

**VILLAGE OF TUXEDO PARK
EMERGENCY SPECIAL MEETING
SEPTEMBER 8, 2022
5:30 pm
MINUTES**

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

Absent: Mayor David McFadden

Village Clerk: Elizabeth A. Doherty

Attendees: Building and Land Use Officer John Ledwith and Zachary Longo (Project Engineer, Weston & Sampson)

Deputy Mayor Shaw called the meeting to order at 5:30 p.m. Roll call was taken.

Deputy Mayor Shaw explained that the reason for tonight's emergency special meeting was to authorize Weston & Sampson to submit a grant to the WIAA Program (Water Infrastructure Improvement Act Program). The deadline for the grant submission was Friday, September 9, 2022.

Deputy Mayor Shaw lost connection to the meeting at 5:34 p.m. just as Trustee Kasker arrived.

**SEQR Resolution
Resolution 0908-01**

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 (VILLAGE) Board of Trustees seeks to undertake a capital project consisting replacing portions of its water system of the following description:

1. Village of Tuxedo Park
Mountain Road Water Main Replacement
SEQR Type II Action.

WHEREAS, the VILLAGE owns and maintains substantial infrastructure for the conveyance and treatment of water, consisting of pump stations, force mains, and treatment facilities, and

WHEREAS, these facilities require construction from time to time to renew critical infrastructure that provides a benefit to the public, and that construction includes repairing, replacing, or renovating long runs of 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 the project before undertaking same;

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 improvements that are proposed by the VILLAGE (the “Project”) to be completed under the SSES Phase 3, Sub-Basins 2 & 10, Public Sanitary Sewer Repairs, Year Two Construction Project meet the definition of Type II work under Section 6 NYCRR Part 617.5;

NOW, THEREFORE BE IT RESOLVED that the VILLAGE, by and through its Board of Trustees, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project.

BE IT FURTHER RESOLVED that the VILLAGE, by and through its Board of Trustees, concludes that the Project is a “Type II” action and, as such, no further action is required and SEQR is thereby concluded for the 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 vote on the foregoing Resolution was as follows:

NAME

Trustee Brooke	Voting <u>Aye</u>
Trustee Kasker	Voting <u>Aye</u>
Trustee Scherer	Voting <u>Aye</u>
Deputy Mayor Shaw	Voting <u>Did not vote</u>
Mayor McFadden	Voting <u>Absent</u>

Respectfully submitted,

Elizabeth A. Doherty

Elizabeth A. Doherty
Village Clerk-Treasurer

WIIA Application
Resolution 0908-2

**RESOLUTION OF THE 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 Board of Trustees of the Village of Tuxedo Park, Orange County, New York (the “Board of Trustees”) is seeking financial assistance through the 2022 New York State Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program (the “WIIA Program”) and as such, is applying for grant funding pursuant to the WIIA Program offered through the New York State Environmental Facilities Corporation (“EFC”); and

WHEREAS, the Board of Trustees desires to obtain grant funds to assist in completing the following project: certain improvements to portions of the Village’s water system Mountain Road area, consisting of the construction of 3,200 linear feet of 8” ductile iron pipe along sections of certain roads within the Town including, without limitation, Mountain Road, Schoolhouse Road, Schoolhouse Lane, Circle Drive and other appurtenant and incidental improvements, equipment or apparatus necessary or appropriate in connection therewith and other costs and expenses incidental thereto (the “Project”); and

WHEREAS, the Village intends to finance a portion of the Project through the issuance of bonds and intends to authorize the Village Treasurer to take such actions and to execute such documents as may be necessary; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Tuxedo Park, Orange County, New York, as follows:

RESOLVED that the Board of Trustees of the Village of Tuxedo Park (the “Village”) hereby authorizes the undertaking of the Project at a maximum total cost not to exceed \$1,581,975.00, including Village financing in the amount of \$632,790.00.

RESOLVED that the Board of Trustees of the Village hereby authorizes the preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program for funding up to \$949,185.00; and that other future funding sources (*e.g.*, NYS DEC Water Quality Improvement Program, Economic Development, USDA Rural Development, NYS Environmental Facilities Corp., etc.) may be pursued; and when applicable, the submission of an application for financial assistance; and

RESOLVED that the Board of Trustees of the Village hereby authorizes the Village Treasurer to execute a Grant Agreement with EFC and any and all other contracts, documents, and instruments necessary to bring about the completion of the Project and to fulfill the Village’s obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Board of Trustees of the Village hereby authorizes the Village Treasurer to execute expenditures for the Project under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Village.

RESOLVED that the Board of Trustees of the Village hereby authorizes the Village Treasurer to take any and all necessary actions to carry out the provisions of this Resolution.

RESOLVED that the Board of Trustees of the Village hereby authorizes the Village to issue debt for the Project in the form of bonding.

This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

	<u>AYE</u>	<u>NAY</u>	<u>DID NOT VOTE</u>
Deputy Mayor Tinka Shaw			X
Trustee Christopher Kasker	X		
Trustee Paul Brooke	X		
Trustee Joshua Scherer	X		
Mayor David C. McFadden (Absent)			

The meeting was adjourned at 5:42 pm.

Respectfully submitted,



Elizabeth A. Doherty
Village Clerk-Treasurer