

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
JANUARY 24, 2012
7:00 P.M.**

Present: Mayor Thomas Wilson
Deputy Mayor David du Pont
Trustee Alan Heywood
Trustee Liane Neuhauser

Absent: Trustee Robert Zgonena

Clerk: Deborah A. Matthews

Also: John Ledwith, Officer Ryan Eirand (filling in for Chief Sanford), Richard Golden, Esq., Richard Messer (W&S Engineers), Meg Vaught, JoAnn Hanson, Kristian Matthews, Jake Matthews & wife, Cami Fischer, David & Robin McFadden, Audrey & Jack Perry

Mayor Wilson opened the meeting at 7:04 p.m. Trustee Heywood led the Pledge of Allegiance.

Mayor's Update

Mayor Wilson began his update with a brief outline of the evenings' agenda.

A presentation will be made by the two Village Planner candidates.

He reported the Village finances are running at about the same level as they were at this time last year. It is expected this fiscal year will come in at or under budget.

There were some unexpected issues that occurred this past year, such as a large water main break, followed by the earthquake and Hurricane Irene, fall-out from the October snowstorm, as well as two 6-day power outages. The CodeRED emergency system was an immense help throughout all these events in making sure that residents were kept informed throughout these emergencies.

In addition, other highlights of the year include the financing of a municipal bond for 20 years at 3 ½%, the installation of new guide rails on Tuxedo Road (for which the Mayor gave credit to former Mayor Houston Stebbins and the VIAC), and the installation of a generator at the Village Office.

The generator at the Village Police Station is undergoing repairs, and thanks to the donation of a Village resident, the DPW will also have a working, refurbished generator.

Deputy Mayor du Pont has negotiated the new police and traffic guard contracts.

The Village has a new website which will be able to accommodate the posting of certain information prior to all public meetings as there has been an amendment to the New York State Open Meetings Law that requires municipalities to begin posting relevant meeting information. Within the next month the Village hopes to move forward with its deer culling program.

The Village is pursuing a new storm water management program which, over the course of the next 3-5 years, should help the Village to more easily identify and mitigate storm water issues. Wee Wah dam repairs are on going with work expected to continue in the Spring. Repairs to the Mountain Farm pump station will soon be underway. The Village is exploring the idea of a tree culling program in order to rid the Village of trees that appear to be in good shape but have begun rotting in the middle. Finally, the Board expects to receive BAR Design Guidelines within the next 30 to 60 days and will then begin to move forward with drafting and implementing a new fence law.

Police Update – Chief Sanford was absent. Officer Eirand gave a synopsis of the December police activities and a copy is attached.

DPW Update – Superintendent Voss was absent. He has been assisting White Buffalo in feeding the deer for the deer culling program.

Officer Eirand explained his part in the culling of deer with White Buffalo. He and another full time officer participated in classroom training last year and this year they have been training in the field. The long term goal in using the Police is to reduce the culling cost to the Village.

Building Department Update

John Ledwith gave a summary of his monthly report which is attached.

Committee Updates - None

Public Comment

Speaker: David McFadden, Jake Matthews

Comments:

- 1) Directed to Mayor Wilson-why were the Police and DPW given increases when the campaign promise was to cut Village expenses by 3-5%; where is the cut in the budget going to be made; is the DPW contract going to be renegotiated; is the Mayor showing favoritism over issuance of building permits; he asked for the Mayor's involvement in the Tuxedo Land Trust and a list of donors.
- 2) When was the last time the speed limit in the Village has been reviewed as 30mph is high for some areas.

Village Planning Consultant Presentations

The Planning Board interviewed eight candidates for the position of Village Planner and narrowed the choice down to two candidates. A presentation of planning consultant services was given by those two candidates for the Village Planner position. They were:

Nan Stolzenburg of Community Planning & Environmental Associates, Berne, NY
and Charles Voss of Barton & LoGuidice, PC, Albany, NY, with a branch office in Newburgh, NY.

White Buffalo Contract

The updated version of the White Buffalo contract for deer culling was reviewed and a discussion was held including travel, lodging, fuel expenses, and insurance that will be included in the \$25,000 contract price.

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board approve the Wildlife Management Services Agreement with White Buffalo for a deer culling program in the Village of Tuxedo Park subject to the total cost not exceeding \$25,000 and a satisfactory review of the contract by the Village Attorney.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Engineer's Report

Richard Messer gave an overview of the ongoing Village projects: Mt. Farm Pump stations, Sewer System Evaluation Survey, Wee Wah Dam Repairs, the East Village Water Main, and the Clubhouse Road Water Line. He asked that approval be granted for previously submitted proposals to move forward with the Mt. Farm Pump Station, engineering for the Wee Wah Dam Rehabilitation, and Phase 3 of the SSES Work Plan.

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve Weston & Sampson's September 19, 2011 proposal for the improvements to the Mt. Farm Pump Station, Tasks 1 through 8, to include equipment, labor and materials, in the amount of \$16,500.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board approve Weston & Sampson's January 17, 2012 proposal for the design and implementation of the Phase 3 Improvements for Sub-Basins 14 & 15 of the SSES Work Plan, Tasks 1 through 4, in the amount of \$49,700

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve Weston & Sampson's January 20, 2012 proposal continuing engineering services on the Wee Wah Dam Rehabilitation, Tasks 1 through 8, in the amount of \$44,900.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Letter from Gerard Pompan – Mayor Wilson read the letter dated January 2012 in which Mr. Pompan asks about Village finances, the proposed 2012-2013 Village budget in relation to the 2% tax cap, property assessments and assessment grievances.

Letter from BZA Attorney Michael Donnelly – Attorney Donnelly is asking for the Board to adopt a policy regarding the NYS Law amendment recently passed regarding the Open Meetings Law which requires municipalities to post documents, where practicable, that are being discussed at board meetings. These boards include BOT, BAR, BZA and PB. The matter was discussed. The amendment takes effect on February 2, 2012.

Fence Law

Mayor Wilson stated that the Board is awaiting the proposed Design Guidelines regarding fences and will be unable to finalize a fence law until the Guidelines are presented. However, Attorney Golden reminded the Board that a letter can be sent to those residents who have installed fences and gates letting them know that they are not in compliance with the Village Code and are at risk of being asked to remove them when the Guidelines are in place.

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board authorize the Village Attorney and the Building Inspector to draft a letter to the residents regarding the status of the Fence Law and that the draft be sent to the Trustees under Attorney-Client Privilege for their approval and the final letter to be signed by the Mayor.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Approve Water Truck and Financing

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board approve the purchase of a 2012 Ford F-350 truck chassis with utility body for the Water Department at the New York State bid price of \$30,757.76, that the truck be financed through Bank of America at a rate of 2.647% for four (4) years, and that the Mayor be authorized to sign the lease/purchase agreement with Bank of America.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Approve Minutes

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the minutes of the December 15, 2011 Board of Trustees meeting be approved.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Part Time Police Officers

A motion was made by Deputy Mayor du Pont, seconded by Mayor Wilson that the Board approve: 1) an hourly increase for the part time Police Officers from \$20.80 (last increased in June 2008) to \$22.50 per hour, effective Monday, February 6, 2012; 2) that a clothing replacement allowance of \$250 annually be provided to any part time Officer who works more than 250 hours in any one fiscal year, or who attains three consecutive years of service to the Village, whichever comes first; 3) that this fiscal year, \$1,000 be allocated out of the current Police Department budget to pay for part time Officer proficiency training (responder first aid, radar gun certification and other certificate training deemed appropriate by the Chief of Police), excluding the annual firearms qualification training, to be paid at the rate of \$20.00 per hour for said training; and 4) that \$2,100 be added to the current Police budget to fund the purchase of three armored vests, Officer need to be determined by the Chief of Police.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Audit of Claims - Bills in the amount of \$179,139.63 for the General Fund, claim numbers 1-1 to 1-99; \$17,739.22 for the Water Fund, claim numbers W1-1 to W1-19; \$9,107.62 for Capital Projects, claim number CP1-1 to CP1-2; and \$13,315.58 for Professional Fees, claim numbers PF1-1 to PF1-6 were audited and ordered paid.

Adjournment to Executive Session

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the meeting be adjourned to Executive Session at 9:50 p.m. to discuss the Village Planner. The vote was 4-0 in favor of adjourning.

Reopen Public Session

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board exit Executive Session and re-enter public session at 10:10 p.m. The vote was 4-0 in favor of reopening.

Hire Village Planner

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board hire the firm of Barton & LoGuidice, Albany, NY as the Village Planner.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Appoint DPW Liaison

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that Trustee Neuhauser be appointed as the Trustee liaison to the Village's Department of Public Works, replacing Trustee Zgonena as liaison.

Vote of the Board: 4 ayes, 0 nays, 0 abstentions

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

Adjournment

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the meeting be adjourned at 10:11 p.m. The vote was 4-0 in favor of adjourning.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer