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

The motion was passed by a 3-1 vote.

HANSON BUILDING PERMIT EXTENSION – CONTINUED DISCUSSION

A lengthy discussion was held regarding the information the Board of Trustees had requested from Donald Hanson. Mr. Hanson has submitted his drainage and erosion control plan to the Village's Engineer. This information will be reviewed.

The Board discussed holding a special meeting prior to the February 18th regular Board of Trustees meeting to address the Hanson project.

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that a special meeting of the Board of Trustees be held on Thursday, January 29, 2009 at 5:30 p.m. to continue the discussion of the Hanson building permit application and any other matters that may come before the Board.

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

The motion was passed by a 4-0 vote.

AWARD BID FOR SEWER CLARIFIER COVER – Four bids were received, three of which were not for the specified product but for a salt shed.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the bid (with exact specifications) for the sewer plant clarifier cover be awarded to Tek Supply, Dyersville, Iowa, at a cost of \$18,346.58.

Vote of the Board: Deputy Mayor Hays – aye
Mayor Stebbins – aye

Trustee Hansen – aye
Trustee Shaw – aye

The motion was passed by a 4-0 vote.

LOCAL LAW INTRODUCTORY #7 OF 2008 - PROPOSED NEW FENCE LAW – CONTINUATION OF PUBLIC HEARING

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be opened at 10:30 p.m. The vote was 4-0 in favor.

Mayor Stebbins stated that he received a response from Peter Regna, PB Member, regarding some suggestions on the law. The Board of Trustees will again circulate the proposed law to the PB, BAR, and BZA seeking any additional comments. The proposed law will be reworked and a new draft circulated to the Trustees prior to the February 18th meeting.

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the public hearing on the proposed fence law be continued at the February 18, 2009 regular Board of Trustees meeting.

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

The motion was passed by a 4-0 vote.

WATER BILLING COLLECTION ISSUES

Trustee Shaw stated that she, Mary Grimmig and John Ledwith are making good progress in resolving the problem water accounts. It was suggested that the water billing program be installed on a second computer at a one-time cost of \$800 with an annual maintenance fee of \$200.

NEW BUSINESS

NOISE LAW

A discussion was held on the issue of leaf blowers being used by landscapers to move snow around. Attorney Golden suggested the adopted law be amended in order to address the Board's concerns.

2009-2010 PRELIMINARY BUDGET DATA FROM DEPARTMENT HEADS

Mayor Stebbins announced that departmental proposed 2009-2010 budget data from the Village's Department Heads are to be submitted to the Budget Officer by February 13, 2009.

APPROVAL OF MINUTES – deferred to Special BOT meeting on January 29th.

ADJOURN TO EXECUTIVE SESSION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board enter Executive Session at 11:26 p.m. to hold an Attorney-Client meeting and to discuss DEC enforcement action, the Hanson litigation, and employee responsibilities and compensation. The vote was 4-0 in favor.

RE-OPEN REGULAR SESSION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board re-open regular session at 2:00 a.m. The vote was 4-0 in favor.

AUDIT OF CLAIMS - Bills in the amount of \$216,939.96 for the General Fund, claim numbers 1-1 to 1-123 and \$17,172.44 for the Water Fund, claim numbers W1-1 to W1-19. were audited and ordered paid.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the meeting be adjourned at 2:30 a.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer

These minutes were approved by the BOT on 6/24/09.