

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES MEETING
MAY 16, 2018
7:00 P.M.**

Present: Mayor David McFadden
Deputy Mayor Alan McHugh
Trustee Allen Barnett
Trustee Paul Gluck

Absent: Trustee John Moon

Clerk: Deborah Matthews

Village Attorney: Brian Nugent, Esq.

Attendees: John Ledwith, Sgt. Taback, Meg Vaught, Tom Salierno, Fred Rella, Carol Nicholson, Christopher Gow, Inger Gruterich, Sue Heywood, Ellen Gluck, Bryna & Martin Pomp, Bonnie Takehuchi, et al.

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh to open the meeting at 7:00 p.m. The vote was 4-0 in favor. Roll call was taken and Mayor McFadden led the Pledge of Allegiance.

Mayor's Comments

The storm on May 15th caused a lot of damage to trees and wires throughout the Village. He is meeting with executives from O&R next week to discuss speeding up the repair time between incident and recovery.

Going forward, the reports for the DPW, Police, and Building Department will not be read at the meetings. Instead they will be posted on the Village website.

Police

In response to an inquiry regarding 'strange' vehicles with drivers taking pictures of houses in the Village, Sgt. Taback will research the issue and report back.

TAB Presentation

On behalf of the Tree Advisory Board, Chiu Yin Hempel provided the Board with a brief report/update on the committee's efforts over the last several months as well as their plans for the future. Also, new signs are proposed to be put up at the entrance to the Race Track and the wording has been vetted by Attorney Nugent.

Liaison Reports

Financial

Trustee Barnett stated that going forward a new format for financial reports (a sample was distributed) will be used with the intent of providing residents with a clear idea as to exactly where the Village is spending money. The report will be revised and presented on a quarterly basis. In response to a Police personnel question, there are 4 full time Officers and 24 part time Officers.

Deputy Mayor McHugh reported that for the period of June 1, 2017 through May 31, 2018, the Board anticipates coming in \$170K-\$200K under budget in the General Fund.

Water Department

Deputy Mayor McHugh reported that work on water filter #2 at the water plant is complete and it is up and running. TOC levels are lower (better) than they have been in the last year. Work will now begin on water filter #1. One of the Ridge Road water storage tanks has been refurbished and tests are being run for Health Department approval.

Seasonal water meters are being installed. Sixteen seasonal water accounts were put on their Village taxes. Outstanding bills total \$182K - \$110K for the Town, \$72K for the Village.

Wee Wah Dam/Pond #3

Pond #3 was drained over the past two weeks and repointing has begun on the northern side of the dam. Two 30 foot, 24 inch diameter pipes require plugging with cement prior to the engineer signing off and the DEC inspection. The Wee Wah dam is 86% complete. There have been some contentious issues with the contractor and the project has been delayed quite a few times resulting in additional engineering oversight costs. The bond for the dam was for \$3,635,000 and a \$100K grant was received. To date, \$3.1 mil has been spent on the dam. The total paid to CHA is just under \$1mil.

Public Comments

Speakers:

Sue Heywood, Bryna Pomp, Tom Salierno

Paraphrased Comments:

*After the storm, called the Police gate but no one answered. Why?

*The south gate arm was left open.

*Property at intersection of Tuxedo Road and Tower Hill Road infested with an invasive species (Hercules Club) and white footed mice.

*Is the stone on the dam the wrong color?

Paraphrased Response:

*Police have 3 lines, but after the storm they were ringing constantly. Can call 911 for assistance.

*There was no power to operate, so the gate was left up. Officers were actively patrolling the area.

*The building inspector is working with the Village Attorney to craft wording to send to property owner who have violations.

*Tried to make the stone work but had to reject it.

On another note, Mayor McFadden stated that arrangements have been made with the Town of Tuxedo to relocate all the road salt from the Village DPW to a Town facility on Warwick Brook Road.

NEW BUSINESS

Telephone Extension for Court Clerk

Trustee Barnett explained that there is currently no telephone extension for the part time court clerk and the Village Office receives many court related calls. To cut down on the number of interruptions, a separate extension number with a voice mailbox will be set up so the court clerk can remotely access messages.

Authorize Repainting of South Gate House Exterior

Deputy Mayor McHugh reported that maintenance at the south gate house is overdue and repairs are needed, i.e. a new roof and exterior repainting. Three quotes were received for exterior painting-\$4,800, \$5,690, and \$17,850. The south gate house has a new tenant, so some of the cost will be recouped.

A motion was made by Mayor McFadden, seconded by Trustee Gluck that upon the recommendation of Deputy Mayor McHugh, the Board award a contract to Willow Tree Buildings for painting the south gate house in an amount not to exceed \$6,000.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

License Plate Reader

Deputy Mayor McHugh reported that he, the Chief and the Sergeant are working on upgrades to both gates to enhance security and they met with two different vendors. The cost of the license plate reader will be split between fiscal years.

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Village enter into an agreement to obtain a license plate reader in accordance with a quote provided by Leonardo (Selex ES, Inc.), with the cost to be split between fiscal year 2018 (\$28,080) and fiscal year 2019 (\$18,375).

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Authorize Bid Process for Wood Chipper

A motion was made by Mayor McFadden, seconded by Trustee Gluck that the Village Clerk be authorized to advertise for bids for a wood chipper for the DPW, and that the bid opening date be scheduled for Tuesday, June 12, 2018 at 2:00 p.m.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Levy Unpaid Water Bills

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that unpaid water bills of Village residents in the amount of \$28,947.58, as shown on the attached list, be levied onto their 2018 Village Tax Bills.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Tuxedo Club Request to Hold Fireworks

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees grant permission to the Tuxedo Club to hold their annual fireworks display on Tuesday, July 3, 2018 at 9:30 p.m. with a rain date of Thursday, July 5, 2018 and that certificates of insurance be provided in advance of the event by Legion Fireworks Co., Inc. and The Tuxedo Club naming the Village of Tuxedo Park as additional insured.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Renew Village Liability Insurance

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees approve the June 1, 2018 renewal of the Village's Liability Insurance with Marshall & Sterling at a premium cost of \$74,849.00 of which \$19,000 will come from the Water Fund, and to approve the purchase of additional Terrorism coverage at the cost of \$1,390 for the year.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Appoint Part Time Police Officer

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees, upon the recommendation of Chief Melchiorre and Trustee Moon, appoint Brian Benjamin (who has passed all vetting and background checks) as a part time Police Officer in the Tuxedo Park Police Department, effective May 16, 2018 at \$24.00 per hour, and he has.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Approve AE Diving Contract

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees authorize the Mayor to executive the agreement between AE Commercial Diving Services and the Village of Tuxedo Park for conducting aquatic invasion control and removal of Eurasian Water Milfoil in certain locations mutually chosen by both parties, with the terms and conditions reviewed by the Village Attorney and determined to be satisfactory.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Approve Solitude Lake Management Contracts

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees ratify the signed contracts for Solitude Lake Management for Lake Consulting Services for the period February 1st through December 31st, 2018 and Solitude Lake Management Lake Treatment for the period of February 1st through September 30th, 2018.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Approve CHA EWA #10

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Board approve the CHA EWA #10 for the period May 21st to June 15th in an amount not to exceed \$29,500 in substantially the same format as the other approved EWAs.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Approve Purchase and Financing of New DPW Truck

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the DPW be authorized to purchase a 2019 Ford F-550 4x4 dump truck with plow on NYS bid from Van Bortel Ford, Rochester, NY, in the amount of \$55,200.63 and that the truck be financed for five years at 4.47% through Municipal Leasing Consultants, Grand Isle, Vermont.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Wee Wah Beach Club Request

Trustee Gluck stated that the Wee Wah Beach Club has asked the Board of Trustees to consider allowing them to have a series of single day events, i.e. Memorial Day, Father's Day, 4th of July and a camp day, and that they provide insurance for each day. Participants would be from the 2016 and 2017 membership list. The dam construction area would also have to be considered in using the Wee Wah Beach area.

A brief discussion was held.

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Board authorize the Mayor to sign an amendment to the Wee Wah Beach Club License Agreement providing for single use days for use by the Wee Wah Beach Club under terms and conditions approved by the Mayor and under the advice of Counsel, the days being Father's Day, 4th of July, and a date to be selected in August for a camp day. The approval was predicated on dam completion.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Public Comments

Ellen Gluck suggested the Board recognize Alex Salm for his donation.

Trustee Barnett congratulated Meg Vaught on her re-election to the school board.

Audit of Claims

Bills in the amount of \$128,483.57 in the General Fund, claim numbers 5-1 to 5-94; \$19,760.64 in the Water Fund, claim numbers W5-1 to W5-10; \$147,642.85 in Capital Projects, claim numbers CP5-1 to CP5-7; and \$19,453.68 in Professional Fees, claim numbers PF5-1 to PF5-33.

Adjourn to Executive Session

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board adjourn to executive session at 8:20 p.m. to discuss pending litigation and a collective bargaining matter.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Exit Executive Session and Reopen Regular Session

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board exit executive session and reopen regular session at 9:10 p.m.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Resolution to Re-Open Public Hearing on Local Law Introductory D1 of 2018 and D2 of 2018

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the public hearings on Local Law Introductory D1 of 2018 (short term rentals) and Local Law Introductory D2 of 2018 (non-utility devices in public right-of-ways and easements) be re-opened on Wednesday, June 20 2018 at 7:00 p.m.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

Adjournment

A motion was made by Trustee Gluck, seconded by Deputy Mayor McHugh that the meeting be adjourned at 9:12 p.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer