

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
REGULAR MEETING
JULY 20, 2022
MINUTES**

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

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; Police Chief David Conklin;
DPW Superintendent Jeff Voss; and four members of the public at Village
Hall and about 10 members of the public via Zoom

Mayor McFadden called the regular meeting to order at 7:31 p.m. This was the third of three meetings (a Public Hearing and the Reorganizational Meeting proceeded this one). The Mayor had previously led the Pledge of Allegiance. Roll call was taken.

**Consent Agenda
Resolution 0720-01**

Be it resolved the Board of Trustees approve items (a) – (l) on the consent agenda.

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

ITEMS ON THE CONSENT AGENDA

a. Add all written reports to the permanent record;

- b. Approve minutes from May 26 and June 15;
- c. Authorize the purchase of used 13' Manteo Kayak for \$225 for Wee Wah Park to be paid for out of donations to the Park;
- d. Authorize the purchase of a used Canoe with two paddles for \$250 for Wee Wah Park to be paid for out of donations to the Park;
- e. Authorize the purchase of a used 12' Kayak with one paddle for \$225 for Wee Wah Park to be paid for out of donations to the Park;
- f. Authorize the purchase of a used paddle for \$20 for Wee Wah Park to be paid for out of donations to the Park;
- g. Authorize the destruction of Covid test kits from Orange County, which expired on June 23, 2022;
- h. Authorize Clerk Doherty to throw out a laminator, two old phones, a phone stand, and two adding machines that no longer work;
- i. SSES Change Order 4 - Pond No. 3 and Wee Wah Lake Phase 3, Sub Basins 2 & 10 Public Sanitary Repairs Pre-inspection work to begin week of 7/25/2022 & MH Rehab, Manhole Install, and CIPP will begin sometime in September - Requires Resident notifications;
- j. Approve Building Inspector to send DPW equipment to auction – see list;
- k. 2021-2022 Election affidavit regarding the destruction of unused ballots;
- l. Resignation of Johnny Gonzalez as of August 3, 2022.

Desirée Hickey
Resolution 0720-02

Be it resolved that the Board of Trustees approve up to ten hours for Desirée Hickey to invoice applicants before the BAR, Planning Board and BZA, for architectural or engineering consulting services.

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

Local Law #5
Resolution #0720-03

Be it resolved that the Board of Trustees approve draft Local Law #5 of 2022, “Creating a Community Choice Aggregation Program.”

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

Goose Specialist
Resolution 0720-04

Be it resolved that the Board of Trustees approve Spending \$500 to hire a goose biologist to make a recommendation to the Board about geese culling.

Motion made by Trustee Brooke, seconded by Trustee Kasker.

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

Public Hearing – Draft Local Law #6 of 2022
Resolution #0720-05

Be it resolved to schedule a Public Hearing on draft Local Law #6 of 2022, “Penalties for Utility Companies’ Lack of Response to Remove Unused Telephone Poles” on August 17, 2022 at 7pm.

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

Unused Election Ballots 2022
Resolution #0720-06

Be it resolved that unopened, shrink-wrapped packages of ballots intended for the June 21, 2022 Village General Election have been destroyed by shredding. The inventory of all destroyed, unopened packages of unused ballots is as follows:

Ballot Numbers: #51 - #350
Total number of packages destroyed: 6
Date destroyed: July 20, 2022

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

Unused Election Ballots 2021
Resolution #0720-07

Be it resolved that unopened, shrink-wrapped packages of ballots intended for the June 15, 2021 Village General Election have been destroyed by shredding. The inventory of all destroyed, unopened packages of unused ballots is as follows:

Ballot Numbers: #201 - #400
Total number of packages destroyed: 2
Date destroyed: July 20, 2022

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

Enter Executive Session
Resolution #0720-08

Be it Resolved that the Board of Trustees temporarily exit the Public Meeting at 9:09 pm to enter into EXECUTIVE SESSION for the purpose of discussing the Police contract, legal matters, Justice Court procedural discussion, three tax billing and penalty matters and collection of delinquent water billing.

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

Exit Executive Session
Resolution #0720-09

Be it resolved that the Board of Trustees leave EXECUTIVE SESSION at 9:34 pm for the purpose of reentering the Public Meeting.

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

Feerick, Nugent, MacCartney LLP
Resolution #0720-10

Be it resolved that the Board of Trustees authorize Village Council to act as Prosecutor in the Village Justice Court for any matters as requested by the Building Inspector in accordance with the existing agreement between the Village and Feerick, Nugent, MacCartney, LLP.

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

Adjournment
Resolution #0720-11

Be it resolved that the Board of Trustees adjourn the BOT's Regular Meeting at 9:35 pm.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Elizabeth A. Doherty". The script is cursive and fluid.

Elizabeth A. Doherty
Village Clerk-Treasurer