

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
MARCH 18, 2009
7:30 P.M.**

Present: Mayor Houston Stebbins
Deputy Mayor James Hays
Trustee Charlotte Worthy

Absent: Trustee Christopher Hansen
Trustee Tinka Shaw

Clerk: Deborah Matthews

Also: John Ledwith, Jeff Voss, Chief Ken Sanford, Richard Golden, Esq., Peter Regna,
Kathy Biehl, Sally Sonne, Mary Grimmig, Alan Heywood

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

REPORTS

Mayor Stebbins

Reminded residents to remove bird feeders as bears are coming out of hibernation.
Corrected his February statement regarding his financial report due to misinformation from our Bond Counsel's assistant.

A special BOT meeting will be held on March 25th to consider the 2009-2010 budget with a public hearing on the budget on April 8th.

Deputy Mayor Hays

Tuxedo Reserve resubmitted a revised amendment to the Special Permit of 2004 to the Town Planning Board which shows that building during Phase III will be within the watershed area of Tuxedo Lake. The Village Attorney will be consulted as to whether the Village has any rights to control what is constructed within its watershed.

A DPW consultant toured the DPW facilities with the Village engineer from W&S and the DPW Superintendent Jeff Voss. The DPW consultant concluded that the DPW facility is below standard.

Trustee Worthy

Reminded residents that "Clean Sweep" is being held on April 25th in the Town and asked that Village residents participate.

POLICE – Chief Sanford gave a synopsis of January activities.

DPW – Discussion: algae control in the lakes, copper sulfate application for Tuxedo Lake, re-inserting boards in the Wee Wah dam, steam cleaning of boats (beginning April 1st on Monday through Friday between 1:00 p.m. and 3:00 p.m.), and equipment rental space.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the lease be extended through May 31, 2009 for the storage of DPW equipment at the Benjamin Meadow Road warehouse facility (owned by Town of Tuxedo Supervisor Peter Dolan) at a cost of \$1,500 per month.

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

The motion was passed by a 3-0 vote.

BORROWING – will be needed to address needs for new DPW equipment.

BUILDING PERMITS

Tuxedo Park School

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the building permit application of the Tuxedo Park School for Photovoltaic installation be approved.

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

The motion was passed by a 3-0 vote.

PUBLIC COMMENTS - None

OLD BUSINESS

FENCE LAW

PUBLIC HEARING – CONTINUATION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be opened at 8:00 p.m. The vote was 3-0 in favor.

Peter Regna: The Planning Board, which has already started to review the Fence Law, will be in a position to submit its recommendations after the next public hearing.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be adjourned to April 22nd at 7:30 p.m. .

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

The motion was passed by a 3-0 vote.

NEW BUSINESS

ELECTION

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Village Election will be held on Tuesday, June 16, 2009 from 12:00 noon to 9:00 p.m. in the Village Hall.

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

The motion was passed by a 3-0 vote.

LOCAL LAW INTRODUCTORY #1 OF 2009 –TAXATION (COLD WAR VETERANS EXEMPTION)

PUBLIC HEARING

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 8:04 p.m. The vote was 3-0 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 8:05 p.m. The vote was 3-0 in favor.

Discussion - was held on the proposed law.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that Local Law Introductory #1 of 2009-Taxation, which adds a new chapter of the code of the Village of Tuxedo Park providing for Chapter 89 entitled “Taxation” be adopted.

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

The motion was passed by 3-0 vote.

LOCAL LAW INTRODUCTORY #2 OF 2009 – AMENDING CHAPTER 70 - PEACE AND GOOD ORDER

PUBLIC HEARING

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 8:11 p.m. The vote was 3-0 in favor.

Public Comments:

Sally Sonne: Why is blowing snow with a leaf blower objectionable? The law is not practical and not enforceable.

Alan Heywood: Surprised to see leaf blowers used for snow. Perhaps people need to be protected.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be closed at 8:20 p.m. The vote was 3-0 in favor.

Discussion – was held on the proposed law.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board wishes to reaffirm its SEQRA Negative Declaration previously issued in connection with a prior amendment of the Peace and Good Order local law as this would have no greater impact than the impact study at that time at which there was a Negative Declaration.

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

The motion was passed by a 3-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that Local Law Introductory #2 of 2009 amending Chapter 70 (Peace and Good Order) of the Code of the Village of Tuxedo Park modifying the exemptions to restricted site activities producing noise beyond property lines be adopted.

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

The motion was passed by a 3-0 vote.

LOCAL LAW INTRODUCTORY #3 OF 2009 – MODIFYING VILLAGE CODE REFERENCES TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) IN ORDER TO ENSURE PROPER AND CONSISTENT COMPLIANCE WITH SEQRA

PUBLIC HEARING

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be opened at 8:26 p.m. The vote was 3-0 in favor.

Discussion – was held on the proposed law.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the public hearing be closed at 8:45 p.m. The vote was 3-0 in favor.

EAF Review

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board determines Local Law Introductory #3 of 2009 is a Type I action under SEQRA and issues a Negative Declaration as there will be no adverse environmental impact.

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

The motion was passed by a 3-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that Local Law Introductory #3 of 2009 modifying Village Code references to the State Environmental Quality Review Act (SEQRA) in order to ensure proper and consistent compliance with SEQRA be adopted.

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

The motion was passed by a 3-0 vote.

LOCAL LAW INTRODUCTORY #4 OF 2009 – CLEAN HANDS

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that a public hearing on Local Law Introductory #4 of 2009, Clean Hands provision of Section 73-4, be scheduled for April 22, 2009 at 7:30 p.m.

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

The motion was passed by a 3-0 vote.

PERFORMANCE BASED INCENTIVE PAYMENT PLAN-EMPLOYEES – Tabled

NATIONAL FLOOD INSURANCE PROGRAM – The NYSDEC and the Orange County Planning Department must review and approve any proposed Local Law. After a lengthy discussion, the Board felt more information is needed and further discussion was postponed to April 8th.

PRECIPICE AND RIDGELINE – Discussion was held on the reports and recommendations that have been submitted by the Precipice and Ridgeline Advisory Committee. Trustee Worthy and Deputy Mayor Hays, along with Village Attorney Rick Golden will meet to review the intended recommendations of the Committee with a view to formulating a new local law.

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

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that a public hearing for Local Law Introductory #5 of 2009, proposed changes to zoning code relating to non-conforming uses, non-complying structure, and substandard lots, be scheduled for April 8, 2009 at 7:30 p.m.

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

The motion was passed by a 3-0 vote.

AUDIT OF CLAIMS - Bills in the amount of \$175,377.07 for the General Fund, claim numbers 3-1 to 3-123, and \$50,407.91 for the Water Fund, claim numbers W3-1 to W-18 were audited and ordered paid.

ADJOURN-ATTORNEY CLIENT SESSION

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Board adjourn for an attorney-client session at 10:21 p.m. The vote was 3-0 in favor.

RE-OPEN REGULAR SESSION

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the regular session be re-opened at 10:54 p.m. The vote was 3-0 in favor.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the meeting be adjourned at 10:55 p.m. The vote was 3-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer

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