

**VILLAGE OF TUXEDO PARK
BOARD OF TRUSTES MEETING
SEPTEMBER 13, 2017
7:00 P.M.**

Present: Mayor David McFadden
Deputy Mayor Alan McHugh
Trustee Allen Barnett
Trustee Paul Gluck
Trustee John Moon

Clerk: Deborah Matthews

Also: Jeffrey Voss, Chief Melchiorre, Brian Nugent, Esq., Fred Rella, Chiu-Yin Hempel, Christopher Gow, Meg Vaught, JoAnn Hanson, Nancy & Jim Hays, Inger Grueterich, Mr. & Mrs. Kaplan, Mr. & Mrs. Ewing, Elizabeth Ewing, Joseph Erhlich, Ari Erhlich, Tom Salierno, Ellen Gluck, Audrey Perry, Barbara duPont, and others.

Mayor McFadden opened the meeting at 7:00 p.m. and led the Pledge of Allegiance. In view of the recent disasters from hurricanes and wildfires around the United States, he called for a moment of silence for all those affected as well as for first responders and the military.

Halloween Request

Eight-year old Elizabeth Ewing, Pepperidge Road, read aloud a letter she wrote to the Board requesting Halloween Trick or Treating be held on Saturday, October 28th rather than Tuesday, October 31st as Tuesday is a school night. She feels that more children will be able to participate on a Saturday. She said she spoke to many of the families on the main Trick or Treating route and they supported the idea.

A brief discussion was held, and the Board is going to look into it further.

DPW Report

Superintendent Voss reported: 1) that his crew has been preparing many of the Village roads for chip sealing which began on Tuesday. An 800' section of Mt. Farm Road at Ivy Road and a portion of Circuit Road from the telephone building to the intersection of Tower Hill Road had to be 'reclaimed' (ground up) before the top coat could be applied. Grinding was necessary because the road condition was so bad that in the winter the plows are unable to clear the roads. An outside vendor will be coming in to do paving as well. In response to the Mayor's question, Mr. Voss stated that the paving was allotted for in the budget and is on track; 2) the DPW also did some cleanup at the Wee Wah Beach area that included removing fallen and dead trees and removal of other debris; 3) the DPW repaired water leaks at the intersection of Tower Hill and Circuit Roads; 4) the crew cut back brush along the roads that are being chip sealed.

Police Report

Chief Melchiorre gave a synopsis of August Police activities. He thanked DPW Superintendent Voss for cleaning up the parking lot behind the Lodge building and creating seven parking spaces.

Building Report – None**Committee Reports**

Dams – Trustee McHugh stated that bi-weekly meetings are held with CHA (Village Engineer) and the contractor (McNamee). The project is 30% complete with the next noticeable portion being the installation of the parapet wall. Footings have been dug on the east side of the dam and rebar tied in. The contractor has requested some flexibility in their working hours. They currently are working 7am-4pm Monday-Friday. They would like to extend the hours to 7am to 5:30pm. and an occasional Saturday from 7am-3pm with no use of heavy equipment or work between the Wee Wah and Pond #3. The bid document allows work hours from 7am-4pm, which is already approved.

A brief discussion was held.

A motion was made by Mayor McFadden, seconded by Trustee Gluck that the Board authorize extending McNamee's work hours from 7am-5pm Monday-Friday and occasionally on Saturday from 7am-3pm with the caveat that CHA is signing off on everything as they will not be on site on Saturdays.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Tree Advisory Board Presentation - On behalf of TAB, Chiu-Yin Hempel gave a presentation which included an overview of both the work they have completed on the Race Track Nature Preserve project and their goals for the future. She stated that on October 23, 2016 the Race Track was dedicated as the Race Track Nature Preserve. To date donations for this project total \$175,550 and expenses \$34,662.

Trustee Moon thanked Chiu-Yin and Christopher Gow for their and the committee's hard work and a job well done.

Lakes – Deputy Mayor McHugh reported that Solitude Lakes Management completed a plant survey of Tuxedo Lake three weeks ago. The results are expected in late October/early November. The CSLAP sampling is $\frac{3}{4}$ complete for this year. He thanked Sue Heywood for her help with the sampling and John Bello as well for a fabulous job. Deputy Mayor McHugh and Trustee Gluck met with Solitude to discuss the use of chemical treatment for the Milfoil. The Village went through the permitting process with the DEC for Pond #3. As part of the permitting, homeowners on pond #3 and Wee Wah were notified. After further discussion with Solitude, they decided not to proceed this year but to wait until the Spring of 2018. AE Diving is

continuing to vacuum harvest Milfoil in the heavy traffic areas of Tuxedo Lake. AE noticed a significant reduction in Milfoil around the Tuxedo Club and Village Boat Club after last year's harvesting. However, there is a massive increase in growth on the west side from Duck Hollow to the Yassky property. In addition, there is other plant growth near the Tuxedo Lake dam making it difficult to harvest the Milfoil there, so removal efforts will be concentrated on the west side. It was suggested that Tuxedo Club boat renters be given a map of the lake indicating where the Milfoil is located and to be instructed to avoid those areas.

Auditor/Accountant – Deputy Mayor McHugh reported that the books for the 2016-2017 fiscal year are closed. The accountant (Cooper Arias) will be meeting with the Village Clerk over the next two weeks and a final report ready by the next Trustees' meeting. Cooper Arias is the new accounting firm for the Village, so there are new eyes looking at everything. The auditor for the Comptroller's office informed the Board that she is doing a 'deep dive' in four areas. The areas include the water department, procurement, IT, and segregation of duties. She will give an oral presentation to the Mayor at the end of October with a written draft in early November. The Board will then be allowed to respond to the draft and the final report will come out at the end of December.

Grant Writer – Fred Rella stated that at last month's Trustee meeting Judge Hasin spoke about a grant available through the NYS court system called the Justice Courts Assistance Program. Each court could receive up to \$30,000 in grant money for such items as security equipment, office supplies, or other operational materials. He met with the court clerk and is working with her to complete the application, which is due by October 1st. One of the items the Village court will seek to obtain are benches for the meeting room as Judge Hasin pointed out the current chairs are not appropriate for a court room. Seating should consist of attached chairs or benches. Mr. Rella asked that the Board, as required for the grant, authorize the submittal of the application to JCAP.

Authorize Submittal of An Application for the 2017-2018 JCAP Grant

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees authorize the following resolution for the submittal of an application for a 2017-2018 JCAP Grant for the Village of Tuxedo Park Justice Court as follows:

WHEREAS, the Village Board of Trustees of the Village of Tuxedo Park ("Village") has been made aware of funding opportunities offered by the New York State United Court System and Office of Justice Court Support through the "Justice Court Assistance Program" ("JCAP") to assist the Village in undertaking acquisition of Court/office equipment, furniture and court facility improvements/renovations as specifically set forth in the JACP application documents; and

WHEREAS, the Village desires to authorize the Village Justice Court to make application for such available funds in completion of this important project.

RESOLVED:

1. That the Village Board of the Village of Tuxedo Park hereby approves the submission of the "NYS Unified Court System 2017 Justice Court Assistance Program" (JCAP) application.

2. The Mayor and any other Village Officials and employees, as directed by the Mayor, are authorized to execute any and all documents and take any other actions necessary to effectuate submission of the grant application.
3. This Resolution shall be effective immediately.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Public Comments

Ten-year old Ari Ehrlich, 6 Brook Road, read aloud a speech that he had prepared regarding the condition of the Wee Wah Beach area. He feels the conditions are 'atrocious, unsafe and just not fun'. He asked that by next summer the lake level be back to normal for swimming, the diving board be available, the bathroom include baby changing areas, and the playground equipment be updated.

Other Comments:

*Recommendation that all boaters on Tuxedo Lake be equipped with pool skimmers to scoop out the Milfoil and take it home to throw away.

*On September 25th the Town is holding a public hearing on the change in building mix as well as a change in building materials from wood to plastic for the Tuxedo Farms development. Information can be found on the Town website.

A lengthy discussion was held. (It was noted that Trustee Gluck and Trustee Moon are the Village liaisons to the Town.)

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Board authorize the Mayor to issue a letter, based on the comments of the Trustees, to the Town of Tuxedo regarding the pending amendments to the special use permit.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Old Business

E-mail Migration Vendor

Mayor McFadden stated that the Village has been discussing the procedure of doing a migration from its GoDaddy account to a proper Government email account. The point of the migration is to move from a system that does not meet government standards for storage or transitions and which would be the first step in an overall IT upgrade for the Village. The Village had solicited some quotes from various vendors and received a variation in prices. In addition, Mayor McFadden submitted a disclosure letter to the Board informing them that one of the vendors is

the company that he uses for his own business and that he would recuse himself. The Trustees stated that recusal wouldn't be necessary.

A brief discussion was held and the matter was tabled to next month's meeting.

Public Comments

An update on the progress of the Booth was requested.

Deputy Mayor McHugh responded that they have been working with the Village Engineer and his architect on specs for the new booth based on 1990 drawings which are nearly finished. They are doing a deeper dive and getting a cost analysis in order to avoid a \$400K bid. They will also try to bid out three separate portions – HVAC/Electronics, concrete work, and framing. Preliminary plans were shown to the BAR. Before authorizing the bid process, they are awaiting the receipt of all the scoping and all cost estimates. It is hoped that the booth would be in place by the end of 2017. The booth will be 7' x 11' with wheel chair accessibility at the back, a window on each side of the booth, bulletproof glass, reinforced walls, and new concrete pad. For safety reasons there may be an intercom and teller style drawer instead of a sliding window. The estimated cost is approximately \$150K.

In response to the question of why the Village is spending money on the booth when the current system seems to be working, Mayor McFadden stated that the majority of the residents voted to reconstruct the booth.

New Business

#2 Fuel Oil Bid

A motion was made by Mayor McFadden, seconded by Trustee McHugh that the Board authorize bidding for #2 fuel oil in substantially the same format as the last bid documents that were issued in 2015.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden, seconded by Trustee Gluck that the bid opening date for #2 fuel oil be set for October 4, 2017 at 2:00 p.m.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

A motion was made by Mayor McFadden, seconded by Trustee Moon that the Mayor contact the current provider to extend the terms of the current contract for one month until the bids are received and awarded.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Audit of Claims

Bills in the amount of \$276,735.90 in the General Fund, claim numbers 9-1 to 9-107; \$151,618.07 in the Water Fund, claim numbers W9-1 to W9-11; and \$493,775.55 in Capital Projects, claim number CP9-1 to CP9-6 be audited and ordered paid.

Adjourn to Executive Session

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Board adjourn to executive session at 8:30 p.m. to discuss matters that may lead to the appointment and/or employment of a particular person, to discuss collective bargaining negotiations, to discuss an employee matter that may lead to discipline, and to discuss pending litigation.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote

Exit Executive Session and Reopen Regular Session

A motion was made by Trustee Barnett, seconded by Trustee Moon that the Board exit executive session and reopen regular session at 10:52 p.m.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Authorization for Hiring of Full Time Police Officer

A motion to adopt the following resolution was made by Trustee McHugh and seconded by Trustee Gluck:

Resolved that the Board appoint Max T. Sirrinc from the certified list of eligible police officer candidates certified by the Orange County Department of Human Resources dated August 28, 2017 to the position of full-time police officer in the Village of Tuxedo Police Department, effective October 1, 2017 or a date determined by the Department of Civil Service, at a salary as set forth in the Collective Bargaining Agreement between the Village of Tuxedo Park and the Village of Tuxedo Park PBA; that the Mayor is authorized to execute any and all necessary documents to effectuate the appointment of Max T. Sirrinc; and that the appointment is subject to compliance with any and all civil service requirements and any applicable requirements under state and local law.

Vote of the Board: 5 ayes, 0 nays

The resolution was approved by a 5-0 vote

Employment of John Ledwith

A motion to adopt the following resolution was made by Trustee Gluck, seconded by Trustee Barnett:

Resolved that the Mayor, on behalf of the Village, be authorized to extend an offer of employment to John Ledwith for the civil service position of Building Inspector/Code Enforcement Officer (part time) and that the Mayor and Trustee Gluck be authorized to finalize the terms of such employment and make any necessary filings with civil service; and Resolved that the Village enter into a Consulting Agreement with John Ledwith under which Mr. Ledwith would provide consulting services to the Village, such agreement to be substantially in the form reviewed by the Trustees, together with such changes as may be reviewed by counsel, and approved by the Mayor and Trustee Gluck.

Vote of the Board 4 ayes, 0 nays, 1 abstention (Moon)

The resolution was approved by a 4-0-1 vote.

Adjournment

A motion was made by Mayor McFadden, seconded by Trustee McHugh that the meeting be adjourned at 11:19 p.m.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer