

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

Thomas B. Wilson  
Mayor

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Acknowledgement**

Congratulate new Trustees: Deputy Mayor David du Pont, Trustee Lili Neuhauser, Trustee Alan Heywood

Acknowledgement of former Mayor Houston Stebbins, Deputy Mayor Gary Pompan, and Trustee Chris Hanson's Service to the Board and Community.

4. **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>
<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

**5. Salaries (per 2011-2012 adopted budget)**

Motion to adopt a resolution to approve the following list of employees with their salaries 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

Department of Public Works

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

Police Department

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

**6. Official Undertakings**

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

**7. 2012 Reorganization Meeting**

Motion to adopt a resolution to schedule the 2012 Reorganization meeting on Wednesday, July 18, 2012 at 7:00 p.m. in the Village Hall.

**8. Procurement Procedure**

Motion to adopt a resolution to 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.

**9. 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.

**10. 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 55 1/2¢ per mile.

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

**11. 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.

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

**12. 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.

**13. Village Email Policy**

Motion to adopt email policy for all Village Employees, Board Members, Committee Members, and Volunteers who conduct official Village business.

Annual Compliance Review required for all Village email address holders.

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.

**14. Village Voting Hours**

Motion to change Village Election Day voting hours from 12 p.m to 9:00 p.m. to 7:00 a.m. to 9:00 p.m. Purpose of the change is to make it easier for residents to vote who work during the day.

**15. Open Meetings Law Requirements**

Motion to adopt the following Monthly Meeting Schedule and Note:

BOARD MEETINGS

SCHEDULED DATES

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

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

**16. 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 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.

**17. New Committees**

Motion to establish a Public Health Committee: mission to monitor public health issues, raise awareness, educate, and provide resources to all Village residents.

Motion to establish a Communications Committee: mission to promote positive media exposure of the Village through newspapers, magazines, internet, TV, and film.

Motion to 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)

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

Motion to adopt <http://tpny.gov> as additional Village domain.

**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 Wilson	Administration	One Year
Deputy Mayor du Pont	Budget & Finance	One Year
	Water Department	One Year
Deputy Mayor du Pont	Police Department	One Year
	Insurance & Risk Management	One Year
Trustee Zgonena	DPW Operations & Projects	One Year
Trustee Neuhauser	Building Department	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</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.

**20. Adjournment**

# **PROCUREMENT POLICY**

## **VILLAGE OF TUXEDO PARK**

Adopted October 15, 1997 and

Amended June 9, 2010

RESOLUTION ADOPTED FOR INTERNAL POLICIES AND PROCEDURES GOVERNING ALL PROCUREMENTS OF GOODS AND SERVICES WHICH ARE NOT REQUIRED TO BE MADE PURSUANT TO THE COMPETITIVE BIDDING REQUIREMENTS OF SECTION 103 OF THE GENERAL MUNICIPAL LAW

WHEREAS, Section 103 (Subdivision 1) of the General Municipal Law provides that all contracts for public work involving an expenditure of more than Thirty Five Thousand and 00/100 (\$35,000) Dollars, and all purchases involving the expenditure of more than Ten Thousand and 00/100 ( \$10,000) Dollars, shall be awarded by the appropriate officer, board or agency of a political subdivision or of any district therein, to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided by Section 103 of the General Municipal Law; and,

WHEREAS, the addition of Section 104-b to the General Municipal Law provides that the governing body of every political subdivision and any district therein, by resolution, shall adopt internal polices and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirement of the General Municipal Law Section 103; and,

WHEREAS, Section 104-b of the General Municipal Law provides that said internal policies and procedures shall be promulgated in order that said goods and services be procured in a manner so as to assure the prudent and economical use of public monies in the best interests of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption; and,

NOW, THEREFORE, be it resolved that for purposes of determining whether a particular procurement of goods and services is subject to competitive bidding as it relates to various departments of the Village of Tuxedo Park, the Board of Trustees will use the available brochures, literature, etc., from various vendors to determine whether or not a particular expenditure is likely to exceed the maximum limits as set forth in Section 103 of the General Municipal Law. In cases where it is determined that the procurement of goods and/or services is not subject to competitive bidding, the Board of Trustees will note in its minutes the reasons on which it was determined that competitive bidding was not required.

Where the Board of Trustees has determined by the foregoing method, that General Municipal Law Section 103 does not apply, then the within policies and procedures shall apply.

In the event General Municipal Law Section 103 applies, then the within policies and procedures shall not apply.

The requirements set forth below shall be deemed to be the minimum requirements for procurement. All procuring officials shall use their best efforts to investigate alternative suppliers to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost and to avoid even the appearance of favoritism, extravagance, fraud and corruption.

a. All estimated purchases of goods with a value of less than Ten Thousand and 00/100 (\$10,000) Dollars but greater than Five Thousand and 00/100 (\$5,000) Dollars, shall require written quotes from at least three (3) vendors.

b. All estimated public works contracts with a value of less than Thirty Five Thousand and 00/100 (\$35,000) Dollars but greater than Five Thousand and 00/100 (\$5,000), shall require written quotes from at least three (3) contractors.

c. All estimated purchases of goods with a value of less than Five Thousand 00/100 (\$5,000) Dollars but greater than One Thousand and 00/100 (\$1,000) Dollars shall require verbal quotes from at least three (3) vendors which shall be documented by the department head.

d. All estimated public works contracts with a value of less than Five Thousand and 00/100 (\$5,000) Dollars but greater than One Thousand and 00/100 (\$1,000) Dollars shall require verbal quotes from at least three contractors which shall be documented by the department head.

In the event that the award or purchase is made with other than the lowest responsible vendor or contractor, the department head shall document the reason therefore.

Notwithstanding the above requirements, and except when directed otherwise by the Village Board of Trustees, no solicitations of written proposals or quotes shall be required under the following circumstances:

1. Emergencies
2. Sole source situations
3. Goods purchased from other governmental agencies or departments
4. Goods purchased at auction

5. Goods purchased for less than One Thousand and 00/100 (\$1,000) Dollars
6. Public works contracts for less than One Thousand and 00/100 (\$1,000) Dollars

A good faith effort shall be made to obtain the required number of proposals or quotes. If the purchaser is unable to obtain the required number of proposals or quotes, the purchaser shall document the attempts made at obtaining the required number.

Regardless of which method of securing quotations is used where the same is required, the Board of Trustees will set forth in its minutes the type of quotations secured, the names of those submitting the quotations as well as a general outline of the quotations and the actions taken in connection with the eventual procurement.

If any contract is awarded to other than the lowest responsible dollar offer, the Board of Trustees shall require justification and documentation setting forth the reasons that such an award furthers the purposes of the General Municipal Law.

Subsequent to the enactment of these rules, comments will be secured from department heads of the Village of Tuxedo Park involved in the procurement process on a regular basis. The Board of Trustees will review its procurement policies and procedures at least once annually after enactment.