

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
APRIL 8, 2009
7:30 P.M.**

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

Absent: Trustees Anna (Tinka) Shaw

Clerk: Deborah A. Matthews

Also: John Ledwith, Richard Messer (W&S), Jeff Voss, JoAnn Hanson, Allen Barnett,
Mary Graetzer, Meg Vaught, Lucy Edwards

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

REPORTS

Mayor Stebbins

Take-A-Break held its grand re-opening under new management.

Complaints have been received regarding unleashed dogs running uncontrolled in the Wee Wah Lake area. Dog owners need to be reminded they are responsible for the actions of their dog.

The Police are encouraged to update the emergency contact information for all residents.

Unauthorized use of ATV bikes in the racetrack area caused damage. Any ATV activity should be reported to the Police.

The reported number of fire and burglar alarms in 2008 was over 100.

Boat owners who store their boat outside the Village are reminded to have it steam cleaned at the sewer plant between 1:00-3:00 p.m. Monday through Friday before it is launched in any Village lake.

Due to the re-emergence of bears in the Spring, residents are reminded to secure their trash and bring in bird feeders.

Deputy Mayor Hays

The Town Planning Board may make a final decision regarding Tuxedo Reserve's Special Permit on April 14th. The plan calls for approximately thirty homes to be built within the Village watershed. Deputy Mayor Hays' understanding from Attorney Golden is that the Village has no legal say on what is built within the Tuxedo Lake watershed. Deputy Mayor Hays recommended that the Village write the Town requesting they accept input from the Village engineer.

POLICE – Chief Sanford reported on the activities for the month.

DPW

DPW Superintendent Jeff Voss reported: Hydrant flushing will begin on April 27 in the Village. He surveyed all major bridges and culverts in the Village with the Village Engineer. The bridge going over the Warwick Brook at the north end of Wee Wah Lake is in need of repair. Rich Messer will prepare a report for the Board detailing each location and recommended course of action. At the Board's request, Jeff was asked to put in two stop logs now in the Wee Wah Dam and to put in the remaining ones at the end of April.

SURPLUS DPW DUMP TRUCKBID OPENING MINUTES

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the April 8, 2009 Bid Opening Minutes for the surplus 1997 Chevrolet Dump Truck be approved.

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

The motion was passed by a 4-0 vote.

AWARD TRUCK BID

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the surplus 1997 Chevrolet K3500 one-ton dump truck with plow be awarded to the high bidder, Michael Torns of Wheels Used Cars, Bayshore, NY for \$5,278.78.

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

The motion was passed by a 4-0 vote.

2009-2010 TENTATIVE BUDGETOVERVIEW

Mayor Stebbins gave a detailed review of his "Summary of Major Changes in the Modified Tentative Budget". A copy is attached.

PUBLIC HEARING ON THE FISCAL 2009-2010 VILLAGE BUDGET

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the public hearing be opened at 8:30 p.m. The vote was 4-0 in favor.

There were no comments from the public.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be closed at 8:31 p.m. The vote was 4-0 in favor.

DISCUSSION

A lengthy discussion was held on the modified tentative budget, the proposed capital expenditure budget and long term financing for infrastructure. Trustee Hansen asked that capital expenditures be included in the budget and not be financed. Also discussed was metered water revenues, capital expenses for the water infrastructure, and removal of a street sweeper from the General Fund budget.

ADOPT BUDGETS

General Fund

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the modified tentative budget for the General Fund for fiscal year 2009-2010 that results in total appropriations of \$3,632,272 and a tax rate per thousand of \$40.543041 and a tax rate increase of 2.7481%.

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

The motion was passed by a 4-0 vote.

Water Fund

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the modified tentative budget for the Water Fund for fiscal year 2009-2010 showing appropriations of \$572,262 with no increase in the water rates for such year and a quarterly charge of \$7.50 per customer for capital improvements, which money would be segregated in a capital reserve fund and used for capital expenditures of the Water Dept.

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

The motion was passed by a 4-0 vote.

FINANCING

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board authorize borrowing \$190,000 under the bonding authority of \$550,000 for sewer bond financing, \$340,000 under the bonding authority of \$875,000 relating to water, reservoirs, dams etc. and \$60,000 under the bonding authority of \$400,000 relating to roads -- all under a BAN or bond financing for 2010 aggregating \$590,000.

Vote of the Board: Trustee Worthy – aye
Deputy Mayor Hays – aye
Mayor Stebbins – aye
Trustee Hansen – no

The motion was passed by a 3-1 vote.

CHLORINE BUILDING – ENGINEERING PROPOSAL

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Board approve the 9/11/08 proposal from the Village Engineer for Option #2 (the upgrade replacement) and Task #2 (prepare detailed specifications and supporting drawings) for the upgrade replacement for the lump sum amount of \$21,000.

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

The motion was passed by a 4-0 vote.

BUILDING PERMITS

Simet

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the building permit application of Jeff and Julia Simet, 40 East Lake Stable Road, Tax Map No. 106-1-34, for a two story addition to the existing two story home.

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

The motion was passed by a 4-0 vote.

Love

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the building permit application of Maureen Love, 82 Circuit Road, Tax Map No. 107-1-84, for exterior renovation to the cottage.

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

The motion was passed by a 4-0 vote.

LOCAL LAW INTRODUCTORY #5 OF 2009 - PROPOSED CHANGES TO ZONING CODE RELATING TO NON-CONFORMING USES, NON-COMPLYING STRUCTURES, AND SUBSTANDARD LOTS**PUBLIC HEARING**

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 9:57 p.m. The vote was 4-0 in favor.

A discussion was held on the various aspects of the law. Since the law was proposed by the Board of Zoning Appeals and drafted by Attorney Mike Donnelly, he will be asked to attend the next Trustee meeting.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the public hearing be adjourned to the Special Board of Trustees Meeting on April 22, 2009 at 7:30 p.m.

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

The motion was passed by a 4-0 vote.

NATIONAL FLOOD INSURANCE PROGRAM

A discussion was held on the Federal mandated flood program which is administered by the NYSDEC. NYS law requires the Village to participate if it has any property in the hazard flood area. If the Village doesn't participate, those people within the special hazard areas cannot buy flood insurance under this program. Attorney Golden was asked to review the requirements of this program and discuss any changes needed in our Village Code to comply with the requirements.

TWO NEW REPLACEMENT FUEL OIL TANKS – WATER PLANT AREA

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board approve the expenditure of \$5,000 each for two double hull fuel oil tanks with containment tanks, with the final details to be signed off by Engineer Messer, John Ledwith, and the Mayor or a Trustee.

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

The motion was passed by a 4-0 vote.

COMMERCIAL NOT-FOR-PROFIT FILMING

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the Japanese Broadcasting request as outlined for filming inside the two residences in Tuxedo Park, the Spencer Trask basement and the interior of the Stewart home, in accordance with the property owners' requirements and Village Code Section 51-1.

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

The motion was passed by a 4-0 vote.

PARKLANDS – EAGLE MOUNTAIN ROAD

A discussion was held on the pros and cons of selling the parcel on Eagle Mountain Road to a Village resident who intends to keep it natural or the Village keeping it as Parkland.

AUDIT OF CLAIMS - Bills in the amount of \$134,534.47 for the General Fund, claim numbers 4-1 to 4-97, and \$16,563.71 for the Water Fund, claim numbers W4-1 to W4-14 were audited and ordered paid.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the meeting be adjourned at 11:52 p.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.