

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
AUGUST 17, 2011
7:00 P.M.**

Present: Mayor Thomas Wilson (arrived at 7:23 p.m.)
Deputy Mayor David du Pont
Trustee Alan Heywood
Trustee Robert Zgonena

Absent: Trustee Liane Neuhauser

Clerk: Deborah Matthews

Also: Jeffrey Voss (DPW Superintendent), Chief Ken Sanford, Mary Grimmig, Sue Heywood, James Hays

Deputy Mayor du Pont called the meeting to order at 7:01 p.m. and Trustee Zgonena led the Pledge of Allegiance. Deputy Mayor du Pont noted that Mayor Wilson will be late as he is experiencing car trouble.

Police Update

Chief Sanford gave a synopsis of July Police activities. A discussion was held regarding lowering the speed limit in the Village for commercial vehicles.

DPW Update

Superintendent Jeff Voss, after speaking with the Mayor, has obtained three quotes for the purchase of a new trailer for the DPW asphalt roller. The low quote for the appropriate size and weight trailer is \$3,740, and the cost can be absorbed in the current year budget.

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that Superintendent Voss be authorized to purchase a new CAM Superline Tag-Along Trailer, the model specific to the sales quote dated July 7, 2011 from Construction and Industrial Equipment Corp., at a cost of \$3,740.

Vote of the Board: Trustee Heywood - aye
Trustee Zgonena - aye
Deputy Mayor du Pont - aye

The motion was passed by a 3-0-0 vote.

Superintendent Voss reported that there are a lot of drainage issues throughout the Village. One area of specific concern is Clubhouse Road, and he suggests the Village have an engineer review the problems and make a recommendation for resolving them there before the road is paved.

Building Department Update – None (Condolences were expressed to John Ledwith and his family on the passing away of his father.)

Public Comments – None**Approval of Minutes**

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that the minutes of the April 6, 2011 Special Board of Trustees Meeting and the April 20, 2011 Regular Board of Trustees Meeting be approved as written.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont - aye

The motion was passed by a 3-0-0 vote.

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that the minutes of the May 18, 2011 Regular Board of Trustees Meeting be approved as written.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont - aye

The motion was passed by a 3-0-0 vote

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that the minutes of the June 10, 2011 Special Board of Trustees Meeting, the June 14, 2011 Bid Opening for the Guide Rail Materials, and the June 26, 2011 Special Board of Trustees Meeting be approved as written.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont - aye

The motion was passed by a 3-0-0 vote

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that the minutes of the July 1, 2011 Special Board of Trustees Meeting, the July 7, 2011 Special Board of Trustees Meeting, the July 14, 2011 Bid Opening for the Guide Rail Installation, and the July 20, 2011 Regular Board of Trustees Meeting be approved as written, and that the July 20, 2011 Reorganization Meeting minutes be approved as amended.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont - aye

The motion was passed by a 3-0-0 vote

Legacy Stoneworks Contract

The agreed upon sale of the Village's used excavator to Legacy Stoneworks totals \$14,000. We have received \$6,500 from Legacy to date and retain possession of the equipment. A final contract is pending.

A motion was made by Deputy Mayor du Pont, seconded by Trustee Zgonena that the contract for the sale of the used DPW excavator agreement as redrafted by Village Counsel be signed by the Mayor and that it be presented to Legacy Stoneworks for their signatures as well.

Vote of the Board: Trustee Zgonena – aye
 Trustee Heywood – aye
 Deputy Mayor du Pont – aye

The motion was passed by a 3-0-0 vote.

Since no issues have been found with the financial obligations of Legacy Stoneworks, the Board was in agreement that they be allowed to pick up the excavator prior to the final installment payments being made.

Note: Mayor Wilson arrived at this point in the meeting (7:23 p.m.)

Local Law Introductory #3 of 2011 – Amending Village Code Section 65-6(H) - Single Hull Boat Length

A discussion was held on the fact that the draft of the local law erroneously states the boat length as 23' instead of 21' and leaves out the identifying style of single hull boats.

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that a public hearing be held on September 8, 2011 at 7:00 p.m. on Local Law Introductory #3 of 2011 with the agreement that the Board will edit the local law to change the boat length from 23' to 21' for single hull electric boats.

Vote of the Board: Trustee Heywood – aye
 Trustee Zgonena – aye
 Deputy Mayor du Pont – aye
 Mayor Wilson – aye

The motion was passed by a 4-0-0 vote.

Mayor's Update

Legal News – As of yesterday, August 16, 2011, the Hanson vs. Tuxedo Park Federal litigation was officially dismissed and the appeal filed by Mr. Hanson was withdrawn. Mayor Wilson thanked all the previous Trustees who worked on this matter and particularly Mayor Stebbins for all his perseverance, diligence, and determination through the process. He also thanked Mr. Hanson for his work in helping us to settle this matter amicably.

Municipal Financing News – On August 9, 2011, the Village received a AA+ rating from S&P for \$1.84 million on our General Obligation Bond. The Village awarded the winning bid to Raymond James Associates for our 20-year bond at a rate of 3.00%. Municipal yields in previous months ranged from 3.94%, 4.17%, 3.45%, 3.7%. A 15-year residential mortgage within the last couple of days was 3.8%. Legal counsel and our bond advisor said if we went back to the market we could ask S&P to raise our rating to AAA+.

Guide Rail News – Installation of the guide rail began on August 15th and will continue for the next few weeks. There was a delay in starting because some of the fencing had holes drilled incorrectly and had to be sent back. Completion is expected to be around the second week of September.

Website News – It has been an exercise in frustration as .gov names are not easy to secure. The Mayor went a different route and secured tuxedopark.org at a cost of \$1,200 to the Village. He was also able to secure a shortened version which is txpk.org. The site will be up and running in 30 days and will also make the domain name and e-mail available at tuxedopark.org to residents if they so choose. There will be 500 available to start.

Environmental News – The Wee Wah Beach Club was closed for the last week because of blue-green algae, also called Cyanobacteria, which are microscopic organisms present in lakes and streams everywhere. Some can produce toxins and are identified by visibly discolored water and surface scum. Environmental Committee Chair Susan Goodfellow regularly takes water samples of the lakes and noticed an increase in the blue-green algae surface scum on Wee Wah Lake. The Beach Club was alerted and water samples were sent to Albany. The beach was closed until test results came back. The results were received today and they are within the acceptable State standards. The recent rain and wind helped to clear the algae. The beach will be reopened today.

Mayor Wilson talked with the Village Engineer about the algae problem and they discussed the possibility of installing an aerator and a fine mesh material around the swimming area.

Other items discussed included the phosphates getting into the lakes and their possible effect on the growth of blue-green algae, improvements to the Wee Wah beach area, such as hydroseeding and topsoil, and the discovery on August 10th of an undocumented timber rattlesnake den on Eagle Mountain. The den is within a one mile radius of Tuxedo Reserve and the radius of their normal traveling.

Committee Updates

Public Health Committee (Cami Fischer, Chair) - has been working on a Village-wide leaf removal program for the Fall. If most or all of the leaves are removed from residential properties, we can reduce the tick population. If leaf removal is combined with a deer culling program and the use of Terminex tubes for the mice, we have a good plan to minimize Lyme disease going forward. The Committee will give a presentation at a later date.

Technology Website Committee – is working on live streaming videos of meetings so someone doesn't have to be here to set up the equipment each time. The problem with the current method is the quality of the feed, and will cost money to improve it. The Committee is trying to find a low cost solution.

Infrastructure Committee – is working on the Warwick Brook bridge which requires repairs of \$100K; a similar cost solution for the Mt. Farm pump station; and a DPW building or renovation of that space.

Approvals

Change Date of September 2011 BOT Meeting

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the September Regular Board of Trustees meeting be rescheduled from September 21 to September 8, 2011.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont – aye
Mayor Wilson – aye

The motion was passed by a 4-0-0 vote.

Wee Wah Beach Club Improvements

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that authorization be given for the Wee Wah Beach Club to add topsoil and hydro-seed the area at a cost of \$1,805 which is funded from the \$5,000 license fee paid by the Wee Wah Beach Club to the Village.

Vote of the Board: Trustee Zgonena – aye
Trustee Heywood – aye
Deputy Mayor du Pont – aye
Mayor Wilson – aye

The motion was passed by a 4-0-0 vote.

Village Planner – A short discussion was held regarding the replacement of the current Village Planner and the manner in which the Village has been billed for services in the past through the Village Attorney. The matter was tabled.

Appraisal of Village Hall Property

A motion was made by Mayor Wilson, seconded by Trustee Zgonena that the Village seek bid proposals for an appraisal of the Village Hall parcel for use in determining whether there is a market for the property.

Vote of the Board: Trustee Heywood – aye
Trustee Zgonena – aye
Deputy Mayor du Pont – aye
Mayor Wilson – aye

The motion was passed by a 4-0-0 vote.

New General Obligation Bond – this matter was tabled without discussion.

Primiano Tax Certiorari Settlement

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board agree to include the 2011 tax certiorari in the settlement of the Primiano tax certiorari proceedings for 107-1-77.1 (market value of \$1.6 million) and 104-1-15 (market value of \$1.8 million) and that a tax refund of \$1,400 be given to Mr. Primiano.

Vote of the Board: Trustee Zgonena – aye
 Trustee Heywood – aye
 Deputy Mayor du Pont – aye
 Mayor Wilson – aye

The motion was passed by a 4-0-0 vote.

Audit of Claims – Bills in the amount of \$173,003.08 for the General Fund, claim numbers 8-1 to 8-95; \$52,552.16 for the Water Fund, claim numbers W8-1 to W8-17; \$161,282.01 for Capital Projects, claim numbers CP8-1 to CP8-4; and \$25,349.78 for Professional Fees, claim numbers PF8-1 to PF8-5 were audited and ordered paid.

Garbage Problem – Trustee Heywood stated that his neighbor leaves his garbage out and it is attracting bears, creating a hazard to the community. Mayor Wilson will contact the Village Attorney to find out if the resident can be fined for causing a public health and safety hazard.

Adjournment

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the meeting be adjourned at 8:11 p.m. The vote was 4-0 in favor of adjourning.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer