

**VILLAGE OF TUXEDO PARK
SPECIAL BOARD OF TRUSTEES MEETING
SEPTEMBER 5, 2018
8:00 A.M.**

Present: Mayor David McFadden
Deputy Mayor Alan McHugh
Trustee Allen Barnett
Trustee Maureen Coen
Trustee Paul Gluck

Clerk Deborah A. Matthews

Attendees: John Ledwith

Mayor McFadden made a motion to open the meeting at 8:01 a.m. seconded by Deputy Mayor McHugh. The vote was 5-0 in favor. Roll call was taken and Mayor McFadden led the Pledge of Allegiance.

Mayor McFadden commented that the lakes are looking clear following the treatments to Tuxedo Lake and Pond #3.

Discussion of EFC Grant Application

Trustee Coen led the discussion regarding of the NYS EFC grant application being prepared by Weston & Sampson on behalf of the Village for Inflow & Infiltration (I&I) work. The engineer estimated the total cost of the project to be \$532K with a possible grant award of 25% and the Village funding 75%.

SEQRA

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Board of Trustees adopt a resolution to conclude SEQR review pursuant to New York State Environmental Quality Review Act related to renovation and replacement in kind of existing infrastructure as follows:

WHEREAS, the Village of Tuxedo Park (VILLAGE) Board of Trustees seeks to undertake a capital project consisting repairing, replacing, or renovating portions of its sanitary sewer system of the following description:

1. Village of Tuxedo Park
SSES Phase 3, Sub-Basins 2 & 10, Public Sanitary Sewer Repairs
Year Two Construction
SEQR Type II Action.

WHEREAS, the VILLAGE owns and maintains substantial infrastructure for the conveyance and treatment of wastewater, consisting of gravity sewers, pump stations, force mains, and treatment facilities, and

WHEREAS, these facilities require construction from time to time to renew critical infrastructure that provides a benefit to the public, and that construction includes repairing, replacing, or renovating long runs of infrastructure, and

WHEREAS, the State Environmental Quality Review Act (SEQR) and the regulations thereunder require the VILLAGE to undertake a review of the potential environmental impacts, if any, associated with project before undertaking same;

WHEREAS, repair, replacement in kind, and renovations of existing underground utilities are classified as Type II under 6 NYCRR Part 617.5 and are not subject to SEQR review; and

WHEREAS, the improvements that are proposed by the VILLAGE to be completed under the SSES Phase 3, Sub-Basins 2 & 10, Public Sanitary Sewer Repairs, Year Two Construction Project meet the definition of Type II work under Section 6 NYCRR Part 617.5;

NOW, THEREFORE BE IT RESOLVED that the Village of Tuxedo Park Board of Trustees concludes that no further action is required and SEQR is thereby concluded for this project.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the NYS Department of Environmental Conservation as an involved agency.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Schedule Special Board of Trustees Meeting

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that a special meeting be held on Friday, September 7, 2018 at 8:00 a.m. in the Village Hall for the purpose of reviewing the final grant application prior to submittal to NYS EFC by Weston & Sampson.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Approve Proceeding with Preparation of EFC Grant Application

A motion was made by Trustee Coen, seconded by Deputy Mayor McHugh that the Board of Trustees adopt a resolution authorizing certain actions relating to a grant application pursuant to the New York State Water Infrastructure and Improvements Act ("WIIA") as follows:

WHEREAS, the Village of Tuxedo Park Village Board ("Village Board") is applying for grant funding pursuant to the New York State WIIA program offered through the New York State Environmental Facilities Corporation ("EFC"); and

WHEREAS, the Village Board desires to obtain grant funds to assist in completing the following Village project: repairs to the public portions of the Village of Tuxedo Park Sewer System Sub-basins 2, 10, & 13 as set forth in the "SSES Phase 2 Report of Findings" (hereinafter the "Village Water Infrastructure Project"); and

WHEREAS, the Village Board will fund the Village's share of any expenditures of the Village Water Infrastructure Project by using Village funds, namely surplus general funds, however, the Village Board may pursue other financing in the future, including the issuance of a bond or note, for the project if the Village Board determines it is in the best interest of the Village to do so; and

WHEREAS, the WIA grant application requires this resolution to be approved by the Village Board as part of the application process.

NOW, THEREFORE, BE IT RESOLVED that:

- Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as though set forth in full herein.
- Section 2. The Village Board hereby authorizes the undertaking of the Village Water Infrastructure Project at a maximum total cost of \$530,750, including Village expenditures in the amount of up to \$398,812.50 for the Village Water Infrastructure Project.
- Section 3. The Village Board hereby declares that, in addition to the proposed grant funds in the amount of \$132,937.50, the Village hereby commits to expend \$398,812.50 from Village funds, constituting the Village portion of the funding of such Village Water Infrastructure Project.
- Section 4. The Village Board hereby designates Mayor David McFadden as the Village representative who shall be authorized to sign the funding agreement with the EFC as well as any associated documents.
- Section 5. The Mayor, or any other Village official, employee or consultant at the Mayor’s directions is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.
- Section 6. This Resolution shall be effective immediately.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

The grant application is due September 7, 2018 by 5:00 p.m.

Continental Road Discussion

A discussion was held regarding the condition of Continental Road and the range of bids received for the water main replacement and road reconditioning and repaving project. The five bids received ranged from \$715K to \$1.3 million.

A leak detection test by New Tech was done on the Continental Road water line, and no leaks were found.

Deputy Mayor McHugh had asked DPW Superintendent Voss to obtain quotes from the Orange County Bidders list for the reclamation and repaving of Continental Road. The total of the quotes received is \$74,000.

Reclamation and Repaving

A motion was made by Trustee Gluck, seconded by Deputy Mayor McHugh that the Board approve the reclamation and repaving of Continental Road in an amount not to exceed \$74,000 and that the funding will come from the Capital Projects account (Roads category).

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

IMA - Tabled

Adjourn to Executive Session

A motion was made by Trustee Gluck, seconded by Mayor McFadden that the Board adjourn to executive session at 9:27 a.m. for discussion of the employment of a particular person and that John Ledwith be invited to attend executive session.

Vote of the Board: 5 ayes, 0 nays
The motion was passed by a 5-0 vote.

Exit Executive Session and Re-open Regular Session

A motion was made by Trustee Gluck, seconded by Trustee Coen that the Board exit executive session and re-open regular session at 10:22 a.m.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Certificate of Occupancy Status Request

A motion was made by Trustee Gluck, seconded by Mayor McFadden that in regard to a request to change the status of a seasonal Certificate of Occupancy to a non-qualified Certificate of Occupancy for Village parcel 107-1-67, the following resolution be adopted:

Resolved that the Village engage Michael Donnelly of the Dickover, Donnelly, & Donovan firm to assist the building inspector in determining the appropriate requirements for obtaining a change from a seasonal Certificate of Occupancy to a non-qualified Certificate of Occupancy and to provide any related legal advice.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Reschedule September BOT Meeting

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the Wednesday, September 19th Board of Trustees meeting be rescheduled to Monday, September 17th due to the Yom Kippur holiday falling on the 19th.

Vote of the Board: 5 ayes, 0 nays

The motion was passed by a 5-0 vote.

Adjournment

A motion was made by Mayor McFadden, seconded by Trustee Barnett that the meeting be adjourned at 10:27 a.m. The vote was 5-0 in favor.

Respectfully submitted,

Deborah A. Matthews
Village Clerk-Treasurer