

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES  
SPECIAL MEETING  
NOVEMBER 12, 2021  
MINUTES  
Draft**

Present: Mayor David McFadden  
Deputy Mayor Anna (Tinka) Shaw (via Zoom)  
Trustee Paul Brooke (via Zoom)  
Trustee Christopher Kasker (via Zoom)

Absent: Trustee Joshua Scherer

Clerk: Elizabeth A. Doherty

Village Attorney: Brian Nugent, Esq. (Feerick Nugent MacCartney, PLLC)

Attendees: Building and Land Use Officer John Ledwith; Joseph Zongol, Team Leader and Associate (Weston & Sampson); and Joshua Hawley, Project Manager (Weston & Sampson); and members of the public via Zoom

Mayor McFadden called the Special Meeting to order at 12:00 p.m. and led the Pledge of Allegiance. Roll call was taken.

**Resolution to Conclude SEQR Review  
Resolution 1112-01**

A meeting of the Village Board of the Village of Tuxedo Park was convened on **November 12, 2021 at 12:00 p.m.**

The following resolution was duly offered and seconded to wit:

**RESOLUTION TO CONCLUDE SEQR REVIEW PURSUANT TO NEW YORK  
STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATED TO  
RENOVATION AND REPLACEMENT IN KIND OF EXISTING  
INFRASTRUCTURE**

**WHEREAS**, the Village of Tuxedo Park Board of Trustees (“Village”) seeks to undertake capital projects consisting repairing, replacing, or renovating portions of its water distribution system of the following description (collectively “Village Water Infrastructure Projects”):

1. Tuxedo Lake Water Main Replacement

SEQR Type II Action.

2. Water Treatment and Plant Upgrades  
SEQR Type II
3. East Village Water Main – repair and upgrade  
SEQR Type II
4. Relocation of Tuxedo Town Water Meter  
SEQR Type II

**WHEREAS**, the Village owns and maintains substantial infrastructure for the conveyance and treatment of water, consisting of watermains, pumps and water treatment facilities; and

**WHEREAS**, these facilities require construction and repair from time to time to renew critical infrastructure that provides a benefit to the public, and that construction includes repairing, replacing, or renovating such infrastructure; and

**WHEREAS**, the State Environmental Quality Review Act (SEQR) and the regulations thereunder require the VILLAGE to undertake a review of the potential environmental impacts, if any, associated with project before undertaking same; and

**WHEREAS**, repair, replacement in kind, and renovations of existing underground utilities are classified as Type II under 6 NYCRR Part 617.5 and are not subject to SEQR review; and

**WHEREAS**, the Village Water Infrastructure Projects proposed by the Village to be completed meet the definition of Type II work under Section 6 NYCRR Part 617.5.

**NOW, THEREFORE BE IT RESOLVED** that the Village of Tuxedo Park Board of Trustees concludes that no further action is required and SEQR is thereby concluded for this project.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be sent to the NYS Department of Environmental Conservation as an involved agency.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call by Mayor McFadden, seconded by Deputy Mayor Shaw, which resulted as follows:

	<u>Ayes</u>	<u>Noes</u>	<u>Abstain</u>	<u>Absent</u>
Mayor David McFadden	[    ]	[    ]	[ X ]	[    ]
Deputy Mayor Tinka Shaw	[ X ]	[    ]	[    ]	[    ]
Trustee Christopher Kasker	[ X ]	[    ]	[    ]	[    ]

Trustee Joshua Scherer	[ ]	[ ]	[ ]	[ X ]
Trustee Paul Brooke	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**Resolution Authorizing Grant Application**  
**Resolution 1112-02**

A meeting of the Village Board of the Village of Tuxedo Park was convened on **November 12, 2021 at 12:00 p.m.**

The following resolution was duly offered  
and seconded to wit:

**RESOLUTION OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF TUXEDO PARK AUTHORIZING CERTAIN ACTIONS RELATING TO A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE WATER INFRASTRUCTURE AND IMPROVEMENT ACT (“WIIA”)**

**WHEREAS**, the Village of Tuxedo Park Village Board (“Village Board”) is applying for grant funding pursuant to the New York State WIIA program offered through the New York State Environmental Facilities Corporation (“EFC”); and

**WHEREAS**, the Village Board desires to obtain grant funds to assist in completing the following Village projects: (1) Tuxedo Park Water Main Replacement; (2) WTP Cleanwell Upgrades; (3) East Village Water Main; and (4) Relocate Town of Tuxedo Water Meter (hereinafter “the Village Water Infrastructure Projects”); and

**WHEREAS**, the Village Board intends to finance a portion of the project via issuance of a bond; and

**WHEREAS**, the WIIA grant application requires this resolution to be approved by the Village Board as part of the application process.

**NOW, THEREFORE, BE IT RESOLVED** that:

- Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as though set forth in full herein.
- Section 2. The Village Board hereby authorizes the undertaking of the Village Water Infrastructure Projects at a maximum total cost of \$2,520,700.00 including Village financing in the amount of \$1,008,280.00 for the Village Water Infrastructure Projects.

- Section 3. The Village Board hereby declares that, in addition to the proposed grant funds in the amount of \$1,512,420.00, the Village hereby commits to expend \$1,008,280.00 from Village financing, constituting the Village portion of the funding of such Village Water Infrastructure Projects.
- Section 4. The Village Board hereby designates Mayor David McFadden as the Village representative who shall be authorized to sign the funding agreement with the EFC as well as any associated documents.
- Section 5. The Village Board intends to issue a debt for the Village Water Infrastructure Projects in the form of bonding.
- Section 6. The Mayor, or any other Village official, employee or consultant at the Mayor's directions is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.
- Section 7. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion by Mayor McFadden, seconded by Trustee Brooke, which resulted as follows:

	<u>Ayes</u>	<u>Noes</u>	<u>Abstain</u>	<u>Absent</u>
Mayor David McFadden	[ ]	[ ]	[ X ]	[ ]
Deputy Mayor Tinka Shaw	[ X ]	[ ]	[ ]	[ ]
Trustee Christopher Kasker	[ X ]	[ ]	[ ]	[ ]
Trustee Joshua Scherer	[ ]	[ ]	[ ]	[ X ]
Trustee Paul Brooke	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**Resolution to Approve Purchase and Installation of Portable Water Meters**  
**Resolution 1112-03**

Be it resolved that the Board of Trustees approve the DPW purchase and installation of portable water meters to help track leaks in the system under the guidance of Weston & Sampson not to exceed a total amount of \$25,000.

Motion made by Mayor McFadden, seconded by Deputy Mayor Shaw.

Vote of the Board:

Deputy Mayor Tinka Shaw – Aye  
Trustee Brooke – Aye  
Trustee Christopher Kasker – Aye  
Trustee Scherer – Absent  
Mayor David C. McFadden – Did not vote

**Resolution to Approve Fees for Grant Applications**  
**Resolution 1112-04**

Be it resolved that the Board of Trustees approve the fees for Weston & Sampson to submit grants for the aforementioned projects in the amount of \$12,600 comprised of \$5,300 for the East Village Water Main; \$3,200 for the Water Treatment Plant Clear Well Upgrades; and \$4,100 for the Tuxedo Meter Relocation.

Motion made by Mayor McFadden, seconded by Deputy Mayor Shaw.

Vote of the Board:

Deputy Mayor Tinka Shaw – Aye  
Trustee Brooke – Aye  
Trustee Christopher Kasker – Aye  
Trustee Scherer – Absent  
Mayor David C. McFadden – Did not vote

The meeting was adjourned at 12:30 p.m.

Respectfully submitted,

Elizabeth A. Doherty  
Village Clerk-Treasurer