

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

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

Clerk: Deborah A. Matthews

Also: Chief Ken Sanford, John Ledwith, Richard Golden, Esq.,  
Richard Messer, P.E., James Presutti, Arborist, Mary Grimmig, Meg Vaught, Steven  
Brodheim, Joan Alleman, Doug Stone, Audrey & Jack Perry, Uli Pendl

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

Mayor Wilson asked for a moment of silence in memory of long time resident and former Village Trustee Oliver Parker who passed away recently. On behalf of the Village, the Mayor expressed condolences to Oliver's family as well as gratitude for Oliver's public service to the Village.

**Mayor's Update**

Mayor Wilson noted that the items that will be addressed are the Village Boat Club issues, the Wee Wah Dam, and a salt shed and machinery cover for the Village DPW. Also, a lot of progress has been made over the last week on paving some of the Village roads.

**Police Update** - Chief Sanford gave a synopsis of the July Police activities. He reported that so far August has been a quiet month.

**DPW Update** - DPW Superintendent Voss was absent.

**Building Department Update**

*Village Boat Club*: John Ledwith, Building Inspector, gave an update on the status of the Village Boat Club. He issued them a stop work order for doing work on the Village's water plant property without permission of the Village Board. Subsequently, the VBC submitted a building permit application, the fee, and plans for replacing and adding docks (new 5'x5' concrete pad, new 5'x20' cedar section to replace the old concrete pad and reuse of a 5'x8' ramp, total projecting 33' from the shore into the lake). Mayor Wilson noted that he had met with each of the Trustees at the VBC area

to look at the work that was done. A discussion was held on the docks and also on the reimbursement to the Village for the VBC's use of Village electric service at the VBC location.

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board conditionally approve the Village Boat Club dock application and issue a permit for a period of six (6) months to be reviewed and renewed at the Board of Trustees regular monthly meeting in February 2013.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Deputy Mayor du Pont asked that the Board address the number of boats kept in the rack over the Winter and the preparation of a new license agreement between the Village and the Village Boat Club.

### **Committee Updates**

Mayor Wilson reported, on behalf of the Telecommunications Committee, that he has spoken with Village resident Steve Maurer who is interested in helping improve cell phone service and other telecommunications, including Super Wi-Fi, in the Village.

### **Public Comments**

Zgonena Property: Meg Vaught questioned whether the Village is aware of the two large dump trucks from Perfect Cut that dumped what appeared to be fill on Rob Zgonena's property on Ridge Road. She also expressed great concern about the material that was brought in, the company who brought it, and about run-off onto her property across the road and whether the fill is possibly contaminated.

A lengthy discussion was held on the issues of fill, large truck traffic, monitoring of trucks, and notification of the Police of projects having a building permit. The Building Inspector will visit the Zgonena property tomorrow, assess the situation, and take the appropriate action.

Douglas Stone: Mr. Stone presented the Board with photos of his lake side property and the very low level of Wee Wah Lake where grass, plants, and trees are now growing. He feels the low level of the lake is seriously detracting both the value of his home and his enjoyment of it. He asked when the Wee Wah Dam would be repaired so the water level could go back up. He would like to have his Village assessment lowered because of these factors as he was given a reduction by the Town on his Town assessment.

Mayor Wilson noted that the Dam repair may take up to three years to complete, and that Mr. Stone can grieve his Village assessment in February 2013.

Jack Perry: Mr. Perry asked about the status of the fallen and leaning trees on his property (South Lake Place) and their removal.

Jim Presutti of Hudson Valley Horticultural Services, who was hired by the Village to assess the trees, reported his findings. Using his GPS compass, Mr. Presutti was able to locate some of the

property markers and identify the location of the five trees of concern. Standing water that finally drained as a result of the repair of a culvert on Town property by the Town of Tuxedo DPW, left open soil areas under the root system of two of the trees in question, and they began to lean and will eventually fall. Three trees have already fallen. Two appear to be right on the line of the Village and the Perry properties. The third tree is on the Perry property and fell along the sideline of the two properties. He recommends cutting the trees up where they lay, pushing the root systems back in place, and let the rest decay naturally. His estimate of the cost to cut and remove the wood from the site to be about \$3,000. He recommended Ira Wickes or Canadian Tree.

A discussion was held and the Board agreed to pay up to \$1,000 towards the cost of the tree removal. They asked Mrs. Perry to obtain cost estimates and report back to the Trustees.

Joan Alleman: She is glad the Wee Wah Dam issue is being addressed, and she's also concerned about what is flowing into the lakes.

Mayor Wilson replied that \$25K has been allocated per year for lakes management and remediation of Milfoil. Testing of the water is done on a continuing basis. He noted that volunteers Susan Goodfellow and Jim Hays are doing a great job of monitoring the lakes and taking appropriate action when necessary.

### **Family Health Fair - Tuxedo Park School, September 29th**

A discussion was held on the request of the Tuxedo Park School to hold a Family Health Fair jointly with Good Samaritan and St. Anthony Hospitals as well as the Tuxedo Volunteer Ambulance Corps, Tuxedo Fire Department, Tuxedo and Tuxedo Park Police and Tuxedo Park Library at the school on September 29, 2012 from 9 am to 12 noon. The event will include numerous activities as well as workshops. After verifying with a TPS representative, invitations will only be extended by the school to the school community as well as residents of the Village and associated doctors and their families. No public advertising will take place.

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the September 29th Tuxedo Park School Family Health Fair event, together with Good Samaritan Medical Center, St. Anthony's Hospital, Tuxedo Ambulance, Tuxedo Fire Department, Tuxedo and Tuxedo Park Police and the Tuxedo Library.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

### **Engineers Report**

Village Engineer Rich Messer (W&S) gave an overview of the Village's infrastructure projects:

1) Mt. Farm Pump Station - the BOT asked that the project repairs move forward and not be put on hold for the Overton project.

2) SSES - the project is moving along and change orders are needed to address additional areas.

Also, there are a number of residential sewer lines that the homeowners need to repair. A discussion was held and the Board asked that the list and cost estimates be forwarded to them for review.

3) East Village Water Main - the Engineer had previously forwarded to the Board several options of repair and costs. The total cost of all lines and repairs (new line, under the Ramapo, and under the Thruway) would be \$735K to \$849K.

4) Wee Wah Dam - W&S submitted a draft Design and Assessment Report for Wee Wah Dam. In its current condition, the dam is not capable of handling any major storm events. If Sterling Place is developed, the dam will be reclassified as 'high hazard' by the DEC. Mr. Messer noted that a 'brainstorming' session with the Village should take place regarding repair options and then be put in the final report going to the DEC. DEC review and approval will precede the issuance of a permit by the DEC to make the repairs.

A discussion was held on the SSES change orders needed for adding West Lake Road-Deane property, The Breezes Part 1 and The Breezes Part 2 totaling \$59,025. A copy of the report is attached.

#### SSES Change Order

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the Change Order for \$59,025 for the three phases of the SSES work subject to final approval by either Trustee Neuhauser or Mayor Wilson after their discussion with Jeff Voss, DPW Superintendent, for verification on the need for the additional work.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

#### Appointment - DPW Summer Worker

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board retroactively appoint Daniel P. Jones (Jr.), Greenwood Lake, NY, as a summer worker in the DPW for the months of June, July, and August 2012 at the rate of \$10.00 per hour.

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 Heywood that the minutes of the July 24, 2012 Reorganization meeting, the July 24, 2012 Regular BOT meeting, the August 7, 2012 DPW Truck Bid Opening, and the August 12, 2012 Special BOT meeting be approved.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

**September BOT Meeting**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Tuesday, September 25, 2012 Board of Trustees meeting be rescheduled for Thursday, September 20, 2012 at 7:00 p.m. in the Village Office.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

**Salt Shed**

A brief discussion was held regarding options for a salt shed at the DPW property on Wee Wah Road. Engineer Rich Messer was asked to give his input as well. Trustee Neuhauser will continue to investigate various options.

**Audit of Claims**

Bills in the amount of \$239,238.26 for the General Fund, claim numbers 7-31, and 8-1 to 8-101; \$121,621.31 for the Water Fund, claim numbers W7-1 and W8-1 to W8-11; \$80,545.45 for Capital Projects, claim number CP8-1 to CP8-2; and \$15,161.06 for Professional Fees, claim numbers PF8-1 to PF8-4 were audited and ordered paid.

**Attorney Client Session**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board hold an attorney-client session at 9:48 p.m. The vote was 5-0 in favor.

**Re-enter Public Session**

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board re-enter public session at 10:50 p.m. The vote was 5-0 in favor.

**Building Permit Approval**

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the building permit application of Eric Klinenberg, Tax Map No. 106-1-77, for new windows, trellis and patio as approved by the BAR be approved by the BOT.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

**Water Improvement Schedule**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that Village Engineer Rich Messer work with Jeff Voss and John Ledwith in preparing a water improvement schedule to be made available for the next Trustee meeting on September 20th.

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 Deputy Mayor du Pont that the meeting be adjourned at 10:55 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk-Treasurer