

Board of Trustees
Village of Tarrytown
Special Meeting No. 15
via Zoom Video Conferencing
May 8, 2020
10:00 a.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGovern, Rinaldi and Zollo; Village Administrator Richard Slingerland; Assistant Village Administrator Joshua Ringel; Village Attorney Kathy Zalantis and Village Clerk Carol Booth.

The Village Administrator opened the meeting and asked if everyone would say the Pledge of Allegiance. All those present recited the Pledge.

Trustee Robert Hoyt advised the Mayor, the Deputy Mayor, and the rest of the Trustees that he is recusing himself. Trustee Hoyt was moved to a public session, non-voting or commenting section of the meeting.

Village Administrator Slingerland read through the minutes of the Chief's convention of Thursday, May 7, 2020, by Zoom, with the meeting called to order at 19:05, or 7:05 p.m., as presented by Fire Chief's Convention Chairman Adam Konwerksi. It was noted that each of the companies had provided their certified delegates. It was noted however by Mr. Slingerland that it was reported to him by former Chief Derivan that his company had not met to select their delegates to the Chief's Convention.

Village Attorney Kathy Zalantis noted that the bylaws and proceedings are governed by Robert's Rules of Order.

Kathy Zalantis opinion and review of the record. She noted that under Robert's Rules of Order, not voting for someone is considered a blank vote and is not counted. At the April 6, 2020 Board of Trustees meeting, the Board of Trustees adopted a resolution authorizing the postponement of the annual Fire Company elections "by thirty (30) days to the first Tuesday in May, 2020" and directing that the Fire Department "take measures to arrange for such meeting(s)," including a plan for measures to "meet and vote by the following means and methods, as authorized under the current situation, which includes but is not limited to voting by text, by e-mail, by telephone by video conference, by paper ballot (including by mail), or by some other confidential means, if necessary." Based upon the information provided to us, four companies held their annual elections by May 5, 2020. Of the remaining two companies—one company confirmed that it did not hold its annual election by May 5, 2020 and we have no indication that the other company held its annual election by May 5, 2020. As a result, those companies that did not hold their annual elections on or before May 5, 2020, the delegates from those companies (at least 3 and up to 6 delegates) were not qualified to make any nomination at

the Chief's Convention. Under New York State Village Law §10-1010, delegates are elected at the annual elections. But that did not happen for one and possibly two companies. As a result, there were either 12 or 15 qualified delegates and in either event, there was a vote of 9 qualified delegates to nominate Richard Tucci for Second Assistant Chief, which is a majority vote. Accordingly, if the nomination of Richard Tucci is acceptable to this Board, the Board can proceed to approve and accept the nomination of Richard Tucci for Second Assistant Chief.

On the motion of Trustee McGovern, seconded by Trustee Zollo, with the Board voting by roll call vote, the votes in favor were Trustee Butler, Trustee McGovern, Trustee Zollo, Trustee Brown, Trustee Rinaldo and Mayor Fixell. There were no votes against.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves and accepts the nomination of Bryan Meade as Chief Engineer of the Tarrytown Fire Department.

On the motion of Trustee Brown, seconded by Trustee Zollo, with the Board voting by roll call vote, the votes in favor were Trustee Butler, Trustee McGovern, Trustee Zollo, Trustee Brown, Trustee Rinaldo and Mayor Fixell. There were no votes against.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves and accepts the nomination of Kelly Murphy as First Assistant Chief Engineer of the Tarrytown Fire Department.

On the motion of Trustee Zollo, seconded by Trustee Butler, with the Board voting by roll call vote, the votes in favor were Trustee Butler, Trustee McGovern, Trustee Zollo, Trustee Brown, Trustee Rinaldo and Mayor Fixell. There were no votes against.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves and accepts the nomination of "Rick" or Richard Tucci as Second Assistant Chief Engineer of the Tarrytown Fire Department.

As noted in the beginning of the meeting, the minutes and certification of record of the Chiefs Convention were received and forwarded to the Village Clerk to be filed.

Motion to adjourn the meeting

On the motion of Trustee Butler, seconded by Trustee Rinaldi, the Board voted to close the meeting by vote of 6 in favor, none opposed. Meeting was adjourned at 10:17 a.m.

Respectfully submitted,

Richard Slingerland
Village Administrator