

VILLAGE OF TUXEDO PARK
80 LORILLARD ROAD
P.O. BX 31
TUXEDO PARK, NY 10987

David C. McFadden
Mayor

BOARD OF TRUSTEES
ANNUAL REORGANIZATION MEETING
TUESDAY, SEPTEMBER 29, 2020
6:30 P.M.

CEREMONIAL SWEARING IN - ELECTED OFFICIALS

Mrs. Anna “Tinka” Shaw as Village Trustee – Two-Year Term
Mr. Christopher Kasker as Village Trustee – Two-Year Term

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **MAYOR’S COMMENTS**
5. **RESOLUTION** - to appoint Elizabeth Doherty as Deputy Village Clerk.

SECTIONS

6. **APPOINTMENTS***

Trustee Tinka Shaw	Deputy Mayor	One Year
BOT as Board of Assessors	Real Property Tax Assessor	Hold Over
	RPTA/Grievance Board	Hold Over
Trustee McHugh	SCAR Hearing Representative	Hold Over
Trustee Gluck	SCAR Hearing Representative	Hold Over
Allen Barnett	Special Advisor to the Mayor on Village C-T Transition	Six Months
JoAnn Hanson	PB Chair-One Year	Hold Over
JoAnn Hanson	PB Member 7/1/20-6/30-25	Hold Over

Mary Darby	BZA Member 7/1/20-6/30/25	Hold Over
Jake Lindsay	BZA Chair	One Year
Christopher Gow	BAR Member 7/1/20-6/30/25	Five Years
Sheila Tralins	BAR Chair	One Year
Debbie Matthews	Village Clerk-Treasurer	One Year
	Keeper of Records/RAO	One Year
Elizabeth Doherty	Deputy Village Clerk	One Year
Denise Spalthoff	Deputy Village Clerk-Treasurer	One Year
	Water Dept. Administration	One Year
	Police Dept. Administration	One Year
Desiree Hickey	Recording Secretary to the BAR	One Year
	Recording Secretary to the PB	One Year
	Recording Secretary to the BZA	One Year
John Ledwith	Building Inspector	One Year
	Zoning Enforcement Officer	One Year
	Land Use Officer	One Year
	SCAR Hearing Representative	One Year
David Conklin	Chief of Police	One Year
Michael Taback	Sergeant	Union
Daniel Sutherland	Police Officer	Union
Max Serrine	Police Officer	Union
Clifford Ader	Police Officer	Part-time
James Ascione	Police Officer	Part-time
Frank Basile	Police Officer	Part-time
Brian Benjamin	Police Officer	Part-time
Thomas Bonkoski	Police Officer	Part-time
Vincent D'Amato	Police Officer	Part-time
Cynthia Harcher	Police Officer	Part-time
Matthew Jackson	Police Officer	Part-time
Erik Johnson	Police Officer	Part-time
Rodney Krinke	Police Officer	Part-time
Brian Levy	Police Officer	Part-time
Timothy Lowry	Police Officer	Part-time
Erik Meislahn	Police Officer	Part-time
John Motz	Police Officer	Part-time
Joseph Panzica	Police Officer	Part-time
Louis Roman	Police Officer	Part-time
Joseph Ryle	Police Officer	Part-time
Joseph Saetta	Police Officer	Part-time
Kenneth Sanford	Police Officer	Part-time
Ryan Smith	Police Officer	Part-time
Tyler Stark	Police Officer	Part-time

Neil Watt	Police Officer	Part-time
Jeff Voss	DPW Superintendent	One Year
John Bello	Water/Sewer Plant Operator	Union
Daniel Haglund	Working Foreman/Leader	Union
John Hochheim	Automotive Mechanic	Union
Kirk LaBar	Laborer	Union
Franke Lunde	Motor Equipment Operator	Union
Daniel Squillini	Motor Equipment Operator	Union
David Hasin, Esq.	Village Justice (Elected)	One Year
Bruce A. Schonberg, Esq.	Associate Village Justice	One Year
Alice Confield	Clerk to the Village Justice	One Year
Gardiner Hempel	Village Fire Inspector	One Year
Greggory Libby	Lake Warden	One Year
Andrew Arias - Cooper Arias LLP	Accountants for the Village	One Year
Brian Nugent, Esq. - Feerick Nugent MacCartney PLLC	Attorneys for the BOT	One Year
Stephen Honan, Esq. - Feerick Nugent MacCartney PLLC	Attorneys for the BAR	One Year
Rick Golden, Esq. - Burke, Miele, Golden, Naughton LLC	Attorneys for the PB	One Year
Alyse Terhune, Esq. - Lewis & McKenna Attorneys at Law	Attorney for the BZA	One Year
Pat Hines - McGoey, Hauser & Edsall	Engineer for the Village/PB/BAR	One Year
Charles Schacter - Harris Beach LLC	Bond Counsel	One Year
Michael Quinn, Schnabel Engineering	Engineers	One Year
Carl Stone, Weston & Sampson Engineers	Special Engineers	One Year
Robert Stubbs - Marshall & Sterling, Inc.	Insurance Agent	One Year
A.J. Reyes - NEAR	Lake Consultant	One Year

*Village employee salaries are on file with the Village Clerk-Treasurer and available to the public through the FOIA.

6A. RESOLUTION APPOINTED BOARD MEMBER HOLD-OVER APPOINTMENTS ARE EXEMPT FROM THE Term Limits Local law No: 3 of 2006.

6B. RESOLUTION TO APPROVE THE APPOINTMENTS DESCRIBED IN SECTION 6 ON THIS DOCUMENT

7. DUTIES OF A LIAISON TO A VILLAGE DEPARTMENT - DEFINITION

Liaisons serve at the pleasure of the Mayor and serve to make recommendations to the Mayor on matters related to the Department for which the liaison is assigned. The main function of the liaisons is to facilitate communications between the DEPARTMENT/EMPLOYEE and the MAYOR. A liaison is advisory in nature and may not supervise or direct a Department or Village employee as such authority is reserved to the Mayor under NYS Village Law Section 4-400. The liaison may make reasonable requests upon the Department or Village employee if the information is relevant to the duty of the liaison and its production it is not burdensome. The liaison shall, in carrying out the liaison role, not be authorized to utilize services of other village employees, office space, equipment or supplies, unless approved by the Board of Trustees.

Improving communications can be accomplished through:

- Regularly scheduled meetings in which the liaisons discuss how to implement the policies recommended by the Mayor.
- Sharing of information outside of a regularly scheduled meeting.

Typically, Village of Tuxedo Park Mayors have appointed Liaison duties during the annual meeting. This year I intend to make those appointments before the end of the year. During the interim, the Board will interface with the Village Departments on an as need project bases to be determined by the Mayor. The reason I am deviating slightly from tradition is to give the board to take a pause and press the reset button, determine how we coalesce as a board, followed by making the appointments that work best for the Board and community. During the interim, the Board will interface with the Village Departments on an as needed project bases.

8. OFFICIAL UNDERTAKINGS AND INSURANCE

Employee Insurance Theft Coverage-\$500,000 per employee
 Clerk-Treasurer Position Insurance Theft Coverage-\$1,000,000
 Deputy Clerk-Treasurer Position Insurance Theft Coverage-\$1,000,000
 Computer & Funds Transfer Fraud-\$500,000

9. OFFICIAL NEWSPAPER

Times Herald Record	Newspaper of Record	One Year
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10. DESIGNATION OF DEPOSITORIES

The official Village bank(s) and/or trust companies for the deposit of all moneys received by the treasurer, clerk, and receiver who is designated and appointed as Village receiver.

Banks

J.P. Morgan Chase Bank, Provident Bank, & M&T Bank	Official Depositories	One Year
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11. DATES FOR REGULAR MEETINGS

BOARD MEETINGS

SCHEDULED DATES

Board of Trustees	3 rd Wednesday of each month @ 7:00 pm
Board of Zoning Appeals	1 st Wednesday of each month @ 7:00 pm
Planning Board	2 nd & 4 th Wednesday of each month @ 7:30 pm
BAR	1 st & 3 rd Thursday of each month @ 7:00 pm
Village Justice Court	3 rd Thursday of each month @ 5:00 pm

Holidays:

No Village meetings will be held on the following 2020-2021 holidays: Labor Day (9/7/2020), Rosh Hashanah (9/18/2020), Yom Kippur (from 6pm on 9/27/20 through 8pm on 9/28/20), Columbus Day (10/12/2020), Veteran's Day (11/11/20), Thanksgiving (11/26/2020), Hanukkah (12/10/2020), Christmas Day (12/25/2020), New Year's Day (1/1/2021), Dr. Martin Luther King, Jr. Day (1/18/2021), President's Day (2/15/2021), Memorial Day (5/31/2021), and Independence Day (7/4/2021).

12. VILLAGE ELECTION VOTING HOURS

Village Election Day voting hours be from 7:00 a.m. to 9:00 p.m. 3rd Tuesday of the month of June.

13. RULES OF PROCEDURE

1. *General:* The Mayor shall preside at Board of Trustees meetings. In the Mayor's absence, the Deputy Mayor shall preside. All motions require a second.

2. *Regular Meeting Schedules:* The Board of Trustees shall hold regular meetings on the 3rd Wednesday of each month. Such regular meetings shall commence at 7:00 p.m. and be conducted in the Village Hall. The Board of Trustees may determine any change to the foregoing. Either the Mayor or Deputy Mayor must be physically present to conduct any meeting, special or regular.

3. *Special & Special (Emergency) Meetings:*

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. The Mayor upon notice to the entire Board may call a special meeting – an option of the Mayor's noted in Chapter 7 of the NYCOM Handbook. Notice among the Trustees and Village Clerk(s) shall be given by telephone, in person, or in writing at least 24 hours in advance unless an emergency exists. Either the Mayor or Deputy Mayor must be physically present to conduct any meeting, special or regular.

4. *Quorum:* The Mayor or Deputy Mayor shall preside at all meetings. A majority of the Board constitutes a quorum for the transaction of business. A quorum of the five-member Board of Trustees shall be three. In the absence of a quorum, a lesser number may only adjourn and compel the attendance of absent members.

5. *Executive Sessions:* Executive sessions shall be held in accordance with the NYS Public Officers Law §105. All executive sessions shall be commenced in a public meeting.

- a. matters which will imperil the public safety if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective negotiations pursuant to article fourteen of the civil service law;
- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- g. the preparation, grading or administration of examinations; and
- h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

6. *Remote Attendance:* Mayor or any Trustee is linked into the meeting telephonically, electronically or by some other electronic means, then they shall not be entitled to vote. Whereas, the Mayor or any Trustee who is linking in by video conferencing or similar means shall be entitled to vote to the extent permitted in the NY Public Officers Law.

7. *Agendas:* An agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda for regular meetings. Agenda items shall be given to the Clerk at least 24 hours before the meeting. Items may be placed on the agenda at any time by the Mayor or any Trustee, including during the meeting. When possible, the agenda shall be prepared by noon on the day of the meeting. If necessary a supplemental agenda shall be distributed at the beginning of the meeting.

8. *Voting:* Pursuant to Village Law each member of the Board shall have one vote. The Mayor is not required to vote on any matter unless it is to break a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law. A vote upon any question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

9. *Minutes:* Minutes shall be taken by the Clerk or Secretary. Minutes shall consist of a record of all motions, proposals, resolutions and any other matter formally voted upon by the Board and the vote thereon. A copy of any written resolutions or other prepared written material used to support an action of the Board must be given to the Clerk during the meeting or as soon as practicable thereafter. Minutes shall be available in accordance with NYS Public Officers Law §106 (open meetings within two weeks, votes taken in executive session within one week).

Minutes shall not be taken at executive session unless an action is taken or a motion is made by a formal Board vote, in which event a record or summary shall be made of the final determination of such action or motion, and the date and vote thereon; provided, however, that such summary or record need not include any information which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following: name of the board; date, place and time of the meeting; notation of presence or absence of board members and time of arrival or departure if different from time of call to order and adjournment; name and title of other Village officials and employees present and the approximate number of attendees; record of communications presented to the Board; record of reports made by board or other Village personnel; time of adjournment; and

signature of clerk or person who took the minutes if not the clerk. Minutes shall not be verbatim or reference each comment made.

Minutes shall be approved by a majority vote at the next board meeting or as soon as reasonably practicable. Amendments to the minutes shall also require the approval by a majority vote by the Board.

10. *Order of Business*: Subject to the discretion of the Mayor, the normal order for the agenda in a regular Board meeting is:

- Call to order
- Pledge of Allegiance
- Roll Call
- Mayor's Comments
- Dept. Reports; Trustee Reports; Legal Reports; Town Report; Committee Reports
- Public Comment Period
- Business (Old)
- Business (New)
- Public Comment Period
- Approval of Minutes
- Audit of Claims
- Adjournment

Note: Public Hearings must be noticed in advance, may be scheduled during regular or special meetings, and may be moved forward within the normal order of the agenda.

11. *Guidelines for Public Comment*: The Mayor shall determine if the public will be granted an opportunity to speak at any Board meeting, unless a majority of the Board decides otherwise. If the public is granted an opportunity to speak at a Board meeting, then they must do so in a respectful manner, limit their remarks to Village business. The Mayor or Board may reasonably restrict the length of time for public comment, both collectively for all speakers and for each individual speaker.

12. *Guidelines for Use of Recording Equipment*: All members of the public and all public officials are allowed to record public meetings in an unobtrusive manner. Recording is not allowed during executive sessions.

13. *Guidelines for Use of Handheld Electronic Devices (i.e., iPhones, Android, Blackberry, iPad, and any other cell phone or tablet device)*: During Public Meetings, all members of the public and all public officials are encouraged to use handheld electronic devices in an unobtrusive manner.

14. *Adjournment*: Meetings shall be adjourned by motion (other than Special Meetings).

15. *Amendments to the Rules of Procedure*: The foregoing procedures may be amended from time to time at the request of the Mayor or a Trustee if approved by a majority vote of the Board.

16. *Code of Ethics*: It is required that anyone in a new Village position, whether a newly elected official, newly appointed board member, newly appointed position of chairman, or new

employee will receive a copy of the Code of Ethics (Village Code Chapter 15) and sign an acknowledgment of receipt of same in front of the Village Clerk or Deputy Village Clerk.

14. THE NEXT ORGANIZATION MEETING

2021 Reorganization meeting is scheduled on Wednesday, July 21, 2021 at 6:30 p.m. in the Village Hall.

15. PROCUREMENT POLICY & PROCEDURE

Renew for one year the Procurement Policy for the Village of Tuxedo Park as amended and adopted by the Board of Trustees on April 17, 2019. A copy is on file.

16. OTHER VILLAGE POLICIES

1. Sexual Harassment Policy. A copy is on file
2. Social Media Policy. A copy is on file

17. RESOLUTION ACCEPTING SECTIONS 7, 8, 9, 10, 11, 12, 13, 14, 15, & 16 AS DESCRIBED ON THIS DOCUMENT.

18. OTHER RESOLUTIONS

Advance Approval of Claims

Pursuant to Village Law § 5-524(6), the board of trustees may, by resolution, authorize claims for public utility services, postage, freight and express charges to be paid in advance of audit. An appropriate resolution authorizing advance payment of claims follows:

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

WHEREAS all such claims must be presented at the next regular meeting for audit; and

WHEREAS the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

Section 2. That this resolution is effective immediately.

Mileage Allowance

Pursuant to Village Law § 5-524(7), the actual and necessary expenses the officers and employees incur in performing their official duties are a village charge. However, in lieu of auditing and allowing a claim for actual and necessary expenses for travel, the board of trustees may determine by resolution to pay a reasonable mileage allowance for use of personal automobiles in performing official duties. (See Chapter 15, Finances on page 15.11 for more information on travel expenses). An appropriate resolution authorizing a mileage allowance follows:

WHEREAS the board of trustees has determined to pay a per mile rate for mileage as reimbursement to village officers and employees who use their personal automobiles while performing their official village duties at the Federal 2020-2021 mileage rate;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees will approve reimbursement to such officers and employees at the Federal per mile rate.

Section 2. That this resolution is effective immediately.

Attendance at Schools and Conferences

Pursuant to General Municipal Law § 77-b, municipal officials and employees may attend schools, conferences, and seminars conducted for the benefit of the local government. (see Chapter 15, Finances on page 15.11 for more information on travel expenses). However, attendance is not authorized, nor can reimbursement be applied for, unless the board of trustees approves of the attendance in advance. This would include such meetings as NYCOM's Annual Meeting and Training School, NYCOM's Fall Training School, NYCOM's Public Works Training School, NYS sponsored training classes, etc. An appropriate resolution authorizing attendance at schools and conferences follows:

WHEREAS there is to be held during the coming official year a) NYCOM's Annual Meeting and Training School b) NYCOM's Fall Training School c) NYCOM's Public Works Training School, and d) NYS training classes; e) PERMA safety classes, etc.; and

WHEREAS attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are authorized to attend the above schools:
Police Chief, Police Officers, Building Inspector, DPW Superintendent, DPW employees,
Village Clerk-Treasurer, Deputy Village Clerk-Treasurer, Deputy Village Clerk.

Section 2. That this resolution is effective immediately.

Designating Depositories

Pursuant to Village Law § 4-412(3)(2), the board of trustees must designate, by resolution, banks or trust companies in which the treasurer, clerk, receiver, and town receiver who are designated and appointed as village receiver may deposit village moneys received by them. An appropriate resolution designating depositories follows:

WHEREAS the board of trustees has determined that Village Law § 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees designates the following institutions as depositories of all moneys received by the village treasurer, clerk, and receiver of taxes. Names of Institutions:
JP Morgan Chase Bank, Provident Bank and M&T Bank.

Section 2. That this resolution is effective immediately.

19. ADJOURNMENT