

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES  
MEETING MINUTES  
MARCH 24, 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: Building and Land Use Officer John Ledwith, Jim Cioffi and Theresa Vozzolo (O&R Representatives), Jim Hays, Bonnie Takeuchi (President, Wee Wah Beach Club); and Members of the Public: Approximately 48 people via Zoom

Absent: Chief Conklin

The regularly scheduled monthly Board of Trustees meeting on March 17, 2021 was postponed to March 24, 2021 because the Mayor had to undergo knee surgery.

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

**Resolution 0324-01**

On a motion by Mayor McFadden, seconded by Trustee McHugh, it was: Resolved that the Village of Tuxedo Park join the "International Council for Local Environmental Initiatives" (ICLEI), a consortium of local governments formed to help municipalities address environmental problems such as climate change, at an annual cost not to exceed \$600, charged to line item 1990.40 (Contingency).

**Vote of the Board:**

Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Aye  
Mayor McFadden did not vote

**Resolution 0324-02**

On a motion by Trustee Gluck, seconded by Mayor McFadden, it was: Resolved that the Village of Tuxedo Park expend up to \$150 out of a total fee of \$300 to be shared with the Town of Tuxedo for “C Change Primer,” a webinar about the effects and consequences of climate change, charged to line item 1990.4.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-03**

On a motion by Mayor McFadden, seconded by Trustee Gluck, to it was: Resolved to approve the following items in the Consent Agenda: Minutes from the Board of Trustees Special Meeting on January 25, 2021; Minutes from the Board of Assessment Review meeting on February 16, 2021; Minutes from the Board of Trustees Meeting on February 17, 2021; Adoption of 80 Lorillard Road as the polling place for the June 15, 2021 Election with voting hours to be from 7 a.m. to 9 p.m.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-04**

On a motion by Mayor McFadden, seconded by Trustee Gluck, it was: Resolved to approve the minutes from the January 25, 2021 Board of Assessors meeting with one change: the phrase, “final assessment role” should be “tentative assessment role.” That phrase appears twice in the minutes.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-05**

On a motion by Mayor McFadden, seconded by Deputy Mayor Shaw, it was: Resolved that the Village of Tuxedo Park hold a paper shredding event on April 22<sup>nd</sup> (Earth Day) which will be open to all Village of Tuxedo Park residents. The Board of Trustees selected Legal Shred from the submitted list of bidders at a cost of \$350 per hour with a three hour minimum, not to exceed \$1,400 for four hours. The total cost will come from budget line 1990.4 Contingency.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-06**

The following resolution was duly offered by Mayor McFadden  
and seconded by Deputy Mayor Shaw to wit:

**RESOLUTION FOR THE ADOPTION OF THE POLICE REFORM AND  
REINVENTION COLLABORATIVE PLAN**

**WHEREAS**, the Governor of the State of New York executed Executive Order No. 203 on June 12, 2020, requiring local governments in New York State to perform a comprehensive review of various police practices, strategies, policies, procedures and to implement a plan to improve such; and

**WHEREAS**, the Village of Tuxedo Park (“Village”) established a Community Policing Advisory Committee (Committee) comprised of local government, the Chief of Police, and stakeholders in the community contemplated by Executive Order No. 203 to create a plan to adopt and implement the recommendations promulgated thereby; and

**WHEREAS**, in coordination with the Village and its stakeholders, that Committee has developed a plan and offered that plan for public comment to all citizens in the locality; and

**WHEREAS**, public comment upon the plan has been duly considered by the Committee;  
and

**WHEREAS**, the Village, through its Community Policing Advisory Committee and the plan established therefrom, wishes to adopt and file said plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Village of Tuxedo Park hereby adopts the Village of Tuxedo Park Police Reform Plan, annexed hereto, proposed by the Committee.

**Resolution 0324-05**

On a motion by Mayor McFadden, seconded by Deputy Mayor Shaw, it was: Resolved that the Village of Tuxedo Park hold a paper shredding event on April 22<sup>nd</sup> (Earth Day) which will be open to all Village of Tuxedo Park residents. The Board of Trustees selected Legal Shred from the submitted list of bidders at a cost of \$350 per hour with a three hour minimum, not to exceed \$1,400 for four hours. The total cost will come from budget line 1990.4 Contingency.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-06**

The following resolution was duly offered by Mayor McFadden  
and seconded by Deputy Mayor Shaw to wit:

**RESOLUTION FOR THE ADOPTION OF THE POLICE REFORM AND  
REINVENTION COLLABORATIVE PLAN**

**WHEREAS**, the Governor of the State of New York executed Executive Order No. 203 on June 12, 2020 requiring local governments in New York State to perform a comprehensive review of various police practices, strategies, policies, procedures and to implement a plan to improve such; and

**WHEREAS**, the Village of Tuxedo Park (“Village”) established a Community Policing Advisory Committee (Committee) comprised of local government, the Chief of Police, and stakeholders in the community contemplated by Executive Order No. 203 to create a plan to adopt and implement the recommendations promulgated thereby; and

**WHEREAS**, in coordination with the Village and its stakeholders, that Committee has developed a plan and offered that plan for public comment to all citizens in the locality; and

**WHEREAS**, public comment upon the plan has been duly considered by the Committee;  
and

**WHEREAS**, the Village, through its Community Policing Advisory Committee and the plan established therefrom, wishes to adopt and file said plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Village of Tuxedo Park hereby adopts the Village of Tuxedo Park Police Reform Plan, annexed hereto, proposed by the Committee.

Section 3. The Village Mayor or his designee is hereby directed to transmit a certification to the New York State Director of the Division of the Budget to affirm that such process has been complied with and that the Plan has been adopted by this Resolution.

Section 4. The Village Mayor and any other officer or employee as directed by the Village Mayor shall take any and all necessary actions to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Nay

Mayor McFadden did not vote

The Resolution was thereupon duly adopted.

#### **Resolution 0324-07**

The following resolution was duly offered by Mayor McFadden and seconded by Deputy Mayor Shaw to wit:

#### **RESOLUTION ESTABLISHING MINIMUM HOURS REQUIREMENT FOR PART-TIME POLICE OFFICERS**

WHEREAS, the Village Board desires to establish a minimum hour requirement for part-time police officers employed by the Village; and

WHEREAS, the Chief of Police recommends implementation of such minimum hours requirement per week.

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. Effective March 22, 2021 the Village Board hereby requires that all part-time police officers employed by the Village in the Tuxedo Park Police Department be available to work a minimum of two shifts per week as assigned by the Chief of Police.

Section 3. The Chief of Police may waive this requirement under reasonable circumstances including but not limited to vacation, illness, bereavement leave and similar circumstances as determined by the Chief of Police.

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:

Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Aye  
Mayor McFadden did not vote

The Resolution was thereupon duly adopted.

#### **Resolution 0324-08**

On a motion made by Mayor McFadden, seconded by Deputy Mayor Shaw, the Board of Trustees authorized the Police Department to remove from inventory the following office equipment:

1. Shredder: Model SPL-TXC16HSA Serial #1201031377
2. Dell Monitor: Model CH-OKHONG Serial #6VZ6VM2
3. Acer Monitor: Model AL1913B Serial #ETL3609035451001DBPQ00
4. Aopen Monitor: Model FS0PS Serial #41300562PV01
5. Samsung Monitor: Model 213T/NB21BSAB Serial #QDC00-821-8FKS-A05
6. Dell Monitor: Model CN-OKHONG Serial #QDC00-821-8FKS-A05

Vote of the Board:

Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Abstain  
Mayor McFadden did not vote

#### **Resolution 0324-09**

The following resolution was duly offered by Mayor McFadden  
and seconded by Trustee Gluck to wit:

#### **A RESOLUTION APPROVING CONSTRUCTION OF A BOATHOUSE**

**WHEREAS**, an application has been made to the Village for approval of a boathouse on Tuxedo Lake located on the property of the Rifkin residence located at 97 West Lake Road in the Village (Section 103, Block 1, Lot 42) (“the Rifkin Boathouse”); and

**WHEREAS**, such application and any required variances have been reviewed by the Village Board of Zoning Appeals and the Board of Architectural Review and approved with conditions; and

**WHEREAS**, Village Code § 65-2(D) requires approval of the Village Board of Trustees for construction of such boathouse.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF TUXEDO PARK AS FOLLOWS:**

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

Section 2. The Village Board of Trustees hereby approves the construction of the Rifkin Boathouse under Village Code § 65-2(D), conditioned upon approval of the New York State Department of Environmental Conservation and compliance with any conditions set forth in the approvals of the Board of Zoning Appeals and Board of Architectural Review.

Section 3. The Board hereby authorizes the Building Inspector, or any other official or employee as directed by the Mayor, to take any and all actions necessary 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:

Mayor McFadden – Aye  
Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Abstain

The Resolution was thereupon duly adopted.

#### **Resolution 0324-10**

On a motion by Mayor McFadden seconded by Trustee Gluck it was: Resolved to send a thank you letter to Orange County District Attorney David Hoovler for the donation of money for the purchase of two body worn cameras valued at \$1,000.

Vote of the Board:

Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Aye  
Mayor McFadden did not vote

**Resolution 0324-11**

On a motion by Mayor McFadden seconded by Trustee McHugh it was: Resolved to authorize the Mayor to renew the MWG vision plan.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote

**Resolution 0324-12**

On a motion by Deputy Mayor Shaw seconded by Trustee McHugh it was: Resolved to enter Executive Session at 9:02pm for a discussion about two Village employees, an Article 78 litigation against the Village and to get some legal advice.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden was temporarily disconnected from Zoom and did not vote.

**Resolution 0324-13**

On a motion by Trustee McHugh seconded by Deputy Mayor it was: Resolved to re-enter the regular Board Meeting at 10:56 p.m.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Aye

Mayor McFadden did not vote.

Trustee McHugh did not return to the meeting from Executive Session.

**Resolution 0324-14**

The following resolution was duly offered by Mayor McFadden  
and seconded by Trustee Kasker to wit:



**A RESOLUTION AUTHORIZING PURCHASE OF REPLACEMENT DPW VEHICLE  
AND CANCELLATION OF PREVIOUSLY ORDERED DPW TRUCK AND  
SNOWPLOWING EQUIPMENT**

**WHEREAS** the Village previously approved the order for a Freightliner 1085D 4x4 with 10 foot steel body and 11' reversible plow and stainless steel sander for \$193,495.88 ("Freightliner Truck") within the 2020-2021 budget; and

**WHEREAS** after review, the necessity of purchasing the Freightliner Truck has come into question during the recent snowstorms as the Village roads were promptly cleared with the current inventory of vehicles and snowplowing equipment; and

**WHEREAS** the specifications of the Freightliner Truck indicate that the accessory snowplowing equipment ordered is not interchangeable with any current vehicle in the DPW inventory; and

**WHEREAS**, the Village desires to order a different vehicle at a lower cost from the vendor; and

**WHEREAS**, the Village is in receipt of a proposal from Reed Systems, Ltd. of Ellenville, New York for a replacement vehicle at a price of \$70,430.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF TUXEDO PARK AS FOLLOWS:**

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

Section 2. The Mayor is hereby authorized to execute documents to carry out the cancellation of the Freightliner Truck and snowplowing equipment by signing the cancellation document provided by Rick Woods of MV Freightliner – Attachment A and payment of a \$2,500 fee arising from such cancellation.

Section 3. The Board hereby authorizes the Mayor to execute any and all documents required to purchase the replacement vehicle and equipment identified in the proposal of Reed Systems, Ltd. dated March 23, 2021 for a price not to exceed \$70,430.00.

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:

Mayor McFadden – Aye  
Deputy Mayor Shaw – Aye  
Trustee Gluck – Nay  
Trustee Kasker – Aye  
Trustee McHugh - Absent

The Resolution was thereupon duly adopted.

**Resolution 0324-15**

On a motion by Mayor McFadden seconded by Deputy Mayor Shaw it was: Resolved to authorize the Mayor to execute an extension of the 2015 memorandum of agreement with Michael Bruno and Alexander Jakowec through June 30, 2021 in a form approved by council.

Vote of the Board:

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Absent

Mayor McFadden did not vote

Mayor McFadden left the meeting at 10:56 p.m.

**Resolution 0324-16**

On a motion by Trustee Kasker seconded by Deputy Mayor Shaw it was: Resolved to have a special meeting on March 30, 2021 at 6:30 p.m.

Vote of the Board:

Mayor McFadden – Absent

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Absent

**Resolution 0324-17**

On a motion by Trustee Kasker seconded by Deputy Mayor Shaw it was: Resolved to have a Public Hearing to discuss the budget on April 15, 2021 at 7 p.m.

Mayor McFadden – Absent

Deputy Mayor Shaw – Aye

Trustee Gluck – Aye

Trustee Kasker – Aye

Trustee McHugh – Absent

**Resolution 0324-18**

On a motion by Trustee Kasker seconded by Deputy Mayor Shaw it was: Resolved to reschedule the Public Hearing to discuss the budget to April 14, 2021 at 7 p.m.

Vote of the Board:

Mayor McFadden – Absent

Deputy Mayor Shaw – Aye

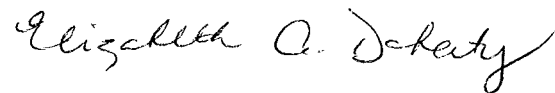
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Absent

**Resolution 0324-19**

There being no further business on a motion by Deputy Mayor Shaw seconded by Trustee Gluck it was: Resolved to adjourn the meeting at 11:09 p.m.

Vote of the Board:  
Mayor McFadden – Absent  
Deputy Mayor Shaw – Aye  
Trustee Gluck – Aye  
Trustee Kasker – Aye  
Trustee McHugh – Absent

Respectfully submitted,

A handwritten signature in cursive script, reading "Elizabeth A. Doherty".

Elizabeth A. Doherty  
Acting Village Clerk-Treasurer