

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES  
PUBLIC HEARING AND  
REGULAR MEETING  
AUGUST 17, 2022  
MINUTES**

Present: Mayor David McFadden  
Deputy Mayor Anna (Tinka) Shaw  
Trustee Paul Brooke  
Trustee Christopher Kasker  
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; Jim Hays (Village Climate Smart  
Community Task Force member); and about 13 members of the public via  
Zoom

Mayor McFadden called the regular monthly meeting of the Board of Trustees to order at 7:00 p.m. and led the Pledge of Allegiance. Roll call was taken.

Mayor McFadden announced that the Public Hearing on Draft Local Law #6 – Amendment to Chap. 83, for Streets and Sidewalks (Utility Poles) was rescheduled to September 21<sup>st</sup> because the notice had not been published in the newspaper.

**Draft Local Law #6 of 2022  
Resolution 0817-01**

Be it resolved that the Board of Trustees reschedule the Public Hearing on Draft Local Law #6 of 2022 – Amendment to Chap. 83, for Streets and Sidewalks (Utility Poles) for September 21, 2022 at 7:00 p.m. at Village Hall.

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 – Aye  
Mayor David C. McFadden – Did not vote

**Consent Agenda**  
**Resolution 0817-02**

Be it resolved the Board of Trustees accept items (a) through (g) 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 – Aye  
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 July 20, 2022 (Public Hearing, Organizational Meeting and Regular Meeting)
- c. Authorize Clerk Doherty to throw out two old HP printers that no longer work
- d. Additions or changes to the July Annual Reorganization Meeting
- e. Approve Donation to the Village and Village Boat Club
- f. Accept the resignation of a Part-Time Police Officer
- g. Approve the Tuxedo Club's use of Tuxedo Lake for a Single Shell Invitational Regatta on the afternoon of October 9<sup>th</sup>

**Algae Bloom Treatment**  
**Resolution 0817-03**

Be it resolved that the Board of Trustees authorize SOLitude Lake Management to provide services for algae treatment for Tuxedo Lake at a cost of \$5,394.00 to be charged to 1989.4F (Water Fund); and,

Be it resolved that the Board of Trustees authorize SOLitude Lake Management to provide services for algae treatment for Little Wee Wah Lake at a cost of \$2,200.00 to be charged to 1989.4F (Water Fund).

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 – Aye  
Mayor David C. McFadden – Did not vote

**Emily Post Documentary**  
**Resolution 0817-04**

Be it resolved to allow Dana Nachman of Sweet World Films to come to the Village to film an independent documentary about Emily Post on September 24<sup>th</sup> and September 25<sup>th</sup> subject to conditions imposed by the Building Inspector.

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 – Aye  
Mayor David C. McFadden – Did not vote

**Geese Removal**

This resolution was tabled.

**Examination of Justice Court Documents**  
**Resolution 0811-05**

Be it noted for the record that the court records of Village Justice Hasin and Village Justice Schonberg were provided to Cooper Arias, LLC and that such records were examined and found to be in good order.

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 – Aye

Mayor David C. McFadden – Did not vote

**Executive Session**  
**Resolution 0817-06**

Be it Resolved that the Board of Trustees temporarily exit the Public Meeting at 8:19 p.m. to enter into Executive Session for the purpose of discussing DPW Staffing, certain employees, the PBA Memorandum of Agreement, two Water Accounts, and legal matters.

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 – Aye  
Mayor David C. McFadden – Did not vote

**Exit Executive Session**  
**Resolution 0817-07**

Be it resolved that the Board of Trustees exit Executive Session at 8:52 p.m. and re-enter 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 – Aye  
Mayor David C. McFadden – Did not vote

**Memorandum of Agreement**  
**Resolution 0817-08**

A Meeting of the Village Board of the Village of Tuxedo Park was convened on **August 17, 2022 at 7:00 p.m.**

The following Resolution was duly offered and seconded to wit:

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN THE  
VILLAGE OF TUXEDO PARK AND THE VILLAGE OF TUXEDO PARK POLICE  
BENEVOLENT ASSOCIATION**

**WHEREAS**, the Village of Tuxedo Park and the Village of Tuxedo Park Police Benevolent Association (“PBA”), are parties to a Collective Bargaining Agreement (“CBA”), the extended terms of which expire on May 31, 2020; and

**WHEREAS**, the Village and the PBA representatives reached an agreement as of the date of execution of the annexed Memorandum of Agreement (“MOA”) on the proposed terms for a successor CBA for the period of June 1, 2020 through May 31, 2025, and the parties memorialized their understanding, in writing, of terms to be incorporate into a revised CBA; and

**WHEREAS**, the terms of the MOA require ratification of the Village Board in order to give effect to the terms agreed upon by the parties; and

**WHEREAS**, the Village Board desires to approve the Memorandum of Agreement and terms contained therein.

**NOW THEREFORE BE IT RESOLVED** that:

Section 1. The above “WHEREAS” clauses are incorporated herein by reference as if set forth fully.

Section 2. The Village Board hereby approves the terms set forth in the annexed Memorandum of Agreement to be incorporated into a successor Collective Bargaining Agreement for the period of June 1, 2020 through May 31, 2025.

Section 3. The Mayor, or his authorized designee, is hereby authorized to execute any necessary documents and take any and all other actions necessary to carry out the provisions of this Resolution, including execution of a final Collective Bargaining Agreement incorporating the terms of the Memorandum of Agreement in a form approved by Village legal counsel.

Section 4. The Mayor and any officer, employee or consultant as directed by the Mayor is hereby authorized to take any necessary actions to carry out the provisions set forth in the annexed Memorandum of Agreement.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call 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.

**Hire Full-Time Police Officer**  
**Resolution 0817-09**

Be it resolved that the Board of Trustees authorize Police Chief Conklin to hire Full-Time Police Officer Christopher Fury.

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 – Aye  
Mayor David C. McFadden – Did not vote

**Water Account #00644-00**  
**Resolution 0817-10**

Be it resolved that the Board of Trustees approve a settlement agreement for Water Account #00644-00 for an amount that was disputed.

Motion made by Trustee Scherer, seconded by Trustee Brooke.

Vote of the Board:

Deputy Mayor Tinka Shaw – Aye  
Trustee Brooke – Aye  
Trustee Christopher Kasker – Aye

Trustee Scherer – Aye

Mayor David C. McFadden – Did not vote

**Water Account #00626-00**  
**Resolution 0817-11**

Be it resolved that the Board of Trustees adjust Water Account #00626-00 in the amount of \$210.59.

Motion made by Trustee Scherer, seconded by Deputy Mayor Shaw.

Vote of the Board:

Deputy Mayor Tinka Shaw – Aye

Trustee Brooke – Aye

Trustee Christopher Kasker – Aye

Trustee Scherer – Aye

Mayor David C. McFadden – Did not vote

**Adjournment**  
**Resolution 0817-12**

Be it resolved that the Board of Trustees adjourn the regular meeting at 8:59 p.m.

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

Vote of the Board:

Deputy Mayor Tinka Shaw – Aye

Trustee Brooke – Absent

Trustee Christopher Kasker – Aye

Trustee Scherer – Aye

Mayor David C. McFadden – Did not vote

Respectfully submitted,



Elizabeth A. Doherty  
Village Clerk-Treasurer