

**VILLAGE OF TUXEDO PARK
SPECIAL BOARD OF TRUSTEES MEETING
APRIL 22, 2009
7:30 P.M.**

Present: Mayor Houston Stebbins
Trustee Christopher Hansen
Trustees Anna (Tinka) Shaw
Trustee Charlotte Worthy

Absent: Trustee James Hays

Clerk: Deborah Matthews

Also: John Ledwith, Kelly Naughton, Esq., Chiu-yin Hempel, Nancy Hays, Gerard Pompan, Kathy Norris, Mary Grimmig, Meg Vaught, Mary Graetzer, Kathy Biehl, Joann Hanson, Barbara DuPont, Ann Zgonena, Serene Swirbul, Peter Regna, Mike Donnelly, Esq.

Mayor Stebbins called the meeting to order at 7:30 p.m.

HANSON – TOWER HILL ROAD

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the Board extend the expiration date to July 31, 2009 of the Board of Trustee's prior conditional approval of a building permit renewal for Donald Hanson.

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

The motion was passed by a 4-0 vote.

FINAL REPORT – PRECIPICE & RIDGELINE ADVISORY COMMITTEE

Members of the Committee are Chairwoman Chiu-yin Hempel, Susan Boyle, Serene Swirbul, William Russell and Ann Zgonena.

Chiu-yin Hempel read the Committee's report and recommendations.

PROPOSED DRAFT – LOCAL LAW INTRODUCTORY #7 OF 2009 – RIDGELINES & PRECIPICES

A discussion was held on the draft law that was prepared by Attorney Golden.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that a public hearing be scheduled for May 13, 2009 on Local Law Introductory #7 of 2009 with a new draft forthcoming.

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

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 9:52 p.m. The vote was 4-0 in favor.

A lengthy discussion was held on the language in the law, including that related to the merger clause and time line to rebuild.

There were no public comments.

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the public hearing be adjourned to the May 13, 2009 Board of Trustees meeting at 7:30 p.m.

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

The motion was passed by a 4-0 vote.

LOCAL LAW INTRODUCTORY #6 OF 2009 – FLOOD DAMAGE PREVENTION IN COMPLIANCE WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that a public hearing be scheduled for May 13, 2009 on Local Law Introductory #6 of 2009.

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

The motion was passed by a 4-0 vote.

FENCE REPORT RECOMMENDATION

Planning Board Chairwoman JoAnn Hanson and Planning Board Member Peter Regna gave an overview of the preliminary fence report submitted to the Trustees. They are still doing research and are not prepared to offer recommendations at this time.

VILLAGE INCENTIVE COMPENSATION PROGRAM

A brief discussion was held on the proposed plan for non-contract Village employees. The matter was tabled to the next meeting.

WEE WAH BEACH CLUB MEMBERSHIP

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Wee Wah Beach Club be allowed to have the Eagle Valley and Sterling Forest Volunteer Fire Companies join as members on the same basis as the Tuxedo Fire Company and the Ambulance Corp.

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

The motion was passed by a 4-0 vote.

APPOINTMENT OF ELECTION INSPECTORS

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the following persons be appointed Election Inspectors for the Village Election being held on Tuesday, June 16, 2009: Theodora Darling at the rate of \$12.50 per hour and Nils Gerling, as Election Inspector and Chairperson, at the rate of \$14.50 per hour.

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

The motion was passed by a 4-0 vote.

SEASONAL DOCK REQUEST – TUXEDO LAKE

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the Board of Trustees grant preliminary approval for Greg Beard to place a removable, seasonal dock on Tuxedo Lake at the shoreline of his house located at 214 East Lake Road, subject to his receiving approval

from the BAR for size, design and materials consistent with the Village Code, and that he return to the Board of Trustees for final building permit approval.

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

The motion was passed by a 4-0 vote.

BUILDING PERMIT FEES

A discussion was held on the need for an adjustment in the Escrow and Fee schedule for building permits because some renovation and landscaping projects are exceeding the fee charged for a new house.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen to amend the resolution adopted on February 20, 2008 regarding a revised schedule of subdivision and zoning fees by amending the fees for applications for new residences or existing buildings being converted to residences, Section 3, Item E, entitled Issuance of a Building Permit and substitute in lieu of 3% of the project the following: minimum fee \$600, percent of the project 1.5% subject to a cap of \$6,000.

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

The motion was passed by a 4-0 vote.

LOCAL LAW INTRODUCTORY #4 OF 2009 – CLEAN HANDS

PUBLIC HEARING-CONTINUATION

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing be opened at 12:10 a.m. The vote was 4-0 in favor.

There were no public comments.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the public hearing be closed at 12:11 a.m. The vote was 4-0 in favor.

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that Local Law Introductory #4 of 2009-Clean Hands, which amends Section 73-4 (Restrictions on issuance of permits) of the Village Code, be approved.

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

The motion was passed by 4-0 vote.

ADJOURN TO ATTORNEY-CLIENT SESSION

A motion was made by Mayor Stebbins, seconded by Trustee Shaw that the Board adjourn to an attorney-client session at 12:15 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.