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VILLAGE BOARD MEETING  
THIRD WEDNESDAY OF THE MONTH

**VILLAGE OF TUXEDO PARK**  
80 LORILLARD ROAD  
P.O. BOX 31  
TUXEDO PARK, NEW YORK 10987

Mayor  
David C. McFadden

**BOARD OF TRUSTEES**  
REGULAR MEETING  
AUGUST 30, 2023  
7:00 PM to 9:30 PM

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Board Roll Call**

Trustee Joshua Scherer will not be present.

**4. Mayor's Comments**

**5. Reports: Oral and Written**

- a. **Police:** Police Chief Dave Conklin
- b. **DPW/Meters:** Supervisor Jeff Voss
- c. **Build Department/Capital Improvements:** Inspector and Advisor to the Board John Ledwith
- d. **Water Department:** Denise Spalthoff, Utility and Deputy Clerk, Attached to Record
- e. **NYS Invasive Species Grant Program 2023:** A.J. Reyes, Certified Lake Manager, MALMS Aquatic Ecologist/Project Manager, To John [paraphrased]: Most likely, any grant application from the village would be scored lower in terms of relevance on the state scale. The lakes are not a part of a large public access area and don't have a unique invasive species that the state would be interested in controlling. These grants are often scored on the merits of how much public good this project produce will, and all private lakes are always going to be behind the 8 ball on this. If this grant came out last year, we could have done something relating to the treatments.

**6. Approved Meeting Minutes:** From July 26, 2023, Regular Meeting

**7. Public Comments:** 2-Minutes per speaker on any Agenda Item

**8. Consent Agenda:**

- a. **Archiving Written Reports:** Include all written reports in the permanent record. and approve the July 26 Minutes.
- b. **Part-Time Officer Resignation:** Accepted the resignation of Part-Time Police



- Officer Jaymie Ruiz.
- c. **Part-Time Officer Resignation:** Accepted the resignation of Part-Time Police Officer Antonio Esposito.  
**New Officer Authorization:** Authorized the Police Department to hire Part-Time Police Officer Richard Marsh.
  - d. **Tuxedo Park Tunnel to Towers Event Approval:** Authorized the 2023 Volunteer Tuxedo Park Tunnel to Towers Charity Run/Walk/Bike Event at Wee Wah Park, open to participants listed in the flyer. No additional Police presence is required.
  - e. **Ameritas Dental and Eye Care Plan Renewal:** Renew the Ameritas Dental and Eye Care Plan for specified village employees at a 4.2% increase year over year; expensed to Budget Line 9060.8 - Health Insurance.
  - f. **Election Inspectors Payment Approval:** Approved payment of \$75 to Election Inspectors for three and a half hours of work on August 10; expensed to Budget Line 1450.4 – Elections Contractual.
  - g. **Continuing Education:** Permission for the Village Clerk to attend an all-day class hosted by New York State Retirement on September 7. Milage reimbursement only; expensed to Budget Line 1325.4. – Milage Reimbursement.
  - h. **Consent Agenda Items Approval:** Be it resolved, the Board of Trustees approved the Consent Agenda Items a. – g.

#### **9. Old Business:**

- a. **Report on Interest Payments Discussion:** Deputy Mayor Shaw will discuss the interest earned to date from village funds invested with NYCLASS.
- a. **Stocking Tuxedo Lake with Fish:** Be it resolved, the Board of Trustees approved BeaverKill Trout Hatchery, Ltd. to Stock Tuxedo Lake with Brown and Rainbow Trout During August 2023 for \$18,300 as recommended to the Board by and Mr. Peter Van Zandt and R.J. Reyes, Lakes Manager; expensed to Budget Line 1989.4 - Lakes Management. Furthermore, the Board agreed that an existing hardship supports an exemption of the three vendor bid requirements in the Village Procurement Policy. Furthermore, the Board will seek contributions from the Tuxedo Club and Village Boat Club. Furthermore, without the contributions the mayor is authorized to cancel the order.

#### **10. New Business:**

- a. **Resolve for Harris Beach to Review and Advise on Key Policies and Compliance:** Be it resolved, the Board of Trustees authorized Harris Beach to conduct a comprehensive review of essential policies, including those related to Sexual Harassment, Procurement, Investment, and Ethics. Additionally, Harris Beach will examine potential conflicts of interest that may arise. Furthermore, Harris Beach will assess the status of required state training and compliance, promptly informing the Board and Appointed Boards of any identified gaps or lapses. This proactive measure will ensure our community's operations align with legal mandates and ethical standards. The goal is to strengthen our commitment to transparency, accountability, and adherence to state-mandated regulations across various facets of governance. The cost of this project falls outside the fixed annual compensation agreement. Therefore, an estimate is requested for final authorization by the mayor.
- b. **Webmaster Vendor Replacement Authorization:** Be it resolved, the Board of Trustees approved a formal search and bid process for a webmaster vendor to fill the



vacancy left by the mayor's resignation as the full-time village webmaster on August 24, 2023. Furthermore, the Village Treasurer will recommend a solution for this unanticipated and unallocated expense estimated at \$20,000 - \$30,000.

- c. **Conditional Approval of Boat:** Be it resolved, the Board of Trustees agreed that this boat <https://www.randboats.com/boats/breeze-20> complies with Village Code §65-6 Rules and Regulations, for use on the Wee Wah Lake by any owner of village property whose property line is on the lake. Furthermore, the Board reserved the authority to regulate the maximum speed of the boat.
- d. **Abandoned Property Return:** Be it resolved, the Board of Trustees authorized the return of abandoned property from HSBC.
- e. **BAR Review for Property Improvements:** Be it resolved, the Board of Trustees instructed the proprietor of 47 Clubhouse Road to participate in an informal review before the Board of Architectural Review (BAR) pertaining exclusively to the village-owned property commonly referred to as the "100 Steps." The BAR's assessment will encompass an evaluation of the selection of the materials and the proposed arrangement and design layout of the intended alterations and enhancements. Upon receipt of the BAR's recommendations, the proprietor shall present them to the Board of Trustees for final approval.
- f. **Village Adoption of NYS Unified Solar Permit Guidelines - Discussion:** Mr. Hays, Chairman of the Climate Smart Committee, has recommended adopting the NYS Unified Solar Permit guidelines for solar panels (posted online) in both village-owned and private properties within Tuxedo Park.

The mayor has recommended to Jim and members of the BAR the following: Before proceeding with a vote on the adoption of the NYS Unified Solar Permit, I suggest providing the Board of Architectural Review (BAR) the opportunity to conduct a comprehensive assessment of the implications, advantages, and potential challenges related to the integration of solar panels within our village's historical context.

Furthermore, before the Board of Trustees (BOT) takes a vote I propose the Board of Architectural Review (BAR) has adequate time to thoroughly examine the implications, benefits, and drawbacks of incorporating solar panels within the framework of our landmark designation. This study will enable us to make an informed decision.

Furthermore, I suggest that the BAR provide a comprehensive recommendation to the BOT, outlining the potential integration of solar panels into the village's architectural landscape. This recommendation should include a dedicated chapter within our design guidelines, explicitly addressing the utilization of solar panels.

The BAR's recommendation should also encompass specific technical specifications and details related to solar panel installations within this chapter. This could contain guidelines on permissible specifications, such as size, appearance, and positioning, and a list of approved manufacturers whose products align with our village's aesthetics and preservation goals. We must strike a balance between sustainability and preserving the character of our community.

By engaging in this comprehensive study, we will be better equipped to determine the



most suitable and harmonious approach to integrating solar panels into our historic village. This endeavor aligns with our commitment to both environmental responsibility and honoring our architectural heritage.

I look forward to the insights and recommendations the BAR will provide, as they are pivotal in guiding us toward a well-considered decision that respects our past and future.

## 11. Audit of Claims

## 12. Executive Session: To Discuss Legal Matters and candidates for the open Planning Board seats

### Post Executive Session: Resolutions

**a. Planning Board Appointment:** Be it resolved, the Board of Trustees approved the appointment of Village Resident \_\_\_\_\_, of \_\_\_\_\_ Road, as a member of the Planning Board for the five-year term of 7/1/2023 – 6/30/27, filling the Expired Term of JoAnn Hansen. The Board will hear recommendations from the Planning Board for the one-year appointment of a new Chairperson for a vote by the Trustees at the September meeting. The Board further declares that JoAnn deserves our respect and gratitude for the 17 years of sacrifice and dedicated service for preserving our values and traditions here in Tuxedo Park, including safeguarding our landmark designation.

**b. Planning Board Appointment:** Be it resolved, the Board of Trustees approved the appointment of Village Resident \_\_\_\_\_, of \_\_\_\_\_ Road, as a member of the Planning Board for the five-year term of 7/1/2023 – 6/30/27, filling the Expired Term of Richard Witte. The Board further declares that Rich deserves our respect and gratitude for the 41/2 years of sacrifice and dedicated service for preserving our values and traditions here in Tuxedo Park, including safeguarding our landmark designation.

**c. Resident Advocate Outreach Committee:** BE IT RESOLVED, that the Board hereby establishes a temporary Outreach Committee consisting of 3 Village residents, which Committee shall provide (a) advice and recommendations to the Board regarding the creation of a village position that will assist residents in resolving inquiries or complaints involving Village-related services, laws, regulations and actions and by so doing further improve transparency and accountability of Village government and (b) prepare a report to the Board of Trustees regarding a proposed list of roles and responsibilities for the resident advocate position, whether such position shall be an appointed or elected (the latter of which would be subject to a mandatory referendum) position, interview process if an appointed position and term length, and

BE IT FURTHER RESOLVED, that the Committee shall submit a report to the Board of Trustees within 30 days after a full committee is constituted, and



BE IT FURTHER RESOLVED, that the members of the Committee shall be appointed by approval of the majority of the Board, each Committee member be a Village resident at the time of appointment and for as long as they serve as a Committee member, and each Committee member shall serve at the pleasure of the Board of Trustees, without compensation, and

BE IT FURTHER RESOLVED, that the Committee shall establish a time and place for its meetings, which meetings shall be open to the public and notice of the meetings posted on the Village website in accordance with the Open Meetings Law requirements regarding meeting notices, and

BE IT FURTHER RESOLVED, that the Committee shall elect from its membership a chairperson, and

BE IT FURTHER RESOLVED, that the Committee will take all actions in public and use Village facilities for meetings.

### **13. Adjournment**

*Any additional agenda items that may come before the Board.*

