

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTEES
PUBLIC HEARING AND MEETING MINUTES
JANUARY 20, 2021
7:00 P.M.
MINUTES**

Present: Mayor David McFadden
Deputy Mayor Anna (Tinka) Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Trustee Alan McHugh

Deputy Clerk: Elizabeth A. Doherty

Village Attorney: Brian Nugent, Esq. (Feerick Nugent MacCartney, PLLC)

Attendees: Village Employees: Building and Land Use Officer John Ledwith, Police
Chief David Conklin; Joseph Zongol, PE (Weston & Samson).
Members of the Public: Approximately 37 Zoom participants

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

Resolution No. 0120-01

A motion was made by Mayor McFadden, seconded by Trustee Gluck that the Board of Trustees approve the PERMA bid in the amount of \$57,996 and the management fees associated with the Village of Tuxedo Park's Tail claims for workers' compensation to come out of budget line 9040.8 in the General Fund (\$52,950) and the Water Fund (\$5,046).

Vote of the Board:

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Trustee Alan McHugh
Mayor David C. McFadden did not vote

Resolution No. 0120-02

A motion was made by Mayor McFadden, seconded by Deputy Mayor Shaw that the Board of Trustees approve PFAS sampling protocols training as follows:

Weston & Sampson will prepare a brief sampling protocol guideline document for DPW Superintendent Jeff Voss and John Bello which will distill the information on PFAS Sampling into easy to find and understand directions - \$540;

One Weston & Sampson staff member will assist with collecting the first sample and guide DPW Superintendent Jeff Voss and John Bello through the process - \$1,750;

Weston & Sampson will provide support in reviewing the sample results and provide a summary of findings - \$540

The total cost of \$2,830 will be paid from line 1440.4 (Engineering) in the Water Fund.

Vote of the Board:

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw

Trustee Paul Gluck

Trustee Christopher Kasker

Trustee Alan McHugh

Mayor David C. McFadden did not vote

Resolution No. 0120-03**RESOLUTION REGARDING SCAR HEARING SETTLEMENTS**

WHEREAS, the Village of Tuxedo Park ("Village") from time to time has residents who exercise their right to challenge the assessment on their real property; and

WHEREAS, it is hereby required from this date on that any settlement or offering on such matters shall be subject to and voted on by a majority of the Village Board of Trustees which also serves as the Board of Assessors (hereinafter "Board")

NOW, THEREFORE, be it is resolved as follows:

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

Section 2. The Board by the adoption of this Resolution shall be required to approve any SCAR settlements by majority vote prior to finalization or shall approve or authorize in advance a

Village representative to settle such SCAR matters within designated criteria approved by the Board.

Section 3. 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:

A motion was made by Mayor McFadden, seconded by Trustee McHugh that the Board of Trustees approve.

Vote of the Board:

YES

NO

ABSTAIN

Mayor David C. McFadden
Deputy Mayor Tinka Shaw
Trustee Christopher Kasker

Trustee Paul Gluck
Trustee Alan McHugh

The Resolution was thereupon duly adopted.

Resolution No. 0120-04

A motion was made by Mayor McFadden, seconded by Trustee Gluck that the Board of Trustees approve the recommendation made by Weston & Sampson for the change in design of the control panel at the Water Treatment Plant. The design change will be done at no additional cost to the Village.

Vote of the Board:

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Trustee Alan McHugh
Mayor David C. McFadden did not vote

Resolution No. 0120-05

A motion was made by Mayor McFadden, seconded by Trustee McHugh that the Board of Trustees establish a committee of community stakeholders in compliance with Governor Cuomo's Executive Order: The New York State Police Reform and Reinvention Collaborative. Members of the Police Reform Committee are: Police Chief Dave Conklin, Mayor David McFadden, Trustee Chris Kasker, Father Richard "Rick" Datos-Robyn, Joshua Scherer, and Serena Mueller.

Vote of the Board:

YESNOABSTAIN

Deputy Mayor Tinka Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Trustee Alan McHugh
Mayor David C. McFadden did not vote

Resolution No. 0120-06

A motion was made by Mayor McFadden, seconded by Trustee McHugh that the Board of Trustees authorize the Police Department to sell surplus equipment that was stripped from a 2011 surplus vehicle before it was sold. The sale will be done on an online auction website and the proceeds will be credited to budget line 2666 (Sale of Equipment) in the General Fund. The equipment is as follows:

1. One Tufloc rifle rack with time – Model 108gl
2. One Whelen siren and light controller with console mount – Model-295hfsa6
3. One Whelen siren speaker with mount – Model SA315P
4. Four Whelen TIR3 Color Red - Model 01-026B949-54C
5. Four Whelen Vertax Color White - Model – 01-026B715-30
6. Two Whelen Vertax Color Red Model – 01-026B715-50
7. One Whelen Liberty 48” lightbar Model – SX8BBRR

Vote of the Board:

YESNOABSTAIN

Deputy Mayor Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Mayor David C. McFadden did not vote

Trustee Alan McHugh

Resolution No. 0120-07

A motion was made by Mayor McFadden, seconded by Trustee Gluck to approve the minutes from the November 18, 2020 meeting.

Vote of the Board:

YESNOABSTAIN

Deputy Mayor Shaw
Trustee Paul Gluck
Trustee Christopher Kasker
Trustee Alan McHugh

Mayor David C. McFadden did not vote

Resolution No. 0120-08

A motion was made by Mayor McFadden, seconded by Trustee McHugh to approve the minutes from the December 16, 2020 meeting.

The motion was tabled.

Resolution No. 0120-09

A motion was made by Mayor McFadden, seconded by Trustee McHugh to adjourn at 7:44 p.m. to Executive Session to discuss litigation and matters relating to a specific employee.

Vote of the Board:

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Chris Kasker
Trustee Paul Gluck
Trustee Alan McHugh
Mayor McFadden did not vote

Resolution No. 0120-10

A motion was made by Mayor McFadden, seconded by Trustee McHugh at 8:35 p.m. to exit Executive Session.

Vote of the Board:

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Chris Kasker
Trustee Paul Gluck
Trustee Alan McHugh
Mayor McFadden did not vote

Resolution No. 0120-11

On a motion made by Mayor McFadden, seconded by Trustee McHugh, the Village Board hereby authorizes, ratifies and approves the filing of an Article 75 proceeding by Feerick Nugent MacCartney, PLLC in the Orange County Supreme Court to stay arbitration demanded by the Village of Tuxedo Park Police Benevolent Association.

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Chris Kasker
Trustee Paul Gluck
Trustee Alan McHugh
Mayor McFadden did not vote

Resolution No. 0120-12

There being no further business, a motion was made by Mayor McFadden, seconded by Trustee McHugh: Resolved to close the meeting at 8:37 p.m.

YES

NO

ABSTAIN

Deputy Mayor Tinka Shaw
Trustee Chris Kasker
Trustee Paul Gluck
Trustee Alan McHugh
Mayor McFadden did not vote

Respectfully submitted,



Elizabeth A. Doherty
Deputy Village Clerk