

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 15, 2023
MINUTES
Draft**

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 Jeff Domanski (CCA program) and
three residents at Village Hall; about 10 members of the public via Zoom

Mayor McFadden called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Roll call was taken.

**Open the Public Hearing on Draft Local Law #1 of 2023
Resolution 0215-01**

Be it resolved that the Board of Trustees open the Public Hearing to discuss Draft Local Law #7 of 2022 (now Draft Local Law #1 of 2023) – Revising the Lake Laws Related to Dock Size.

Motion made by Mayor McFadden, seconded by Trustee 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

There was no discussion on this local law.

Continue the Public Hearing on Draft Local Law #1 of 2023
Resolution 0215-02

Be it resolved that the Board of Trustees continue the Public Hearing to discuss Draft Local Law #7 of 2022 (now Draft Local Law #1 of 2023) – Revising the Lake Laws Related to Dock Size to March 15, 2023 at 7:00 p.m.

Motion made by Mayor McFadden, seconded by Trustee 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

Consent Agenda
Resolution 0215-03

Be it resolved the Board of Trustees accept the items on the consent agenda.

Motion made by Mayor McFadden, seconded by Trustee 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 January 18, 23, 26, 2023; and Modified Minutes from December 21, 2023
- c. Renew MWG Vision Plan, CDPHP Dental Plan and MVP Health Plan
- d. Renew Service Contract with Acosta DMA, LLC
- e. Accept Resignation of Part-time Police Officer Basilicata

Approval to Connect to Village Sewer
Resolution 0215-04

Be it resolved that the Board of Trustees approve a letter granting preliminary approval to connect to the Village sewer to the current owner of the property of Hickory Hollow Nursery and Garden Center.

Motion made by Mayor McFadden, seconded by Trustee 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

Arch Amenities Group
Resolution 0215-05

Be it resolved that the Board of Trustees approve the Arch Amenities Group/NYS Pool Wee Wah Park & Beach Club Lifeguard Management Contract for the 2023 season. The Mayor has permission to sign that agreement if the Village attorney approves.

Motion made by Mayor McFadden, seconded by Trustee 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 Authorizing Acceptance of Grant
For Body Worn Camera Funding
Resolution 0215-06

WHEREAS, the Village of Tuxedo Park (“Village”) has been awarded a six-thousand dollar (\$6,000.00) grant from the New York State Division of Criminal Justice Services for the provision of funding to support the implementation of Body Worn Camera units for Village Police Personnel; and

WHEREAS, the Village desires to utilize such grant monies in order to enhance its Body Worn Camera capabilities to improve police officer interactions with the public.

NOW, THEREFORE, it is resolved as follows:

Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.

Section 2. The Village Board hereby accepts and approves the receipt of \$6,000.00 in grant funds from the New York State Division of Criminal Justice Services for the implementation of body worn camera units.

Section 3. The Mayor, Police Chief, or any officer, employee or consultant as directed by the Mayor, is hereby authorized to execute any documents necessary to effectuate receipt of such grant monies.

Section 4. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Ayes	Noes	Abstain	Absent
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.

Weston & Sampson
Resolution 0215-07

Be it resolved that the Board of Trustees permit the Mayor to sign the Weston & Sampson Proposal for the Summit Road Retaining Wall Reconstruction; and the Weston & Sampson Proposal for SSES – Plant Flow Assessment; and the Weston & Sampson SSES – Proposal for On-call Consulting Engineering Services for FY2023.

Motion made by Mayor McFadden, seconded by Trustee 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

Community Shredding Event
Resolution 0215-08

Be it resolved that the Board of Trustees approve On-Site Confidential Shredding at a cost of \$600 for one hour of service.

Motion made by Mayor McFadden, seconded by Trustee 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 re Property Tax Exemptions
Resolution 0215-09

Be it resolved that the Board of Trustees schedule a Public Hearing on March 15, 2023 at 7:00 p.m. to consider a local law for exemptions for firefighters and ambulance volunteers under Real Property Tax Law §466-a.

Motion made by Mayor McFadden, seconded by Trustee 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 Authorizing Village Mayor to Executive
Agreement with the Orange County Department of Planning
Regarding GML Referrals
Resolution 0215-10**

WHEREAS, the Village of Tuxedo Park, New York (“Village”) and the Orange County Department of Planning (“Department of Planning”) desire to enter into an Agreement to reduce the number of applications to be referred for certain planning and zoning actions to the Orange County Department of Planning; and

WHEREAS, the attached Agreement reflects the terms and conditions between the Village and the Department of Planning for the period of one year commencing from February 7, 2023 to December 7, 2023; and

WHEREAS, the Agreement between the parties shall be extended automatically for successive years thereafter, up to a total of five (5) years, unless terminated by the parties in writing.

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 Mayor is hereby authorized to execute the Agreement with the Orange County Department of Planning substantially in the form annexed hereto as approved by the Village Board and Village legal counsel.

Section 3. The Village Mayor and any employee, official or consultant as directed by the Village Mayor are authorized to take any and all necessary actions to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Ayes	Noes	Abstain	Absent
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.

Audit of Claims
Resolution 0215-11

Be it resolved that the Board of Trustees approve the General Fund claims in the amount of \$248,814.72 and Water Fund claims in the amount of \$120,861.02.

Motion made by Mayor McFadden, seconded by Trustee 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

Budget Transfers
Resolution 0215-12

Be it resolved that the Board of Trustees approve Budget Transfers below that were posted on the website and reviewed by Budget Director/Deputy Mayor Shaw.

Motion made by Mayor McFadden, seconded by Trustee 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

General Fund
Budget Transfers

Amount	From	To
\$1,000	1325.2 (Treas Equip)	1325.4 (Treas Cont)
\$1,000	1325.2 (Treas Equip)	1324.43 (Treas Clerical Asst)
\$250	1325.41 (Treas Computer)	1325.45 (Treas IT Equip Zoom)
\$101,100	5110.4 (St Main Cont)	3121.17 (Police Bldg Maint)
\$2,500	1640.4 (Cent Garage Cont)	1640.2 (Cent Garage Equip)
\$2,450	5020.4 (Storm Water GIS/Engg)	5010.4 (St. Admin Cont)
\$300	1640.4 (Cent Garage Cont)	1920.4 (Municipal Assoc Dues)
\$300	1640.4 (Cent Garage Cont)	1450.2 (Elections Equip)

\$400	1640.4 (Cent Garage Cont)	1450.4 (Elections Cont)
\$6,000	3121.15 (Police Uniforms)	3121.01 (Police Vehicle Parts & Main)
\$260	3121.15 (Police Uniforms)	3640.4 (Civil Defense)
\$20,000	5110.4 (Street Maint Cont)	1989.4 (Lake Mgmt & Watershed Study)

**Water Fund
Budget Transfers**

Amount	From	To
\$60,000	1990.4 (Contingency)	1440.4 (Engineering)
\$350	1990.4 (Contingency)	1989.4 (Lake Mgmt)
\$8,200	1990.4 (Contingency)	8320.4 (Source of Supply Cont)
\$7,000	1990.4 (Contingency)	8330.4 (Purif Cont)
\$48,950	1990.4 (Contingency)	8340.4 (Trans & Dist)

**Enter Executive Session
Resolution 0215-13**

Resolved to exit the Regular Meeting and enter into Executive Session for the purpose of discussing an employee matter, water account, and a legal matter, at 7:59 p.m.

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 0215-14**

Be it resolved that the Board of Trustees exit Executive Session and re-enter the public meeting at 8:50 p.m.

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 0215-15

Be it resolved to adjourn the regular meeting at 8:50 p.m.

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

Respectfully submitted,

Elizabeth A. Doherty
Village Clerk-Treasurer