

**VILLAGE OF TUXEDO PARK**  
80 LORILLARD ROAD  
P.O. BOX 31  
TUXEDO PARK, NEW YORK 10987

Mary Jo Guinchard  
Mayor

**DETAILED  
BOARD OF TRUSTEES  
REORGANIZATION MEETING  
JULY 26, 2016  
7:00 P.M.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**(OATHS OF OFFICE WERE ADMINISTERED TO THE NEW TRUSTEES AT  
THE JUNE 28TH BOT MEETING)**

**3. ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES  
(APPROXIMATELY 15 MINUTES)**

**4. REOPEN REGULAR SESSION**

**5. APPOINTMENTS**

The following appointments serve at the discretion of the Board of Trustees, unless otherwise specified in Village Code or NYS Village Law.

Motion to adopt a resolution to approve the following list of appointments and terms for Village Employees, Volunteer Village Residents, Professionals, Official Entities and Other:

<u>APPOINTEE</u>	<u>POSITION</u>	<u>TERM</u>
<b><u>Village Employees</u></b>		
Deborah A. Matthews	Village Clerk-Treasurer	One Year
	Clerk & Recording Secretary to the BZA	One Year
John C. Ledwith	Deputy Village Clerk-Treasurer	One Year
	Water Billing Clerk	One Year
	Sewer Inspector	One Year
	Clerk to the Planning Board and BAR	One Year
	Building Inspector & Enforcement Officer	Hold Over

	Real Property Assessor	Hold Over
Denise Spalthoff	Deputy Village Clerk	One Year
David V. Hasin	Village Justice (in 2017 must run in election)	One Year
Marc D. Cintrin	Acting Village Justice	One Year
Alice Confield	Clerk to the Village Justice	One Year
TBD	Deputy Clerk to the Village Justice	One Year
Jeffrey T. Voss	DPW Superintendent	One Year
Alessio (Alex) Melchiorre	Police Chief	One Year

### **Residents**

Trustee Guazzoni	Deputy Mayor	One Year
Mayor Guinchard	Budget Officer	One Year
Gardiner Hempel	Village Fire Inspector	One Year
Robert McQuilken	Planning Board Member (New Term Exp 2021)	Five Years
Jonathan Whitney	Board of Zoning Appeals Member (New Term Exp 2021)	Hold Over
TBD	Board of Arch. Review Member (New Term Exp 2021)	Five Years
Gary Glynn	Chair of Board of Zoning Appeals	One Year
JoAnn Hanson	Chair of Planning Board	One Year
TBD	Chair of Board of Architectural Review	One Year
TBD	Deputy Chair of BZA	One Year
TBD	Deputy Chair of BAR	One Year
Robert McQuilkin	Deputy Chair of PB	One Year
Gregory Libby	Lake Warden	One Year
Todd Yannuzzi	Deputy Lake Warden	One Year

### **Consultants**

McGoey, Hauser & Edsall	Engineer for the Village, PB & BAR	One Year
Feerick Lynch MacCartney & Nugent, PLLC	Attorneys for the Village, PB & BAR	One Year
Dickover, Donnelly, & Donovan LLP	Attorneys for the BZA	One Year
Hodges, Walsh, & Messemer, LLP	Special Counsel for the Village	One Year
The West Firm, LLC	Special Counsel for the Village	One Year
Kirkland & Ellis LLP	Special Counsel for the Village	One Year
Marshall & Sterling, Inc.	Insurance Agent for the Village	One Year
F. J. Rella & Company	Grant Writer for the Village	One Year

### **Official Entities**

Times Herald Record	Official Newspaper	One Year
J.P. Morgan Chase Bank, Provident Bank, & M&T Bank	Official Depositories	One Year

**Others**

Desiree Hickey	Recording Secretary for the Planning Board	One Year
	Recording Secretary for the BAR	One Year
	Office Assistant – Part Time	One Year

**6. SALARIES (per 2016-2017 adopted budget)**

Motion to adopt a resolution to approve the following list of employees with their salaries, as allocated in the adopted 2016-2017 Village Budget:

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>SALARY</u>
<b><u>Administration Department</u></b>		Filed at the Village Office
Deborah A. Matthews	Village Clerk-Treasurer	
John C. Ledwith IV	Deputy Village Clerk-Treasurer Water Billing Clerk Building Inspector & Enforcement Officer Real Property Assessor	
Denise Spalthoff	Deputy Village Clerk	
<b><u>Department of Public Works</u></b>		Filed at the Village Office
Jeffrey T. Voss	Village DPW Superintendent	
Stephen C. Barba	Water/Sewer Plant Operator	
John Bello	Water/Sewer Plant Operator	
Daniel Haglund	Working Foreman/Leader	
John Hochheim	Automotive Mechanic	
Kirk LaBar	Laborer	
Franke Lunde	Motor Equipment Operator	
Daniel Squillini	Motor Equipment Operator	
<b><u>Police Department</u></b>		Filed at the Village Office
Allessio (Alex) Melchiorre	Police Chief-FT	
James V. Ascione	Police Officer-FT	
Michael J. Taback	Police Officer-FT	
Daniel J. Sutherland	Police Officer-FT	
Clifford Ader	Police Officer-PT	
Joshua Anderson	Police Officer-PT	
Stephen J. Colantonio	Police Officer-PT	
Michael R. Coleman	Police Officer-PT	
Vincent J. D'Amato	Police Officer-PT	
Rodney E. Krinke	Police Officer-PT	

Joseph Panzica	Police Officer-PT
Janice Reynolds	Police Officer-PT
Maxim Sander	Police Officer-PT
Kenneth Sanford	Police Officer-PT
Nicholas J. Vega	Police Officer-PT

**Village Justice Court**

Filed at the Village Office

David V. Hasin	Village Justice
Marc D. Citrin	Acting Village Justice
Alice Confield	Clerk to the Village Justice
TBD	Deputy Clerk to the Village Justice

**7. OFFICIAL UNDERTAKINGS AND OFFICIAL UNDERTAKINGS OF MUNICIPAL OFFICERS**

Motion to adopt the following resolution to approve the form of Official Undertakings of Municipal Officers of the Village of Tuxedo Park and the manner of execution and sufficiency of the Village’s insurance company as surety:

WHEREAS the appointment of the above named to the office of the Village Clerk-Treasurer;

WHEREAS the appointment of the above named to the office of the Deputy Village Clerk-Treasurer;

WHEREAS the appointment of the above named to the office of the Deputy Village Clerk;

WHEREAS the appointment of the above named to the office of the Chief of Police;

WHEREAS the appointment of the above named to the office of the Village Superintendent of Public Works;

WHEREAS the above named elected to the office of Village Justice;

WHEREAS the above named to the office of Acting Village Justice;

WHEREAS the appointment of the above named Clerk and Deputy Clerk to the Village Justice;

and

NOW, THEREFORE, the respective officers above, do hereby undertake with the Village of Tuxedo Park that they will faithfully perform and discharge the duties of their office, and will promptly account for and pay over all moneys or property received as a Village Officer, in accordance with the law; and

The Village does and shall maintain insurance coverage, presently with Argonaut Insurance Company through its agent Marshall & Sterling, Inc., to indemnify against losses through the failure of the officers, clerks, and employees covered there under faithfully to perform their duties or to account properly for all moneys or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under.

Motion to adopt the following insurance coverages regarding the Bonding of employees:

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

**8. OPEN MEETINGS LAW REQUIREMENTS**

Motion to adopt the following Monthly Meeting Schedule:

<u>BOARD MEETINGS</u>	<u>SCHEDULED DATES</u>
Board of Trustees	3 <sup>rd</sup> Wednesday of each month @ 7:00 pm
Board of Zoning Appeals	4 <sup>th</sup> Thursday of each month @ 7:00 pm
Planning Board	1 <sup>st</sup> & 3 <sup>rd</sup> Monday of each month @ 7:30 pm
BAR	1 <sup>st</sup> & 3 <sup>rd</sup> Tuesday of each month @ 7:00 pm
Village Justice Court	3 <sup>rd</sup> Thursday of each month @ 6:00 pm (Needs to be verified with the Town of Tuxedo if court is moved to the Town facility.)

- a. Holidays: No Village meetings will be held on the following 2016-2017 holidays: Labor Day (9/5/16), \*Rosh Hashanah (10/3-10/4/16), \*Yom Kippur (10/12/16), \*Eid Al-Adha (9/11/16), Columbus Day (10/10/16), Diwali (10/30/16), Veteran’s Day (11/11/16), Thanksgiving (11/24/16), Christmas Day (12/25/16-Village holiday 12/26/16), New Year’s Day (1/1/17-Village holiday 1/2/17), Martin Luther King Day (1/16/17), President’s Day (2/20/17), Good Friday (4/14/17), Memorial Day (5/29/17), \*Eid al-Fitr (the end of Ramadan) (6/25/17), and Independence Day (7/4/17).

\*Holiday begins at sundown the day before.

**9. 2017 REORGANIZATION MEETING**

Motion to adopt a resolution to schedule the 2017 Reorganization meeting on Wednesday, July 19, 2017 at 7:00 p.m. in the Village Hall.

**10. PROCUREMENT PROCEDURE**

Motion to adopt a resolution to renew for one year the Procurement Policy for the Village of Tuxedo Park as amended and adopted by the Board of Trustees on September 28, 2015. A copy is attached.

**11. ADVANCE APPROVAL OF CLAIMS**

Motion to adopt a resolution for the authorization of payment in advance of audit of claims for public utility services, postage, freight and express charges.

**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 shall be presented at the next regular meeting for audit, and

**WHEREAS** the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

**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 and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

**Section 2.** That this resolution shall take effect immediately.

**12. MILEAGE ALLOWANCE**

Motion to adopt a resolution of the actual and necessary expenses of all officers and employees incurred in the performance of their official duties that can be charged against the Village. In lieu of auditing and allowing a claim for actual and necessary expenses for travel, the Board authorizes the payment of a reasonable mileage allowance for use of personal automobiles in the performance of official duties.

**WHEREAS** the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of 54¢ per mile.

**Section 2.** That this resolution shall take effect immediately.

**13. ATTENDANCE AT SCHOOLS AND CONFERENCES**

Motion to adopt a resolution authorizing municipal officials and employees to attend schools, conferences, seminars, etc. conducted for the benefit of the local government.

**WHEREAS** there is to be held during the coming official year a) the New York State Conference of Mayors Annual Meeting and Training School; b) the New York State Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks; c) various other State and County association meetings and training sessions appropriate for municipal officials and employees; and

**WHEREAS** it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the Village;

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** The Village officials and employees are hereby eligible to attend appropriate training seminars and conferences subject to advance notice being given to the Village Office, and to prior approval from the Board of Trustees when the total expense exceeds \$150 per person or \$300 in the aggregate. To the extent that this provision is inconsistent with any Village Collective Bargaining Agreement, the provisions of the Collective Bargaining Agreement will control.

**Section 2.** That this resolution shall take effect immediately.

**14. DESIGNATION OF DEPOSITORIES**

Motion to adopt a resolution of 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.

**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 does hereby designate the following institutions as depositories of all moneys received by the village treasurer, clerk, and receiver of taxes – namely, J.P.Morgan Chase Bank , Provident Bank and M&T Bank.

**Section 2.** That this resolution shall take effect immediately.

**15. VILLAGE E-MAIL POLICY**

Motion to adopt a resolution to approve the following e-mail policy for all Village Employees, Board Members, Committee Members, and Volunteers who Conduct official Village business to include:

- 1) An annual Compliance Review required for all Village e-mail address holders.
- 2) In accordance with the spirit of the Open Meetings Law, no e-mails that engage in the conduct of Village business can be exchanged between more than (2) Village Board of Trustees Members at any time; unless the e-mail concerns legal matters.

**16. VILLAGE ELECTION VOTING HOURS**

Motion to adopt a resolution that the Village Election Day voting hours be from 7:00 a.m. to 9:00 p.m.

**17. RULES OF PROCEDURE**

Motion to adopt a resolution to approve the following Rules of Procedure for meetings:

1. *General:* The Mayor shall preside at all Board of Trustees meetings. In the Mayor's absence the Deputy Mayor shall preside. Board members must be recognized by the presiding officer before making motions and speaking. All motions require a second. A member, once recognized, shall be allowed to speak unless it is necessary to call him/her to order. Motions to limit or close discussions may be entertained but shall require a majority vote by those Trustees present.

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.

3. *Regular & Special Meetings:* Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. The Mayor or any two Trustees upon notice to the entire Board may call a special meeting. 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. If the 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. The Mayor or any Trustee who is linking in by video conferencing or similar means shall be entitled to vote per the provisions of the Public Officers Law with respect to meeting notice.

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.

6. *Agendas:* An agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any two Trustees 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 anytime by the Mayor, including during the meeting. If 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.

7. *Voting:* Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of 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.

8. *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 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 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 contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. 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.

9. *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
- Police & DPW Department Update
- Building & Grounds Update
- Public Comment Period
- Reports of Committees
- Public Hearing (when applicable)
- Business (Old and 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.

10. *Guidelines for Public Comment*: The Mayor shall determine if the public will be granted an opportunity to speak at any particular 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, and must address all comments directly to the Mayor. The Mayor or Board may reasonably restrict the length of time for public comment, both collectively for all speakers and for each individual speaker.

11. *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 as determined by the Mayor. Recording is not allowed during executive sessions.

12. *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, as determined by the Mayor. Use of handheld electronic devices during Public Meetings by Board Members is strongly discouraged, unless the device is used for official Village business.

13. *In the Absence of the Mayor:* During a Mayor's absence from the Village, the Deputy Mayor cannot make major decisions unless confirmed by the Village Clerk or Deputy Clerk that the Mayor is unreachable.

14. *Adjournment:* Meetings shall be adjourned by motion.

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.

**18. TRUSTEE ROLES AND PROJECTS**

Motion to adopt a resolution to approve the following list of roles and terms for the Trustees.

Note: Trustee roles, appointments and terms can be modified throughout the year by majority vote of the Trustees.

<u>TRUSTEE</u>	<u>ROLES</u>	<u>TERM</u>
Mayor Guinchard	Village Office Administration	One Year
Mayor Guinchard & Trustee Moon	Budget, Finance, Insurance and Risk Management	One Year
Trustee McHugh & Trustee McFadden	Lakes & Environmental Management	One Year
Trustee McHugh	Garbage Contract	One Year
Trustee McFadden	Village Property Sales Sewer System	One Year
Trustee Moon	Emergency Services	One Year
Mayor Guinchard & Trustee McFadden	Police Management	One Year

Trustee McHugh & Trustee Guazzoni	DPW & Infrastructure Management	One Year
Trustee Guazzoni & Trustee McFadden	Water Utility	One Year
Trustee Moon	Village Code Book	One Year
Trustee Guazzoni	Security Systems & Technology Public Relations, Marketing, Branding & Communications	One Year

**19. ADVISORY COMMITTEE TRUSTEE LIAISON ROLES**

Motion to adopt a resolution to approve the following list of Advisory Committee appointments, Trustee liaison roles and terms for the Committee and Chair.

<u>TRUSTEE LIAISON</u>	<u>ADVISORY COMMITTEE &amp; CHAIRS</u>	<u>TERM</u>
Trustee McHugh	Planning Board Board of Architectural Review Village Court Wee Wah Beach Club & Fishing Club Village Boat Club	One Year One Year One Year One Year One Year
Trustee Moon	Town of Tuxedo Police Village Court	One Year One Year One Year
Mayor Guinchard	Budget, Finance, Insurance and Risk Management Committee Chair: Maureen Coen	One Year
Trustee McFadden	Forum for Long-term Strategic Planning Board of Zoning Appeals	One Year One Year
Mayor Guinchard & Trustee Moon	Advisory Team Co-Chair: Gary Pompan Co-Chair: Jeff Simet	One Year
Mayor Guinchard	Financial Stewardship and Planned Giving Chair: Amra Sabic-El-Rayess	One Year
Mayor Guinchard	On-boarding & Welcoming Chair: Jeanmarie Hitchen Thompson	One Year

Mayor Guinchard	Tree Advisory Board Chair: Chiu-Yin Hempel	One Year
Trustee Moon	Trails Committee Chair: Sally Sonne	One Year
Mayor Guinchard & Trustee Moon	Emergency Committee Chair: Jeff Simet	One Year

Notes: 1) Trustee appointments, liaison roles and terms can be modified throughout the year by majority vote of the Trustees, 2) Advisory Committees are requested to meet and to report to the Board of Trustees at least once per annum and upon request, and 3) New members are welcome. Please contact the committee chair and/or Trustee liaison to express your interest in filling an open position.

## 20. ADJOURNMENT

Motion to adjourn the re-organization meeting.