

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
MAY 28, 2013
7:00 P.M.**

Present: Mayor Thomas Wilson (7:30 P.M.)
Deputy Mayor David du Pont
Trustee Alan Heywood
Trustee John Kilduff
Trustee Liane Neuhauser

Clerk: Deborah A. Matthews

Also: John Ledwith, Chief Sanford, Jeff Voss, Rick Golden, Esq. & Ashley Torre, Esq. from Burke, Miele & Golden, Meg Vaught, Susan Goodfellow, Tom Salierno, Omer Lulanji, Stephen Brodheim, JoAnn Hanson, Rob Zgonena, Paul & Mrs. Gluck, Chris & Sally Sonne

Deputy Mayor du Pont noted that Mayor Wilson would be a little late and then called the meeting to order at 7:00 p.m. Trustee Neuhauser led the Pledge of Allegiance.

Before beginning the meeting, Deputy Mayor du Pont called for a moment of silence in honor of Sam Bornstein who passed away earlier in the day. He noted Sam's service to the Village which included membership on the Planning Board/BAR beginning in 1994, continuing through the 2006 split of the two boards where he remained as a Planning Board member through the present.

Police Update – Chief Sanford gave a synopsis of April police activities. The deer culling program was completed in April and was 100% successful.

In regard to staffing, Chief Sanford recommended hiring additional part time Police Officers because many of the current Officers are unavailable on short notice during the week and the hours are going to a select few. Also, part time Traffic Guard Matthew Kosits has resigned and he is requesting a replacement for Matthew. The Chief previously submitted resumes from each candidate to the Board for review.

Appointments

A motion was made by Deputy Mayor du Pont, seconded by Mayor Wilson that the Board appoint Clifford Ader, Timothy Mante, and Joseph Holahan as part time Police Officers at the rate of \$22.50 per hour, subject to drug testing and background checks.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

A motion was made by Deputy Mayor du Pont, seconded by Mayor Wilson that the Board appoint Jake Conklin as a part time Traffic Guard at the rate of \$13.50 per hour, subject to drug testing and background checks.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

DPW Update – Jeff Voss reported his department continues to patch Village roads. They also repaired several water leaks in various locations during the month.

Mr. Voss stated that a new pickup truck was allocated in the 2013-2014 budget and he would like the Board's approve to purchase it.

Approve New Pickup Truck Purchase and Financing

A motion was made by Deputy Mayor du Pont, seconded by Trustee Heywood that the Board approve the purchase of a 2013 Ford F-250 4WD Pickup Truck at the NYS bid price of \$32,926.12, that the truck be financed through the Bank of America at a rate of 2.370% for five (5) years, and that the Mayor be authorized to sign the purchase agreement with Bank of America.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Building Department Update

Building Inspector John Ledwith submitted his report to the Board. He also presented the building permit from Traffacante/Tyler, West Lake Road, for approval of a removable floating dock. The Board was in agreement for approval.

He presented a hardship request from Barnes/Ford, 46 Lookout Road, for the installation of a septic system for their house, which they had purchased unfinished from the previous owner. The Board was in agreement that the hardship letter and septic plan be submitted to the Village Engineer for his comments and determination of whether the plan requires Orange County Department of Health approval. Mr. Barnes should also contact his neighbors to see whether an easement across their property is feasible.

Committee Updates

Environmental Committee Chair Susan Goodfellow reported that Jeff Voss has worked with Allied Biological in treating Tuxedo Lake with copper sulfate. Post treatment samples were taken and there has been no change in the clarity of the water. At this point it is not known whether there is contamination from the mulch pile. Three separate beaver colonies seen along Warwick Brook Road may have an impact if they are broken up. Currently Allied Biological doesn't feel the algae levels in the Wee Wah are of concern for swimming, but a change in temperature could change that. The Orange County Health Department monitors the Lakes' conditions for swimming.

Barton & LoGuidice Invoices

Planning Board Chair JoAnn Hanson requested the Board authorize a reduced payment of the Overton project invoices submitted by Village Planner Barton & LoGuidice. They had an opportunity to work out a settlement with the applicant (Overton) and they didn't reduce their bills. They also charged for travel time which was not part of their original agreement.

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board agree with the Planning Board and pay the outstanding bills for Barton & LoGuidice for the Overton project in an amount not to exceed \$8,400.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Tuxedo Road Causeway Wall

Mayor Wilson stated that Bill Fairclough was to begin work on the wall today with the Village Engineer, Trustee Neuhauser, and the property owner in attendance. However, Bill had a relative pass away and the work is now rescheduled for next week.

Video Taping

Mayor Wilson stated that filming for real estate in the Village continues to be an issue. Another house was featured on TV tonight. Mayor Wilson asked that Attorney Golden review the Village Code and advise the Board on how to proceed in handling this situation, and to amend the section on the regulation of filming. Other sections of the Code the Board would like to have reviewed are storm/water runoff issues, tree removal, and fences/gates.

“Keep” Renovation

Trustee Newhauser stated that she received three quotes for work on the Keep roof and masonry-\$50K, \$60K and \$75K. Anne Gwathmey volunteered to do the garden and stone wall. The Garden Club will pay the cost of the plant material.

A discussion was held.

Attorney Golden noted that work over \$35,000 requires formal public bidding. Since Tom Salierno was involved in the renovation of the library and train station, which have a similar roof as that proposed for the Keep, he volunteered to review the plans for the work and the quotes received. He will then advise the Board.

Public Comments

Sally Sonne commented: Glad for plans to look behind the wall to see what is there; regarding filming, the Board should do all they can to help the real estate agents rather than restrict them from filming the houses and the views; several large trees have fallen across a trail/carriage road that runs through the woods at the end of Brook Farm Road to Camp Comfort Road and suggested the DPW clear the trees.

The Board asked that Jeff Voss and John Ledwith look at the tree issue. Trustee Kilduff was contacted by a resident who would like a two-way mirror reinstalled at the intersection of Lookout and Circuit Roads. After a brief discussion, John Ledwith was asked to take a look and advise the Board.

Levy Unpaid Village Water Bills

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that unpaid water bills of Village residents be levied onto their 2013 Village tax bill in accordance with the scheduled provided, which totals \$17,583.19.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Budget Transfers

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the budget transfers for the General Fund and Water Fund as outlined in the attached schedule as prepared by the Village Clerk.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Wee Wah Beach Club

A request was received from the Wee Wah Beach Club asking that the Board approve and fund the repair of the floating raft at a cost of \$2,000-\$2,500 and to re-mortar the wall to the south at a cost of \$1,500. Tom Salierno outlined the repairs that are needed.

A discussion was held.

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board allocate funds not to exceed \$1,000 towards repair work of the raft and \$1,500 for re-stuccoing 38' of the wall.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Trustee du Pont agreed to work with the Beach Club and Tom Salierno to accomplish the repairs.

Approve Minutes

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the minutes of the April 23, 2013 and April 29, 2013 Board of Trustees meeting be approved.

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 Neuhauser that the minutes of the May 6, 2013 Board of Trustees meeting be approved.

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

The motion was passed by a vote of 4 ayes and 1 abstention.

Audit of Claims

Bills in the amount of \$120,376.70 in the General Fund, claim numbers 5-1 to 5-98; \$33,661.92 in the Water Fund, claim numbers W5-1 to W5-21; \$39,190.00 in Capital Projects, claim numbers CP5-1 to CP5-3; and \$6,256.25 in Professional Fees, claim numbers PF5-1 to PF5-3 were audited and ordered paid.

Adjournment

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the meeting be adjourned at 8:40 p.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer