

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
OCTOBER 20, 2010
7:30 P.M.**

Present: Mayor Houston Stebbins
Deputy Mayor Gary Pompan
Trustee Christopher Hansen
Trustee Thomas Wilson (arrived at 9:27 p.m.)
Trustee Robert Zgonena

Clerk: Deborah Matthews

Also: Chief Sanford, Jeff Voss, John Ledwith
Meg Vaught, Dena Steele, Dana Farrington, Drew Goldman, Susan Goodfellow,
Alan Heywood, Peter Regna, Richard & Jean Donnelly, Joan Alleman, Mrs.
Tamer El-Rayess, Cami Fischer, Mary Jo & Claude Guinchard, Robert &
Katherine Silvay, Chris & Sally Sonne, Carlyn Capella, Scott Elkins, William
Givens

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

REPORTS

Mayor Stebbins

On Thursday, October 21st, Ornamental Tree will be removing dead trees on Village property at the Wee Wah Beach area, the Water Plant and Tuxedo Road.

The CodeRED Communication System contract has been agreed. The Village Police Chief will receive training on how the system works and to solicit the community to sign up. An internet link on the Village Website will be added for confidential registration.

Phase 2 of the Tuxedo Lake draw down will start in early November. This is necessary to allow the Tuxedo Club to install rip-rap on the upstream face of the Tuxedo Lake Dam's embankment. O&R has agreed to reimburse the Village \$4,865 for expenses incurred at the Water Plant when O&R was unable to provide adequate power during the summer heat wave. Wording of the release has not yet been finalized.

Total Fiscal YTD expenditures represent 30.8% of our budget versus 37.5% of the Fiscal year having lapsed. The current cash balance in the General Fund is \$2.9M which exceeds our cash balance of \$2.8M a year ago. This cash does not include the public debt funds we raised this summer that reside in a separate Capital Projects account.

The starting balance in this account was \$1,469M and the current balance is \$1,294M. These funds will be used for the water main projects, sewer main, roads, dam and guide rails projects. The Village is not receiving a very favorable return on our funds and the Mayor welcomes any suggestions to safely improve our yield.

The DPW Garage has had its roof repaired and sealed, which is a long overdue maintenance project and allocated for in the budget.

Deputy Mayor Pompan

Reported that he is continuing to research into comparable replacement health insurance plans for the Village's current NYSHIP plan. The Town of Tuxedo has already adopted a replacement plan for their employees' NYSHIP plan.

As liaison to the Tree Committee, he reported they have been meeting with some regularity and he expects a report for the Board at the November Trustees meeting.

Police - Chief Sanford gave an overview of September Police activities.

DPW – Jeff Voss reported hydrant flushing began in the Village on Monday, the 18th, with flushing in the Hamlet to begin on the 25th.

Water Department – John Ledwith reported on the following: 1) 3rd quarter billings are higher by 22% over the same time last year; 2) Collection of past due amounts has been reduced by 49%; 3) Hamlet payment plan status; 4) Water shut off notices sent to 6 accounts and 5) He continues to work on the water loss problem.

Advisory Committees:

VIAC – Alan Heywood reported there are only three members of the Committee and that VIAC would welcome new members. The Committee is continuing to work on dead trees and limbs overhanging power lines, solutions to the Tuxedo Road guide rail issue and street lights.

Environmental – Susan Goodfellow, Chair, reported on the status of the CSLAPS program, the advantage of having a GPS created map of the lakes, and programs for children. An Environmental subcommittee dedicated to researching Lyme disease and other tick borne illnesses, which have been under reported in our area, has been established and has done extensive research on both ticks and deer. The Committee would like to send out a survey to all Village residents asking about their experience with deer, ticks, and related diseases.

BUILDING PERMITSWitte

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the building permit application of Janet & Richard Witte, Tower Hill Loop, Tax Map 107-1-12.21, for the construction of a new single family dwelling as approved by the BAR be approved.

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

The motion was passed by a 4-0 vote.

Chesney

A motion was made by Mayor Stebbins, seconded by Trustee Zgonena that the building permit application of WELP, Inc. (Christopher Chesney), 30 Lorillard Road, Tax Map 104-1-40, for the renovation of the single family dwelling as approved by the BAR be approved.

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

The motion was passed by a 4-0 vote.

Coen

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the building permit application of Maureen Coen & Eric Honor, 14 Patterson Brook Road, Tax Map 103-1-30.3, for the construction of an attached garage and window and house renovations as approved by the BAR be approved.

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

The motion was passed by a 4-0 vote.

Laukitis

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the building permit application of Daniel & Lisa Laukitis, 16 Brook Road, Tax Map 103-1-12, for landscaping and driveway relocation as approved by the BAR be approved.

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

The motion was passed by a 4-0 vote.

Building Inspector John Ledwith reported the following: 1) Building code violation notices/Appearance Tickets for Village Court have been prepared regarding Mr. Kaufman's boathouse, Tax Map 103-1-27.12, and are in the process of being served on Mr. Kaufman; 2) Most of the repairs by O&R outlined in his August 2010 report have been made; 3) Verizon has corrected low hanging wires on West Lake Stable Road and the intersection of Ontio Road and Summit Road; 4) John and Jeff Voss attended a "Call Before You Dig Seminar" on September 21st; 5) John also attended a NYS Building Code Update Class on October 13th; 6) John worked with Mr. Benvenuto to remove his dilapidated shed that was within the Gate Way Overlay District; 7) John has been working with SOS Fuels to reduce Village propane expenses; and 8) A letter was sent to local contractors regarding leaf pickup.

Deputy Mayor Pompan requested the posting of the landscaper/contractor notice on the Village website and suggested it be sent to all Village residents.

PUBLIC COMMENTS

Richard Donnelly informed the Board of his continuing problem with his neighbor who is renovating a seasonal dwelling and the water line that crosses Mr. Donnelly's property.

NEW BUSINESS

TUXEDO CLUB FISH STOCKING – A discussion was held.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the Board approve the request of The Tuxedo Club to stock Tuxedo Lake with 14" Brown and Rainbow Trout subject to their receiving a fish stocking permit from the NYSDEC and other requisite items of the Building Inspector.

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

The motion was passed by a 4-0 vote.

SIPHON SYSTEM FOR TUXEDO LAKE – A discussion was held.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board approve up to \$7,500 for the siphon system for the Tuxedo Lake dam project, with The Tuxedo Club also contributing \$7,500.

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

The motion was passed by a 4-0 vote.

KING/DUCHEN WATER LINE – A discussion was held on Mr. King's request to use a 1/2" water line instead of a 3/4" as required by the Village Code. Mr. King applied to NYS Department of State for a variance on the line size and the Board agreed that the matter will be discussed when the NYS decision is received.

FINANCING PROPOSALS FOR \$143,000 PURCHASE OF NEW DPW TRUCK – A discussion was held regarding the financing for a new DPW dump truck under NYS bid at a cost of \$143,000, which is offered at 3.44% for five years through the dealership/Navistar.

ORANGE COUNTY AUTOMATIC POLICE VEHICLE LOCATOR SYSTEM – A discussion was held on the new information received that the program will not cost the Village anything since the first two units are free. The matter was tabled to next month's Trustee meeting.

POLICY FOR USE OF CODERED COMMUNICATIONS SYSTEM

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the Board approve the Policy for the CodeRED Communications System as outlined in Chief Sanford's attached memo dated August 24, 2010 as presented on October 20th.

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

The motion was passed by a 4-0 vote.

APPOINTMENT – TWO PART TIME TRAFFIC GUARDS

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that subject to a final interview by the Mayor, the Board appoint Michael J. Nolan, Monsey, NY, and Richard J. Walls, Jr., Monroe, NY, as part time Traffic Guards effective immediately.

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

The motion was passed by a 4-0 vote.

STATUS OF HIRING TWO NEW FULL TIME POLICE OFFICERS – Chief Sanford reported that Orange County Personnel has not released the list of those Officers who took the Orange County test last year, which he needs to identify eligible candidates.

DEER TICK PROBLEMS AND RELATED ILLNESSES

Audience participation and a lengthy discussion were held regarding the deer and tick problem and the increasing tick borne illnesses in the Village. Several members of the audience urged the Board to take immediate action in eradicating the deer population and thus reducing the number of ticks through a deer management program. The Environmental Committee asked the Board for permission to send out a deer/tick survey to Village residents. Chief Sanford has been working with the NYSDEC on a culling program. The Board discussed various options.

MODIFY VILLAGE PROCUREMENT POLICY

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Village Procurement Policy be amended to reflect a change in paragraph one in which the bidding threshold for the purchase of goods be increased from \$10,000 to \$20,000 as authorized by the NYS Legislature on June 22, 2010.

Vote of the Board: Trustee Zgonena – aye
Deputy Mayor Pompan – aye

Trustee Hansen – aye
Trustee Wilson - aye
Mayor Stebbins – aye

The motion was passed by a 5-0 vote.

APPOINT TUXEDO JOINT FIRE DISTRICT FIRE COMMISSIONER

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board appoint Ellwood “Skip” Briggs as a Fire Commissioner in the Tuxedo Joint Fire District.

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

The motion was passed by a 5-0 vote.

STATUS OF WATER LEAK TEST - WEST LAKE WATER LINE – A discussion was held on testing the water line being removed to find out if there was a leak in the line. No action taken.

LOWERING OF TUXEDO LAKE WATER LEVEL – A discussion was held regarding cleaning up the lake bed when it is visible due to the lowering of the water level. No action taken.

APPROVE MINUTES

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the minutes of the July 1, 2010 Special Board of Trustees meeting be approved as amended.

Vote of the Board: Mayor Stebbins – aye
Deputy Mayor Pompan – aye
Trustee Hanson – aye
Trustee Wilson – abstain
Trustee Zgonena – abstain

The motion was passed by a vote of 3 ayes and 2 abstentions.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the minutes of the July 23, 2010 West Lake Road/Clubhouse Road Water Line Bid Opening be approved.

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

The motion was passed by a 5-0 vote.

A motion was made by Mayor Stebbins, seconded by Trustee Wilson that the minutes of the August 18, 2010 Board of Trustees meeting be approved as amended.

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

The motion was passed by a 5-0 vote.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the minutes of the September 15, 2010 Board of Trustees meeting be approved as amended.

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

The motion was passed by a 5-0 vote.

AUDIT OF CLAIMS - Bills in the amount of \$103,087.07 for the General Fund, claim numbers 10-1 to 10-80; \$18,727.20 for the Water Fund, claim numbers W10-1 to W10-16; \$10,000.00 for Capital Projects, claim number CP10-1; and \$2,256.79 for Professional Fees, claim number PF10-1 were audited and ordered paid.

ADJOURN TO EXECUTIVE SESSION

A motion was made by Mayor Stebbins, seconded by Trustee Zgonena that the Board adjourn to Executive Session at 10:43 p.m. to discuss the Hanson litigation, employee health care benefits and Police union contract matters. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer