

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
FEBRUARY 28, 2012
7:00 P.M.**

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

Clerk: Deborah Matthews

Also: Chief Ken Sanford, John Ledwith, Jeff Voss, Meg Vaught, Sue Heywood, Richard Golden, Esq., Mary Grimmig, Mary Jo Guinchard, David McFadden, Edgar Stegmann, Jack & Audrey Perry, Jim Hays, Cami Fischer, Jake Matthews, Mary Graetzer, Andrew Lewis (AIM), Chris Doyle (Allied Biological)

Mayor Wilson called the meeting to order at 7:00 p.m. Trustee Neuhauser led the Pledge of Allegiance.

Mayor's Update

Under the direction of White Buffalo, the deer culling program began on February 1st. At the conclusion of the program, about 100 deer were taken with 3,000 lbs of venison donated to food pantries. Issues needing addressing in next year's program include better notification to residents by posting the schedule on the Village website and posting signs.

The updated Village website has been averaging 100 hits per day.

In response to a request by David McFadden at the January meeting for names of the residents who donated to the Tuxedo Land Trust, Mayor Wilson informed him that because of donor privacy issues, the names cannot be released without the donors' permission. However, in reviewing the donor list, there were three from the Village, two being Mary Graetzer and himself. The third donor has not been contacted.

Presentation by Aquatic Invasive Management (AIM) and Allied Biological

Environmental Committee Chair Susan Goodfellow gave a brief overview of the Eurasian Water Milfoil situation that the Village is facing since the invasive plant was discovered in all three of its lakes. She introduced Andrew Lewis of Aquatic Invasive Management (AIM) and Chris Doyle of Allied Biological.

AIM – Andrew Lewis of Aquatic Invasive Management explained the procedure for identifying and harvesting the Eurasian Water Milfoil in the lakes. At this point in time, the Village should begin an aggressive program because once Milfoil is in the lakes, it's there for a long time. The goal becomes making the cost of managing it as low as possible. The initial program cost is \$14,818 as outlined in AIM's proposal for the 2012 program.

The floor was opened to the audience for questions.

Allied Biological – Chris Doyle, Senior Biologist, explained that his company completed a vegetation survey in October after the Milfoil was discovered in the lakes and confirmed the presence in two locations. He recommends doing vegetation surveys in all three lakes in order to fully assess the Milfoil situation, especially in Tuxedo Lake. The surveys would also provide an update on the status of invasive species as well as information about the native plants that exist in the Lake. He submitted four proposals for 2012 totaling \$15,635. He also stressed that the Village should never discontinue the CSLAP program.

The floor was opened to the audience for questions.

Police Update - Chief Sanford gave a synopsis of January police activities. He reported that the old Police station has been cleaned out, the kitchen floor in the new station is being replaced, and two bear proof garbage cans were purchased. Following an interview, Deputy Mayor du Pont recommends hiring Michael Coleman as a part time Police Officer. In addition, Chief Sanford asked that part time Police Officer Stephen Colantonio be rehired (he had to resign in conjunction with his retiring as a full time Investigator with Rockland County) and that part time Police Officer David Yates be rehired as a part time Traffic Guard (he doesn't have enough college credits to fulfill the position of part time Police Officer to which he was previously appointed).

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that Michael Coleman be hired as a part time Police Officer, Stephen Colantonio be rehired as a part time Police Officer, and David Yates be rehired as a part time Traffic Guard.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

DPW Update – Supervisor Voss reported that his department received a 100kw generator donated by a Village resident. The unit needs to be repaired and the motor has been disassembled, needing parts. Electrical connections and installation of a propane tank will also be needed.

Building Department Update

John Ledwith reported that he notified O&R about a low voltage situation at the Water Plant and also street lights needing bulb replacement; he received notification from O&R that they will not extend the natural gas main past the old Police Station at their cost. He has a meeting with O&R on March 5th to discuss the feasibility of extending the main into the Village. He spoke with the Tuxedo Club's grounds keeper regarding the condition of the Club's vacant lot on Lorillard Road. A copy of the full report is attached.

Committee Updates

VIAC – Michele Lindsay, Chair, was absent so liaison Trustee Heywood gave an overview of the Committee's ongoing projects: 1) Mailboxes – those situated in groups in some areas need new posts, 2) DPW and Water Plant - buildings are in need of painting; 3) Street lights – investigating

replacement of fixtures; 4) Road repairs and storm water management – working with the Village DPW Superintendent and Village Engineer for a long term plan; 5) Forest understory – would like the BOT to approve the Committee meeting with an arborist as they are concerned about the excessive use of leaf blowers to clear the understory; 6) Budget – request \$1,000 to be used for small BOT approved projects; and 7) Racetrack pathways – request BOT approval to have the DPW clear walking paths in the Racetrack

A discussion was held on each topic.

Committee Updates

Public Health Committee

Committee Chair Cami Fischer expressed her gratitude to Jeff Voss, Chief Sanford, Officers Taback and Eirand, Kirk LaBar, and John Ledwith for their help with the recent deer culling program. Approximately 100 deer were culled by White Buffalo with the assistance of Officers Taback and Eirand. The final White Buffalo invoice is just over \$31,000 (which includes \$7,000 in Police training) and about \$6,000 more than originally approved. In addition, Mrs. Fischer donated approximately \$8,000 to cover the cost of meals and rooms for White Buffalo staff and for venison processing.

Environmental Committee

Committee Chair Susan Goodfellow asked that the Board approve the proposals submitted earlier from AIM and Allied Biological. She feels completing the studies and professional guidance for lake management is the key to ensuring that the village is working to combat the Milfoil problem in an appropriate and effective manner. In addition, because of the issues that have arisen from the mulch pile located on Long Meadow Road, she recommended that the Village also pursue a bio-assessment of the Village streams, particularly Warwick Brook. She provided the Board with information from Kelly Nolan, a Senior Taxonomist with Watershed Assessment Associates. Possibly adding to the water contamination problem from storm water runoff, there is a proposed development at the International Paper site by the purchasers, Jehovah's Witnesses, which includes construction of several dormitories.

A discussion was held.

Public Comments

Speakers: David McFadden, Cami Fischer; Jim Hays; Jake Matthews; Susan Goodfellow

Comments: Why doesn't the Board seek other bids for the water testing and milfoil removal; why was the Village website changed; the website can't be used for electioneering; there is support for the Board for the milfoil removal program; the water testing and milfoil removal are specialized fields and bidding is not practical; the Village lakes are priceless entities and without them the whole value of the Village and all the individual properties are at risk; the Village Office parking lot needs better lighting because it's dangerous as it is now.

Discussions ensued on the topics mentioned.

Approve Proposals for Allied Biological and AIM***Allied Biological***

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the proposal from Allied Biological for the 2012 Aquatic Vegetation Mapping Survey for Tuxedo Lake for a total cost of \$3,395.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board approve the proposal from Allied Biological for the 2012 Aquatic Vegetation Mapping Survey for Wee Wah and Little Wee Wah Lakes for a total of \$3,055.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the proposal from Allied Biological for 2012 Lake Mapping/Bathymetric Mapping for Wee Wah Lake for \$3,395 and Wee Wah Lake Sedimentation Mapping for \$5,190.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

AIM

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the proposal from AIM for Eurasion Milfoil Removal for 2012 for a total of \$14,818.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Approve BOT Minutes

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the minutes of the January 24, 2012 Board of Trustees meeting be approved.

Vote of the Board: 4 ayes, 1 abstention (Zgonena)

The motion was passed by a 4-0-1 vote.

Official Undertaking

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board of Trustees adopt the following resolution to approve the form of Official Undertaking of Municipal Officers of the Village and the manner of execution and sufficiency of the Village's insurance company as surety:

WHEREAS, DEBORAH A. MATTHEWS, of the Village of Tuxedo Park, County of Orange, New York, has been appointed to the office of Village Clerk-Treasurer of the Village of Tuxedo Park; and

WHEREAS, JOHN C. LEDWITH IV, of the Village of Tuxedo Park, County of Orange, New York, has been appointed to the office of Deputy Village Clerk-Treasurer of the Village of Tuxedo Park; and

WHEREAS, KENNETH L. SANFORD, of the Village of Tuxedo Park, County of Orange, New York, has been appointed to the office of Chief of Police of the Village of Tuxedo Park; and

WHEREAS, JEFFREY T. VOSS, of the Village of Tuxedo Park, County of Orange, New York, has been appointed to the office of Village Superintendent of Public Works of the Village of Tuxedo Park; and

WHEREAS, DAVID L. LEVINSON, of the Village of Tuxedo Park, County of Orange, New York, has been elected to the office of Village Justice, of the Village of Tuxedo Park; and

WHEREAS, JUNE MENKENS, of the Village of Tuxedo Park, County of Orange, New York, has been appointed to the office of Clerk to the Village Justice, of the Village of Tuxedo Park; and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Village of Tuxedo Park that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Village Officer, in accordance with the law; and

The Village does and shall maintain insurance coverage, presently with Argonaut Insurance Company through its agent Marshall & Sterling, Inc., to indemnify against losses through the failure of the officers, clerks, and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Fence Law

Trustee Neuhauser reported that the BAR has made their final review of the Design Guidelines and expect to submit them to the Board of Trustees for approval at the March Trustees' meeting. Once approved, then the Fence Law can be worked on. She feels that all fences should have to come before the BAR. Letters are being sent to those residents who have installed fences without permits letting them know that they are potentially in violation and that there may be consequences.

Attorney Golden commented that the Board needs to decide what they want the fence law to include and forward the information to him so that he can draft the legislation.

The Board reviewed the section of the Design Guidelines that pertains to fences and deer fencing.

A brief discussion was held.

Audit of Claims - Bills in the amount of \$252,299.71 in the General Fund, claim numbers 2-1 to 2-122; \$54,183.15 in the Water Fund, claim numbers W2-1 to W2-19; \$32,113.00 in Capital Projects, claim number CP2-1 to CP2-2; and \$4,169.24 in Professional Fees, claim number PF2-1 to PR2-4 were audited and ordered paid.

Adjourn to Executive Session

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board adjourn to Executive Session at 10:08 p.m. to discuss Tax Certioraris filed against the Village and to deliberate the grievance applications deferred from February 21st. The vote was 5-0 in favor.

Reopen Regular Session

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board return to regular session at 10:45 p.m. The vote was 5-0 in favor.

Grievance Decisions – Deferred from February 21st

Tuxedo Club - Tax Map Nos. 107-1-2.2, 107-1-3.2, & 107-1-47

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that there be no change in the assessment for the three parcels of the Tuxedo Club. The vote was 5-0 in favor.

Lobkowitz - Tax Map Nos. 106-1-4, 106-1-5, & 106-1-6

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that there be no change in the assessment for the three parcels of Philip Lobkowitz. The vote was 5-0 in favor.

Iazetti - Tax Map Nos. 105-1-24, 105-1-34, & 105-1-38

A motion was made by Mayor Wilson, seconded by Trustee Heywood that there be no change in the assessment of the three Iazetti parcels. The vote was 5-0 in favor.

Mason - Tax Map No. 101-1-14

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the assessment be reduced from \$30,000 to \$21,000. The vote was 4 ayes in favor and 1 abstention (Heywood).

Adjourn to Executive Session

A motion was made by Trustee Neuhauser, seconded by Mayor Wilson that the Board enter Executive Session at 10:50 p.m. to discuss Administrative compensation matters. The vote was 5-0 in favor.

Reopen Regular Session

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board reopen regular session at 11:00 p.m. The vote was 5-0 in favor.

Administrative Compensation

A motion was made by Deputy Mayor du Pont, seconded by Mayor Wilson that Village Clerk-Treasurer Deborah Matthews and Deputy Village Clerk-Treasurer John Ledwith each be given, at the next Village payroll period, Discretionary Bonuses of \$2,000 each for their respective services in calendar year 2011.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Adjournment

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the meeting be adjourned at 11:05 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer