

**VILLAGE OF TUXEDO PARK  
SPECIAL BOARD OF TRUSTEES MEETING  
JUNE 23, 2010  
7:30 P.M.**

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

Absent: Trustee Christopher Hansen

Clerk: Deborah Matthews

Also: Kelly Naughton, Esq. (Village Attorney), David duPont, Kathy Norris, Meg Vaught, Robert Zgonena, Gary & Beth Glynn, Sally Sonne, Stuart McGregor, Klaus & Joel Schrieber, Robert Silvay, Dena Steele, Thomas Wilson, Joan Alleman, Mary Graetzer, Peter Regna, Alan & Sue Heywood, Mark Furstein, Alan Yassky, Paola Tocci, Malina Nealis, William Mincey

Mayor Stebbins called the meeting to order at 7:37 p.m.

**LOCAL LAW INTRODUCTORY #3 OF 2010 – RESTRICTING TREE CUTTING,  
TOPPING AND REMOVAL**

Mayor Stebbins stated this special Board of Trustees meeting is for the purpose of holding a public hearing on Local Law Introductory #3 of 2010 - Restricting Tree Cutting, Topping and Removal. The purpose of this local law is to place restrictions on the tree cutting, topping and removal of certain trees within the Village to provide a balance between the preservation of trees in the Village and the associated rural character, public viewsheds, and environment of the Village, and a property owner's right to maintain their property in a manner they deem most fitting.

A motion was made by Mayor Stebbins, seconded by Trustee Worthy that the public hearing on Local Law Introductory #3 of 2010 be opened at 7:38 p.m. The vote was 4-0 in favor

*PUBLIC HEARING COMMENTS*

David duPont, 57 Lookout Road: Read his written statement. Copy attached.

Kathy Norris, Fox Hill Road: (In summary) the law is unclear and not specific, terms need to be more clearly defined, and the law should be given more thought before being passed.

Robert Zgonena, 115 Tower Hill Road: Read his written statement. Copy attached.

Sally Sonne, West Lake Road: (In summary) the law seems to be a response to extreme tree cutting by one homeowner; people should be encouraged to engage in tree thinning as more and more trees are coming down in storms; homeowners rely on their own tree experts for advice; there is no provision in the law for dead trees in the 'significant' category; and the Village was not listed on the National Register because of its trees.

Beth Glynn, 306 West Lake Road: (In summary) trees are cut down for reasons other than a view and can happen very quickly, i.e. her neighbor cut down numerous trees on his property in one day and she is thrilled fines are going to be imposed.

Peter Regna, West Lake Road: (In summary) agreed with Beth Glynn, massive tree cutting increases erosion and water runoff into the lakes thus having an adverse effect on the environment; he's concerned with enforcement of the law; he's opposed to tree topping; he's in favor of replanting; and a cleanup provision should be added to the law.

Thomas Wilson, 24 Pine Hill Road (Trustee Elect): (In summary) comments made that are both pro and con have been good. Even mass cutting of 4" in diameter trees can rip up the ground and become dangerous for storm water runoff.

Mark Furstein, West Lake Road: (In summary) doesn't see how the proposed law relates to construction or landscaping plans and it would promote people to go out now and do it. The number of trees should be proportionate to the lot size.

Alan Yassky, 67 West Lake Road: (In summary) no one said what is wrong with the existing law which we've lived with for a long time - put more teeth into that law. More attention should be paid to the 500 geese that leave droppings in our reservoir every day.

Robert Silvay, 81 Lorillard Road: (In summary) the current law is fine, you don't have to make new ones that are arrogant; what is the basis for the definitions in the law; were laws in other municipalities researched; and how can you enforce new rules when you can't enforce the current ones.

Gary Glynn, West Lake Road: (In summary) the advantage to the new law is that it fixes the defects in the old law that had no teeth; he's in favor of scaling the number of trees to the size of the property; the description of diseased/dead trees and emergencies needs tweaking.

Joan Alleman, Clubhouse Road Extension: (In summary) the Board has many problems to deal with and this shouldn't be one of them; people are clear cutting their property; many trees in the Village are dying; and houses with views were built for that reason and should be allowed to have it unless it interferes with someone else's property.

Alan Heywood, Fox Hill Road: (In summary) the problem seems to be we're focusing on properties that have lake views. We need to think about other houses/properties and trees in the Village that don't have views which also would be affected.

Paola Tocci, 25 Lookout Stable Road: (In summary) what about the law in relation to a neighbor who has a dead tree and refuses to remove it creating a serious problem and potential hazard.

Trustee Pompan noted that many other comments expressing similar views and concerns were also received in the form of letters and e-mails.

The public hearing portion of the meeting concluded at 8:50 p.m. and the Board then held a very lengthy discussion making several changes to the language of the proposed law.

*PUBLIC HEARING TO BE CONTINUED*

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Public Hearing on Local Law Introductory #3 of 2010, Restricting Tree Cutting, Topping and Removal, be adjourned to Thursday, July 1, 2010 at 7:30 p.m.

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

The motion was passed by a 4-0 vote.

**SEQRA REVIEW** – Tabled to July 1, 2010

**EAST LAKE ROAD/GRUTERICH WALL PROPOSAL**

A discussion was held on the following: 1) Weston & Sampson's Proposal dated April 6, 2010 for the engineering design of the East Lake Road/Gruterich Wall repair which includes Task 1 (Engineering Design, Technical Specifications & Cost Estimates/\$49,900), Task 2 (Bidding Documents and Services/\$8,900), and Task 3 (Construction Engineering & Closeout Services/\$23,900) and 2) Legacy Stoneworks (Kristian Matthews) proposal for the actual repair work in the amount of \$129,500.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that approval be granted to accept Task 1 and Task 2 of the April 6, 2010 Weston & Sampson proposal totaling \$58,800 for the engineering design/drawings and preparation of the bidding documents for the East Lake Road/Gruterich Wall project.

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

The motion was passed by a 4-0 vote.

**ADJOURNMENT**

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the meeting be adjourned at 12:50 a.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk-Treasurer