

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
MARCH 16, 2011
7:30 P.M.**

Present: Mayor Houston Stebbins
Deputy Mayor Gerard Pompan
Trustee Thomas Wilson
Trustee Robert Zgonena

Absent: Trustee Christopher Hansen

Clerk: Deborah Matthews

Also: Jeffery Voss, John Ledwith, Meg Vaught, Jim & Nancy Hays,
Mary Grimmig, Dena Steele, Alan Heywood

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

REPORTS

Mayor Stebbins

CodeRed has been successfully activated. He thanked Trustee Wilson for finding the program for the Village.

The Village has received deer baiting and deer culling permits from the NYSDEC, but the planned start of the program has been delayed because of the snow and ice conditions.

The Wee Wah Dam is in need of repair and will be discussed later in the meeting.

Board of Assessment Review's determinations have been made and mailed out. The 2012 Budget will set the tax rate applicable to property assessments, which together will determine the June Village property tax bills.

The Clubhouse Road water main project will resume shortly.

When repairs to the Tuxedo Lake Dam spillway and culvert pipe are complete, the lake will be refilled to its normal level.

Deputy Mayor Pompan

The Village Grievance procedures are complete, and the Trustees are now working on the 2012 budget. A public hearing date on the budget will be set. The tentative budget will be discussed in Executive Session this evening.

Congratulations were offered to Chief Sanford whose wife recently gave birth to twins.

Police – Chief Sanford was not in attendance. He previously submitted his Report of Police Activities for the month of February 2011.

DPW – Superintendent Voss reported the following: the new dump truck should be delivered in 2-3 weeks; the crack in the bridge over Warwick Brook is getting bigger; two estimates were received for replacing 2 overhead garage doors at the DPW building, the lower being \$3,900; and the Orange

County sponsored free leak detection program will begin Thursday or Friday, with the whole water system being done.

Road striping is typically done in the Fall after roads have been resurfaced, but Mayor Stebbins asked if it could be done before Memorial Day.

Also discussed were eligible Capital expenditures for the Water Department that would include re-engineering and updating the pipes, auto controls, new electric, and two new pumps for the Mt. Farm Pump Station at a possible cost of \$75K-\$100K. Engineer Messer will be submitting a proposal in 1-2 weeks.

Water Department

John Ledwith reported: Letters were sent to Town residents who have not made a payment in two billing quarters; the February 15th uncollected balance for the Town = \$29,844.72 and Village = \$19,979.61; the March 16th uncollected balance for the Town = \$23,711.69 and Village = \$14,278.85; first quarter 2011 water bills are being prepared; and a detailed billing and historical water loss analysis will be submitted for the April BOT meeting.

Miscellaneous Projects

John Ledwith reported: He submitted Grant applications to Orange County for energy savings for Village electrical fixtures and water savings at the sewer plant; he contacted O&R regarding broken light fixtures and burned out bulbs; he worked on property assessment valuations with the Grievance Board; he contacted several Village residents to obtain permission to shoot/cull within 500' of their residence; he ordered and picked up 2011 boat permits; and he suggested to the Police the use of a proximity switch on the gate arms to prevent unnecessary damage to vehicles.

Advisory Committees:

VIAC – Alan Heywood reported: O&R to begin removing designated dead trees along Tuxedo Road and East Lake Road; VIAC will complete their streetlight audit soon; VIAC will compile a list of suggested 'bad spots' in Village roads needing repair and submit to Superintendent Voss; and VIAC is looking for new members.

Boards – Mayor Stebbins noted that there is still a vacant position on the BAR. He encourages all boards that need members to make an effort to fill their vacancy.

Village Website – Trustee Wilson stated that he has been involved in working on the design for a new Village website.

BUILDING PERMITS

John Ledwith reported that he has been working with the contractors at the Randy Miller property on Pine Road and the Joseph Alderisio property on Mountain Farm Road to resolve their outstanding violations and complete the projects.

PUBLIC COMMENTS

Comments: What is the status of the Village I&I? Is the DPW building going to be painted and the roof repaired?

Speaker: Jim Hays

Response: The next phase of the I&I work will be done in the coming fiscal year. The DPW building roof has been repaired and the painting may be done depending on the budget..

PUBLIC HEARING - INTRODUCTORY LOCAL LAW #1 OF 2011 – HOME OCCUPATIONS

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the public hearing be opened at 8:14 p.m. The vote was 4-0 in favor.

Mayor Stebbins explained the purpose of the proposed law. The new law would prohibit home occupation use within the Village but those in existence prior to the law would be grandfathered.

Speakers:

Nancy Hays – What about individuals who work on their computers from home?

Jim Hays – Would non-profit business be allowed?

Dena Steele – Could grandfathered businesses be passed on to a new owner?

Alan Heywood – Would TPFYI be grandfathered?

Response: The law is not aimed at individuals working from home offices. The purpose is to eliminate commercial business that might have clientele or patients coming in and out of the Village. The new law would clarify the Village's intent and would only apply prospectively. Any grandfathered business could not be passed on to a new owner. TPFYI would be grandfathered.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the public hearing be closed at 8:23 p.m. The vote was 4-0 in favor.

SEORA

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the Board of Trustees declares itself lead agency for Local Law Introductory #1 of 2011.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that Local Law Introductory #1 of 2011 is a Type I action under SEQRA.

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

The motion was passed by a 4-0 vote.

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the Board of Trustees has determined that Local Law Introductory #1 of 2011 will have no adverse environmental impact and the Board issues a Negative Declaration.

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

The motion was passed by a 4-0 vote.

Mayor Stebbins noted that the law was referred to the Orange County Planning Department as required. They have 30 days to review and respond to the Village. Therefore, a vote cannot be taken on the law until the County response is received.

NEW BUSINESS

HIRE ORNAMENTAL TREE SERVICE-WEE WAH DAM EMBANKMENT

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that Ornamental Tree Service be hired at a cost not to exceed \$5,000 for tree removal and grubbing at the Wee Wah Dam embankment and elsewhere as needed on Village properties.

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

The motion was passed by a 4-0 vote.

WEE WAH DAM REPAIRS

A discussion was held regarding short term repair vs. permanent long term repair, the cost of each, the time line for doing the work, and the lake level in relation to the swimming season. The Board agreed that more quotes should be obtained.

CLUBHOUSE ROAD WATER MAIN PROJECT

Rich Messer (Weston & Sampson) stated the Clubhouse Road water main project will begin on April 4th and is to be completed by May 20th. The contractor also has a punch list of items to complete on the West Lake Road project. Mayor Stebbins noted that a letter informing the Clubhouse Road residents of the work schedule will be sent out by the Village.

GUIDE RAILS FOR TUXEDO ROAD

Mayor Stebbins presented the various guide rail options to the BAR, as a courtesy, on March 15th. Although the BAR's focus was more on visual appearance, it was made clear that the final choice also had to meet necessary highway safety standards. The Trustees agreed that the Village Engineer should analyze the options and assist them in making a determination based on safety and aesthetics. Asphalt and road striping on Tuxedo Road would be put off until mid summer after the guide rails are installed.

BACK FLOW PREVENTERS

Rich Messer reported that the Orange County Health Department requires municipalities to have a local law that requires homes/businesses to have backflow preventers installed where water enters a residence/business. The installation would be at the owner's expense, but annual inspection and monitoring is done by the Village. He suggests the Village adopt a local law as soon as possible since this Health Department requirement has been brought to the Village's attention in the past.

DPW FACILITIES

Weston & Sampson had submitted a preliminary proposal, with three options, for construction of a new DPW facility at a cost of \$5 million. The Trustees feel this is unacceptable and asked Rich Messer to submit a revised proposal that shows a breakdown of costs with a 'menu of choices' that would allow the Village to pick and choose what is needed. Also, more land needs to be acquired near the sewer plant to accommodate a new facility.

I&I – A discussion was held on the need to proceed with correcting the I&I problem.

WARWICK BROOK ROAD BRIDGE – A discussion was held on the need to repair the bridge which is getting progressively worse. An Infrastructure Committee meeting will be scheduled to discuss options.

SET DATE FOR PUBLIC HEARING ON 2012 TENTATIVE BUDGET

A motion was made by Mayor Stebbins, seconded by Trustee Zgonena that a public hearing on the 2012 Tentative Budget be scheduled for Wednesday, April 6, 2011 at 7:30 p.m. in the Village Hall.

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

The motion was passed by a 4-0 vote.

APPROVE MINUTES

A motion was made by Mayor Stebbins, seconded by Deputy Mayor Pompan that the minutes of the March 9, 2011 Special Board of Trustees meeting be approved.

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

The motion was passed by a 4-0 vote.

AUDIT OF CLAIMS - Bills in the amount of \$116,982.86 for the General Fund, claim numbers 3-1 to 3-95, \$47,594.36 for the Water Fund, claim numbers W3-1 to W3-23, \$2,725.00 for Capital Projects, and \$4,258.74 for Professional Fees were audited and ordered paid.

EXECUTIVE SESSION

A motion as made by Mayor Stebbins, seconded by Trustee Zgonena that the Board adjourn to Executive Session to discuss a specific personnel matter and the 2012 Tentative Budget.

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

The motion was passed by a 4-0 vote.

ADJOURNMENT

A motion was made by Mayor Stebbins, seconded by Trustee Wilson that the meeting be adjourned at 12:36 a.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer