

**VILLAGE OF TUXEDO PARK
SPECIAL BOARD OF TRUSTEES MEETING
JULY 1, 2010
7:30 P.M.**

Present: Mayor Houston Stebbins
Trustee Christopher Hansen
Trustee James Hays
Trustee Gerard Pompan

Absent: Trustee Charlotte Worthy

Clerk: Deborah Matthews

Also: Diane Gross, Claude Guinchard, John King, Doug Duchin, Kathy Norris, Joel Schreiber, Mark Furstein, Richard & Jean Donnelly, Alan & Sue Heywood, Rob Zgonena, Tamer El-Rayess, Judy & Neal Wittels, Stuart McGregor, and others.

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

**CONTINUATION OF PUBLIC HEARING - LOCAL LAW INTRODUCTORY #3 OF 2010 -
PROPOSED TREE LAW: RESTRICTING TREE TOPPING, CUTTING AND REMOVAL**

Mayor Stebbins commented that there are many misconceptions in the community regarding the proposed law. The Board of Trustees has been discussing a revised tree law in public for over six months. The need to make the current tree law more enforceable, the ability to prosecute offenders, and consider environmental issues caused by tree removal was the basis for proposing a revision to the Village Code. After months of debate, the Trustees presented the proposed draft at the June 23, 2010 Special Board of Trustees Meeting and public hearing. Many comments and e-mails were received by the Board in response to the draft law, with some residents expressing concern that the Board was trying to railroad through the legislation. Although controversial, the process has had a positive effective as well by motivating residents to come forward with their thoughts and opinions as well as alternative solutions.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that the Board withdraw the current Local Law Introductory #3 of 2010, Restricting Tree Cutting, Topping and Removal, from further legislation from this Board.

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

The motion was passed by a 3-0 vote with 1 abstention.

TREE PANEL

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that a panel be established by Trustee Pompan, as liaison, consisting of no more than five Village residents with a budget of \$1,000 to gather information and propose a workable tree law and that an interim report be submitted to the Board of Trustees by October 15, 2010.

Vote of the Board: Trustee Hansen – no
Trustee Pompan – aye
Deputy Mayor Hays – aye
Mayor Stebbins – aye

The motion was passed by 3-1 vote.

KING/DUCHIN BUILDING PERMIT

A discussion was held regarding the items that the Board of Architectural Review has required in its approval of the King/Duchin application:

1. Prior to the issuance of a Certificate of Occupancy, the applicant must submit proof to the Village that the water line to the structure is functional and adequate for the intended purpose to the satisfaction of the Water Superintendent.
2. Prior to the issuance of a Certificate of Occupancy, safe electrical service to the site must be satisfactory to the Building Inspector.
3. Prior to the issuance of a Certificate of Occupancy, the applicant must demonstrate to the Building Inspector that the structure is in compliance with the State Building Code.
4. Access, including parking, to the site for construction/renovation and upon completion shall be in accordance with the May 17, 2010 letter, subject to the approval and or modification by the Building Inspector, in such a manner that they will not block or otherwise make unsafe adjacent roadways.
5. Approval is for an approval for Seasonal Use occupancy only, the specific terms of which will be determined by the Building Inspector.
6. Prior to the issuance of a building permit, the location of the water and sewer utilities must be shown on the site plan.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that this building permit application for John King and Doug Duchin is being approved consistent with the plans and conditions as previously approved by the Board of Architectural Review, except that no parking, construction or otherwise, is authorized by the Board of Trustees on the triangular parcel of property owned by the Village that is located near the King & Duchin property. Further, we require the Building Inspector to specify for the property the term of the limited seasonal residential use prior to the issuance of the Certificate of Occupancy.

Vote of the Board: Trustee Pompan – aye
Trustee Hansen – no
Deputy Mayor Hays – aye
Mayor Stebbins – aye

The motion was passed by a 3-1 vote.

LEITER LETTER REQUEST

A letter and a repair estimate were received from Edward Leiter asking for reimbursement for damages to his car caused by the South Gate arm coming down and striking the roof.

A motion was made by Mayor Stebbins, seconded by Trustee Hansen that to facilitate this situation, the Board approve the reimbursement to Mr. Leiter in an amount not to exceed \$620 for repairs to this car.

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

The motion was passed by a 4-0 vote.

WEST LAKE ROAD WATER LINE RELOCATION - ADVERTISE FOR BIDS AND SET BID OPENING DATE

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the Village Clerk be authorized to advertise for bids on the West Lake Road water line relocation in the Times Herald-Record and that a bid opening date be set for Friday, July 23, 2010 at 11:00 a.m.

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

The motion was passed by a 4-0 vote.

APPROVE MINUTES – BOARD OF TRUSTEES MEETINGS

Minutes of the April 25, 2010 Special Board of Trustees were tabled.

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the minutes of the April 7, 2010 Special Board of Trustees Meeting be approved as amended.

Vote of the Board: Deputy Mayor Hays – aye
Trustee Pompan – aye
Mayor Stebbins – aye
Trustee Hansen – abstain (did not attend that meeting)

The motion was passed by a 3-0 vote with 1 abstention.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the minutes of the April 14, 2010 Board of Trustees Meeting be approved as amended.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the minutes of the April 16, 2010 Special Board of Trustees Meeting be approved as amended.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the minutes of the April 18, 2010 Special Board of Trustees Meeting be approved as presented.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the minutes of the May 12, 2010 Board of Trustees Meeting be approved as amended.

Vote of the Board: Deputy Mayor Hays – aye
Trustee Hansen – aye
Mayor Stebbins – aye
Trustee Pompan – abstain (did not attend that meeting)

The motion was passed by a 3-0 vote with 1 abstention.

A motion was made by Mayor Stebbins, seconded by Trustee Pompan that the minutes of the May 26, 2010 Special Board of Trustees Meeting be approved as presented.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the minutes of the June 9, 2010 Board of Trustees Meeting be approved as amended.

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

The motion was passed by a 4-0 vote.

FOLLOW-UP ITEMS FROM MAY 12, 2010 BOT MEETING

FEMA: In a discussion of the minutes, Mayor Stebbins noted that the application that was submitted to FEMA for reimbursement of March rain storm costs has been withdrawn by the Village.

Water Bill Reduction Request: Subsequent to the meeting, Trustee Pompan and Mayor Stebbins negotiated a settlement with Lisa Wolfe/Steve Maurer regarding their water bill, who then paid the agreed settlement amount in full.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Hays that the meeting be adjourned at 8:47 p.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer