

**VILLAGE OF TUXEDO PARK  
BOARD OF TRUSTEES  
REORGANIZATION MEETING  
JULY 20, 2011  
7:00 P.M.**

Present: Mayor Thomas Wilson  
Deputy Mayor David du Pont  
Trustee Alan Heywood  
Trustee Liane Neuhauser  
Trustee Robert Zgonena

Clerk: Deborah Matthews

Also: John Ledwith, Paola Tocci, Mary Graetzer, Jim & Nancy Hays, Sue Heywood, Meg Vaught, Peter Regna, Mary Grimmig

Mayor Wilson made a motion to call the meeting to order at 7:00 p.m., seconded by Deputy Mayor du Pont. The vote was 5-0 in favor. Trustee Neuhauser led the Pledge of Allegiance.

Mayor Wilson gave an overview of the Reorganization Meeting agenda and some of the new procedures and committees to be approved.

**ACKNOWLEDGMENT**

Mayor Wilson congratulated the newly elected Trustees: Deputy Mayor David du Pont, Trustee Lili Neuhauser, and Trustee Alan Heywood.

Mayor Wilson also acknowledged former Mayor Houston Stebbins, Deputy Mayor Gary Pompan, and Trustee Chris Hansen for their service to the Board and the Community.

**APPOINTMENTS**

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

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the following list of appointments and terms for Village Employees, Volunteer Village Residents, Professionals, Official Entities and Others:

<u>APPOINTEE</u>	<u>POSITION</u>	<u>TERM</u>
<u>Village Employees</u>		
Deborah A. Matthews	Village Clerk-Treasurer	One Year
	Clerk 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	One Year
	Real Property Assessor	One Year
June Menkens	Clerk to the Justice Court	One Year
Jeffrey T. Voss	DPW Superintendent	One Year
Kenneth L. Sanford	Police Chief	One Year

### **Residents**

Trustee David du Pont	Deputy Mayor and Budget Officer	One Year
Gardiner Hempel	Village Fire Inspector	One Year
Lesley Devore	Web Administrator	One Year
Robert McQuilkin	Planning Board Member	Five Years
Jonathan Whitney	Board of Zoning Appeals Member	Five Years
Susan Boyle	Board of Architectural Review Member	Five Years
Patrick Donaghy	Board of Architectural Review Member	Three Years
Gary Glynn	Chair of Board of Zoning Appeals	One Year
JoAnn Hanson	Chair of Planning Board	One Year
Paola Tocci	Chair of Board of Architectural Review	One Year
Jonathan Whitney	Deputy Chair of BZA	One Year
Robert Simon	Deputy Chair of BAR	One Year
Robert McQuilkin	Deputy Chair of PB	One Year
Greg Libby	Lake Warden	One Year
Todd Yannuzzi	Lake Warden	One Year
Jim Jospe	Lake Warden	One Year

### **Professionals**

Weston & Sampson	Engineer for the Village, PB & BAR	One Year
Burke, Miele & Golden, LLP	Attorneys for the Village, PB & BAR	One Year
Dickover, Donnelly, Donovan & Biagi, LLP	Attorneys for the BZA	One Year
Roemer Wallens & Mineaux, 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

### **Official Entities**

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

Others

Mary Grimmig	Secretary to the BZA	One Year
	Secretary to the Planning Board	One Year
	Secretary to the BAR	One Year
	Office Assistant – Part Time	One Year

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**SALARIES (per 2011-2012 adopted budget)**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board approve the following list of employees with their salaries, as allocated in the 2011-2012 Village budget, and those to be determined after contracts are renewed retroactive to expiring date:

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>SALARY</u>
<u>Administration Department</u>		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	
<u>Department of Public Works</u>		Filed at the Village Office
Jeffrey T. Voss	Village DPW Superintendent	
Dennis J. Jones	MEO	
Franke Lunde	MEO	
John Hochheim	Automotive Mechanic	
John T. Smith, Jr.	Water/Sewer Plant Operator	
Kirk LaBar	Laborer	
Stephen C. Barba	Water/Sewer Plant Operator	
Thomas Derbyshire	Working Foreman	
William Kyles	MEO	
<u>Police Department</u>		Filed at the Village Office
Kenneth L. Sanford	Police Chief	
James V. Ascione	Police Officer-FT	
Ryan S. Eirand	Police Officer-FT	
Michael J. Taback	Police Officer-FT	
James P. Abrahamsen	Police Officer-PT	
Richard C. Jackson	Police Officer-PT	
John Mauro	Police Officer-PT	

Michael J. Ramos	Police Officer-PT
Stephen J. Colantonio	Police Officer-PT
Vincent J. D'Amato	Police Officer-PT
Thomas Cunningham	Police Officer-PT
Rodney E. Krinke	Police Officer-PT
Nicholas J. Vega	Police Officer-PT

Denise R. Spalthoff	Traffic Guard-FT
Glenn W. Miller	Traffic Guard-FT
Laurie A. Humenanski	Traffic Guard-FT
Sheila M. Briggs	Traffic Guard-PT
Jesse Furnari	Traffic Guard-PT
Joseph Lierni	Traffic Guard-PT
William M. Fields Sr.	Traffic Guard-PT
Michael J. Nolan	Traffic Guard-PT
Richard J. Walls	Traffic Guard-PT
David Yates	Traffic Guard-PT

Village Court

Filed at the Village Office

David L. Levinson	Village Justice (Elected)
June Menkens	Clerk to the Justice Court

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**OFFICIAL UNDERTAKINGS**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board 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

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**2012 REORGANIZATION MEETING**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board schedule the 2012 Reorganization meeting for Wednesday, July 18, 2012 at 7:00 p.m. in the Village Hall.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**PROCUREMENT PROCEDURE**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board renew for one year the Procurement Policy for the Village of Tuxedo Park as adopted by the Board of Trustees on June 9, 2010. A copy is attached.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**ADVANCE APPROVAL OF CLAIMS**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the following resolution authorizing 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.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**MILEAGE ALLOWANCE**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the following resolution regarding 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 55 1/2¢ per mile.

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

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

#### **ATTENDANCE AT SCHOOLS AND CONFERENCES**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the following 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.

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

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

#### **DESIGNATION OF DEPOSITORIES**

A motion was made by Mayor Wilson, seconded by Trustee Heywood that the Board approve the following resolution regarding 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.

### **VILLAGE E-MAIL POLICY**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board adopt an 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 email address holders.
- 2) In accordance with the spirit of the Open Meetings Law, no emails can be exchanged between more than two (2) Village Board Members at any time; unless the email concerns legal matters.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

### **VILLAGE ELECTION VOTING HOURS**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Village Election Day voting hours be changed from 12:00 noon to 9:00 p.m. to 7:00 a.m. to 9:00 p.m. The purpose of the change is to make it easier for residents to vote who work during the day.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

### **OPEN MEETINGS LAW REQUIREMENTS**

A motion was made by Mayor Wilson, seconded by Deputy Mayor du Pont that the Board adopt the following Monthly Meeting Schedule:

#### BOARD MEETINGS

Board of Trustees  
Board of Zoning Appeals  
Planning Board  
BAR  
Village Justice Court

#### SCHEDULED DATES

3<sup>rd</sup> Wednesday of each month @ 7:00 pm  
4<sup>th</sup> Thursday of each month @ 7:00 pm  
1<sup>st</sup> & 3<sup>rd</sup> Monday of each month @ 7:30 pm  
1<sup>st</sup> & 3<sup>rd</sup> Tuesday of each month @ 7:00 pm  
3<sup>rd</sup> Thursday of each month @ 6:30 pm

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

### **RULES OF PROCEDURE**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board approve the following Rules of Procedure for meetings:

1. *General:* The Mayor shall preside at all Board of Trustee meetings. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action

that may be taken by other members of the Board. 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 debate may be entertained but shall require a majority vote by those Trustees present.

2. *Regular Meetings:* The Board of Trustees shall hold regular meetings on the 3<sup>rd</sup> 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. *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. Twenty four (24) hour advance notice is recommended, but not required. The Mayor or Deputy Mayor must be present and vote, but if they are linked into the meeting telephonically or electronically by some other electronic means, then they shall not be entitled to vote.

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
- Reports of officers and committees
- Approval of Building Permits
- Public Comment Period (Optional)
- Public Hearing
- New Business
- Unfinished (Old) Business
- 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. *Adjournment:* Meetings shall be adjourned by motion.

14. *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.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

## **NEW COMMITTEES**

### Public Health Committee

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board establish a Public Health Committee: mission to monitor public health issues, raise awareness, educate, and provide resources to all Village residents.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

### Communications Committee

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board establish a Communications Committee: mission to promote positive media exposure of the Village through newspapers, magazines, internet, TV, and film.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

### Technology & Telecommunications Committee

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board re-name Village "Website Policy Advisory Committee" to "Technology & Telecommunications Committee." Mission includes but not limited to:

1. Explore feasibility and development of wireless cellular and VOIP communications
2. Upgrade and maintenance of Village website
3. Increase resident participation in Village meetings through web-casts
4. Explore potential for renewable energies (i.e. solar, wind, hydro-electric)

Vote of the Board: 4 ayes, 1 nay (Heywood), 0 abstentions

The motion was passed by a 4-1-0 vote.

(New Domain Update: State abbreviations must be in every .gov domain. Even though <http://vtp.gov> is available, cannot be used.)

### Additional Village Domain Name

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board adopt <http://tpny.gov> as an additional Village domain.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

**TRUSTEE ROLES AND PROJECTS**

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the Board 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 Wilson	Administration	One Year
Deputy Mayor du Pont	Budget & Finance Water Department	One Year One Year
Deputy Mayor du Pont	Police Department Insurance & Risk Management	One Year One Year
Trustee Zgonena	DPW Operations & Projects	One Year
Trustee Neuhauser	Building Department	One Year
Vote of the Board:	5 ayes, 0 nays, 0 abstentions	

The motion was passed by a 5-0-0 vote.

**ADVISORY COMMITTEE TRUSTEE LIAISON ROLES**

A motion was made by Mayor Wilson, seconded by Trustee Deputy Mayor du Pont that the Board approve the following list of Advisory Committee appointments, Trustee liaison roles and terms for the Committee and Chair.

<u>TRUSTEE</u>	<u>ADVISORY COMMITTEE &amp; CHAIRS</u>	<u>TERM</u>
Mayor Wilson	<u>Environmental Advisory Committee</u> Susan Goodfellow, Chair	One Year
	<u>Technology &amp; Telecommunications Committee</u> Claudio Guazzoni de Zanetti, Chair	One Year
Deputy Mayor du Pont	<u>Board of Zoning Appeals</u> Gary Glynn, Chair	One Year
	<u>Infrastructure Advisory Committee</u> Jake Lindsay, Chair Weston & Sampson Jeff Voss, Superintendent of DPW	One Year

	<u>Fire, Safety &amp; Emergency Advisory Committee</u> John Kilduff & Gardiner Hempel, Co-Chairs	One Year
Trustee Zgonena	<u>Planning Board</u> JoAnn Hanson, Chair	One Year
	<u>Infrastructure Advisory Committee</u> Jake Lindsay, Chair Weston & Sampson Jeff Voss, Superintendent of DPW	One Year
	<u>Fire, Safety &amp; Emergency Advisory Committee</u> John Kilduff & Gardiner Hempel, Co-Chairs	One Year
Trustee Neuhauser	<u>Board of Architectural Review</u> Paola Tocci, Chair	One Year
	<u>Public Health Committee</u> Cami Fischer, Chair	One Year
	<u>Communications Committee</u> TBD, Chair	One Year
Trustee Heywood	<u>Village Improvement Advisory Committee</u> Michele Lindsay, Chair	One Year
	<u>Town Liaison</u>	One Year
	<u>Tuxedo Union Free School District Liaison</u>	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.

Vote of the Board: 5 ayes, 0 nays, 0 abstentions

The motion was passed by a 5-0-0 vote.

## ADJOURNMENT

A motion was made by Mayor Wilson, seconded by Trustee Neuhauser that the meeting be adjourned at 7:26 p.m. The vote was 5-0 in favor of adjourning.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk-Treasurer