

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES MEETING  
OCTOBER 14, 2009  
7:30 P.M.**

Present: Mayor Houston Stebbins  
Deputy Mayor James Hays  
Trustee Christopher Hansen  
Trustee Gerard Pompan  
Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: John Ledwith, Chief Sanford, Jeff Voss, Richard Golden, Esq., Meg Vaught,  
Dena Steele, Mary Grimmig, Daniel Laukitis, Peter Regna

Mayor Stebbins called the meeting to order at 7:30 p.m. and announced the Board would enter an attorney-client session for about an hour.

### **OPEN REGULAR SESSION**

Mayor Stebbins opened the regular session at 8:40 p.m. and led the Pledge of Allegiance.

### **REPORTS**

#### Mayor Stebbins

Reported the General Fund balance is running about \$340,000 higher than a year ago. He thanked the Board for all their work – Deputy Mayor Hays for monitoring Tuxedo Reserve, the Environmental Committee, and researching future projects like a fertilizer ban throughout the Park; Trustee Worthy for work on tree legislation and arranging consulting architects for the BAR and locating an historical architect to help with the Design Guidelines; Trustee Hansen for assisting in an attorney search, researching comparable health insurance benefits, and working closely with the Police on projects; and Trustee Pompan in assisting in an attorney search, working with John Ledwith in developing water department reports, and heading up efforts on next year's budget.

In conclusion, he stated that the Board has been working well together and hopes they will continue to do so.

#### Deputy Mayor Hays

Announced a pancake breakfast will be held on Sunday from 9am to 2pm at Cabrini Hall to benefit a family in Town having financial difficulties.

A public hearing on Tuxedo Reserve will be held on October 26<sup>th</sup> regarding their proposed amendment to their special permit. Changes include more multi-family units, development in

the Tuxedo Lake water shed, and more commercial space. These changes will affect the Town and Village in the future and also impact taxes.

A grant proposal has been sent to the NYSDEC to improve stormwater drainage in the Village, especially around the lakes. The proposal requests financing by the DEC for G.I.S. mapping of the existing system as well as engineering proposals for the repair and possible redesign of the system.

Police – Chief Sanford gave a synopsis of the Police activities for September. Trustee Pompan expressed concern about speeders in the Village. Chief Sanford responded that he is addressing the issues and recommendations to the Board will be forthcoming.

DPW – Superintendent Voss reported hydrant flushing will start October 22<sup>nd</sup> in the Village and October 26<sup>th</sup> in the Town. The leak detection program, being done by George Walters of New Tech, is nearing completion with mostly minor leaks found. Upon completion, a report will be submitted by Mr. Walters detailing his findings. A discussion was held regarding unmetered water use by the Village and by the Town fire and highway departments. The new DPW pickup truck and equipment trailer have been delivered. The new dump truck body is being installed. Bulk trash pickup is this Saturday, October 17<sup>th</sup>.

Water Department – John Ledwith reported 3<sup>rd</sup> quarter water billing totals of \$165,000, which is within a few thousand dollars for the same period in 2008. A draft water shut-off letter for Town customers was reviewed by the Village Attorney and is ready for Board approval.

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the Board approve the proposed water termination notice letter which is consistent with prior instructions to institute a water shutoff plan for those Town water customers whose water bills are in extreme arrears and who have not responded to our requests for payment.

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

The motion was passed by a 3-0 vote.

## **BUILDING PERMITS**

### Coen

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the building permit application of Maureen Coen & Eric Honor, 14 Patterson Brook Road, Tax Map No. 103-1-30.3, for the installation of an in ground swimming pool and spa as approved by the BAR be approved.

Vote of the Board: Trustee Pompan – aye  
Trustee Hansen – aye  
Mayor Stebbins – aye

Deputy Mayor Hays – aye  
Trustee Worthy – aye

The motion was passed by a 5-0 vote.

Leaf Season: John Ledwith stated that letters will be sent out to landscapers reminding them not to put leaves on someone else's property, on the edge of Village roads, in Village gutters or in the Racetrack area.

## **NEW BUSINESS**

### **REQUEST – DANIEL LAUKITIS DRIVEWAY**

A letter dated October 13, 2009 was received from Daniel Laukitis, 16 Brook Road, regarding proposed renovations to his home and reactivation of a former driveway. He would like to reactivate the former circular driveway/entrance that is 140' beyond the now unpaved portion of Brook Road. He wants assurance that the Village would continue to plow Brook Road beyond the current driveway to the new entrance. If the Village requires the additional roadway to be paved, he is willing to pave it to the Village's specifications at his own expense.

A discussion was held and questions asked of Mr. Laukitis. The Board determined it requires more time to consider the proposal, but that does not prevent him from continuing the remainder of his application before the Board of Architectural Review.

### **APPOINTMENT – PART TIME POLICE OFFICER**

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that Ryan Eirand, Tuxedo, NY, be hired as a Part Time Police Officer effective October 20, 2009 at an hourly rate of \$20.80.

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

The motion was passed by a 5-0 vote.

### **APPOINTMENT – PART TIME TRAFFIC GUARD**

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that David Yates, Tuxedo, NY, be hired as a Part Time Traffic Guard effective October 20, 2009 at an hourly rate of \$13.50.

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

Mayor Stebbins – aye  
Trustee Hansen – aye  
Trustee Pompan – aye

The motion was passed by a 5-0 vote.

### **STOCK FISH – TUXEDO LAKE**

A letter dated October 5, 2009 was received from The Tuxedo Club requesting permission to stock Tuxedo Lake with Brown and Rainbow Trout.

A discussion was held. Comments were made regarding the recommendations of the lake wardens, the opinions about no need to stock more trout, fishing regulations, size of the fish to stock, Canada Geese and Cormorant problems, DEC permit to stock, dumping of bait fish in the lake, etc.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the above comments will be relayed to the Tuxedo Club for their response.

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

The motion was passed by a 5-0 vote.

**VILLAGE HEALTH INSURANCE** – Trustee Hansen did an analysis of various companies having comparable health insurance benefits. He found that the Village's current carrier, the New York State Empire Plan (NYSHIP), is the least expensive.

### **OLD BUSINESS**

#### **SEQRA REVIEW– SEWER PLANT PROJECTS**

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the following resolution be approved regarding the SEQRA Type II Declaration for Treatment Plant Facilities Upgrade:

WHEREAS, the Board of Trustees of the Village of Tuxedo Park has reviewed a project designated as the Treatment Plant Facilities Upgrade”, which project involves the replacement and upgrade of various equipment in the Village Chlorine Building, and repairs to the roof and foundation, and re-pointing of stones, of the Village Maintenance Building; and

WHEREAS, at its October 14, 2009 meeting, the Board of Trustees reviewed the Short Environmental Assessment Form presented by the Village Engineer in connection with this project; and

WHEREAS, the Village Attorney recommends that the above activities be considered a Type II action, pursuant to the provisions of 6 NYCRR § 617.5(c)(1) and (2);

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tuxedo Park hereby determines that the proposed Treatment Plant Facilities Upgrade project constitutes a Type II action pursuant to the State Environmental Quality Review Act, and declares that this action will not have a significant impact on the environment, and requires no further environmental review.

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

The motion was passed by a 5-0 vote.

#### EFC Application

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that Weston & Sampson Engineers be authorized to submit an application on behalf of the Village of Tuxedo Park to the NYS Environmental Facilities Corporation (EFC) for low interest financing for Treatment Plant Facilities Upgrade.

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

The motion was passed by a 5-0 vote.

#### **SEQRA REVIEW – TUXEDO LAKE DAM WATER MAIN PROJECT**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the following resolution be approved regarding the Negative Declaration for the West Lake Road New Water Main Project:

WHEREAS, the Board of Trustees of the Village of Tuxedo Park has reviewed a project designated as the West Lake Road New Water Main Project, which project involves the discontinuance of approximately one-thousand (1,000) feet of a water line going through the

Tuxedo Lake dam embankment pursuant to a Consent Order with the Department of Environmental Conservation, and the relocation of that water line; and

WHEREAS, at its October 14, 2009 meeting, the Board of Trustees reviewed the Environmental Assessment Form presented by the Village Engineer in connection with this project;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tuxedo Park hereby determines that the proposed West Lake Road New Water Main Project constitutes an Unlisted action pursuant to the State Environmental Quality Review Act ("SEQRA") and, in accordance with the attached SEQRA Negative Declaration, determines that this action will not have a significant adverse impact on the environment.

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

The motion was passed by a 5-0 vote.

#### EFC Application

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that Weston & Sampson Engineers be authorized to submit an application on behalf of the Village of Tuxedo Park to the NYS Environmental Facilities Corporation (EFC) for low interest financing for the West Lake Road New Water Main Project.

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

The motion was passed by a 5-0 vote.

#### **SEQRA REVIEW AND EFC FINANCING – STORM WATER IMPROVEMENT PROGRAM**

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the following resolution be approved regarding the Negative Declaration for the Stormwater Management Improvement Program:

WHEREAS, the Board of Trustees of the Village of Tuxedo Park has reviewed a project designated as the Stormwater Management Improvement Program, which project involves the

study and redirection of Village stormwater through a treatment system and other non-chemical devices to reduce the levels of contaminants in storm water entering Tuxedo Lake; and

WHEREAS, at its October 14, 2009 meeting, the Board of Trustees reviewed the Environmental Assessment Form presented by the Village Engineer in connection with this project;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tuxedo Park hereby determines that the proposed Stormwater Management Improvement Program constitutes an Unlisted action pursuant to the State Environmental Quality Review Act ("SEQRA") and, in accordance with the attached SEQRA Negative Declaration, determines that this action will not have a significant adverse impact on the environment.

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

The motion was passed by a 5-0 vote.

#### EFC Application

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that Weston & Sampson Engineers be authorized to submit an application on behalf of the Village of Tuxedo Park to the NYS Environmental Facilities Corporation (EFC) for low interest financing for the Stormwater Management Improvement Program.

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

The motion was passed by a 5-0 vote.

#### **APPROVE MINUTES**

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the minutes of the September 9, 2009 Board of Trustees meeting be approved as amended.

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

The motion was passed by a 5-0 vote.

**AUDIT OF CLAIMS** - Bills in the amount of \$162,756.70 for the General Fund, claim numbers 10-1 to 10-97 and \$17,237.53 for the Water Fund, claim numbers W10-1 to W10-14 were audited and ordered paid.

**ATTORNEY-CLIENT MEETING**

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the Board hold an Attorney-Client meeting at 10:30 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk-Treasurer