

**VILLAGE OF TUXEDO PARK
SPECIAL BOARD OF TRUSTEES MEETING
MAY 26, 2010
7:00 P.M.**

Present: Mayor Houston Stebbins
Deputy Mayor James Hays
Trustee Christopher Hansen
Trustee Gerard Pompan
Trustee Charlotte Worthy (arrived at 8:30 p.m.)

Clerk: Deborah Matthews

Also: John Ledwith, Robert Zgonena, Thomas Wilson, and Bob Stubbs (Marshall & Sterling)

Mayor Stebbins called the meeting to order at 7:07 p.m.

HEALTH INSURANCE COST ESTIMATES

Mayor Stebbins and Trustee Pompan have been talking with Town Supervisor Dolan and comparing cost estimates the Town has received for a new, comparable health insurance plan for the Town's municipal employees. They will also be setting up a meeting with the health insurance broker and administrator within the next couple of weeks. Estimates the Village has received for similar coverage have come in higher than the Town's.

MARSHALL & STERLING – LIABILITY INSURANCE PRESENTATION

Bob Stubbs, broker for the Village's insurance agent Marshall & Sterling, reviewed the various components of the Village's general liability insurance and the methodology for determining the Village's rates. The Village's current insurance carrier is Argonaut Insurance Co. and the new policy with them will renew on June 1st.

HIRE FINANCIAL ADVISOR FOR THE VILLAGE

After meeting with Capital Markets Advisors, Hopewell Junction, NY (the company the Village has used for many years) and Public Resources Advisory Group (PRAG), New York, NY, Mayor Stebbins and Trustee Pompan recommend hiring PRAG as the Village's financial advisor.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Board approve the hiring of PRAG, pursuant to our issuance of debt, at a fixed fee rate of \$20,000 as quoted in their proposed financial advisory agreement.

Vote of the Board: Trustee Hansen – aye

Deputy Mayor Hays – aye
Trustee Pompan – aye
Trustee Worthy - aye
Mayor Stebbins – aye

The motion was passed by a 5-0 vote.

DRAFT OF PROPOSED TREE LAW

A discussion was held on the draft proposed tree law including the size of trees, number of trees, enforcement, property rights, replanting, erosion, storm water runoff, fines, and Board jurisdiction.

CLEAN SURPLUS SOIL

Village resident Rob Zgonena, 115 Tower Hill Road, informed the Board that he is able to obtain surplus soil from Metra Industries, Little Falls, NJ that is certified clean by the NYSDEC. The soil, left over from the installation of the western Ramapo sanitary sewer, is stockpiled at the intersection of NYS Thruway Exit 15A and Route 59. Metra is giving the soil away and Rob feels it is a good opportunity for the Village to stockpile it for future use. A discussion followed.

LOCAL LAW INTRODUCTORY #2 OF 2010

Mayor Stebbins noted that the response from the O.C. Planning Department regarding the GML239 form submitted by the Village for Local Law Introductory #2 of 2010 is that it is a local determination.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that, based upon the O.C. Planning Department's recommendation that the proposed local law is a Local Determination, the Board approve Local Law #2 of 2010 (Restriction on the Siting of Structures to Ensure the Hazard Classification of Village Dams are Not Increased Thereby).

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

The motion was passed by a 5-0 vote.

BUDGET TRANSFERS

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the Board approve the list of budget transfers in accordance with the schedule dated May 26, 2010.

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

Mayor Stebbins – aye

The motion was passed by a 5-0 vote.

REIMBURSEMENT-WATER LINE

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the request by Alyse McCathern, 2 Patterson Hill Road, for reimbursement of \$900 for the cost of unnecessary digging of her water line, which was at the direction of the Village Water Department, be approved.

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

The motion was passed by a 5-0 vote.

TRANSFER FROM WATER FUND TO GENERAL FUND

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the Board authorize the transfer by, May 31st, of \$100,000 from the Water Fund to the General Fund for monies the Water Fund owes from previous years.

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.

CAPITAL BORROWING – A discussion was held on the types of projects and amount needed for each.

BOARD OF ARCHITECTURAL REVIEW – A discussion was held regarding the BAR Chair's recommendation for an appointment to the vacant position on the BAR. The matter was tabled.

EDUCATION – A discussion was held regarding the Planning Board's previous request to allow the book *Aesthetics, Community Character, and the Law* by the American Planning Association as a substitute for their required four hours of training.

The consensus of the Board is to allow the book for now. However, the Planning Board Chair as well as the BZA and BAR Chairs are asked to submit to the Board of Trustees, a plan in writing for the coming year's training.

FLOODING COMPLAINTS – A discussion was held regarding the letter received from Paul Rodzianko, 177 East Lake Road, regarding increased water on his property. As Mr. Rodzianko has pointed out, the problem is most likely coming from the new house constructed at 194 East Lake Road. Since the Village has not done any road or drainage work in that area, the Board agreed that Mr. Rodzianko should work it out with his neighbor.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the meeting be adjourned at 12:17 a.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village-Clerk Treasurer