

AGENDA
BOARD OF TRUSTEES
JULY 12, 2010

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
 - TRUSTEE ECKLOND
 - TRUSTEE MARCOCCIA
 - TRUSTEE GORMAN
 - TRUSTEE QUIGLEY
 - MAYOR FITZPATRICK

PUBLIC HEARING I. – LOCAL LAW #5 OF THE YEAR 2010

A LOCAL LAW AMENDING SECTION 6-39(e) OF THE VILLAGE CODE OF
THE VILLAGE OF TUCKAHOE, ENTITLED "FINES"

At a regular meeting of the Village Board of the Village of Tuckahoe, New York (the "Village") held at Village Hall, 65 Main Street, Tuckahoe, New York on July 12, 2010.

WHEREAS, the Building Inspector has requested legislation amending Section 6-39(e) of the Village Code of the Village of Tuckahoe, entitled "Fines," and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 15th day of June 2010; and

WHEREAS, said public hearing was duly held on the 12th day of July 2010, at 8:00 p.m. at Village Hall, 65 Main Street, Tuckahoe, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

NOW, THEREFORE, be it enacted by the Village Board of the Village of Tuckahoe, as follows:

Section 1. Section 6-39(e), entitled "Fines" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

§ 6-39. Fees

(e) In all cases where the work relating to a building permit application has been commenced or completed prior to the date of filing of the building permit application, there shall be a [an administrative] legalization fee added to the building permit fee in an amount as may be established by the Board of Trustees by resolution adopted at a scheduled public meeting of the Board of Trustees.

Section 2. Insofar as the provisions of this Local Law are inconsistent with the provisions of any other local law, the provisions of this Local Law shall be controlling.

Section 3. This Local Law shall take effect immediately.

Section 4. The Village Clerk be and she hereby is directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of the State of New York.
New Matter Underlined
Deleted Matter in Brackets []

PUBLIC HEARING II. - CONTINUATION OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a continuation of public hearing will be held by the Board of Trustees of the Village of Tuckahoe on July 12, 2010 at 8 p.m. at Village Hall, 65 Main Street, Tuckahoe, New York regarding the adoption of a Local Law of the Village of Tuckahoe for the year 2010, which would amend the following sections of the Zoning Ordinance of the Village of Tuckahoe:

Section 4-5.4 to require at least 1.5 parking spaces for the parking or garaging of passenger vehicles to be provided and maintained for each dwelling unit;

Section 5-1.2(a) to provide that “except as set forth in Section 4-5.4, at least two parking spaces for the parking or garaging of passenger vehicles shall be provided and maintained;”

Section 5-1.2.1.3 to provide that the number of parking spaces per unit in the Business/Residence District shall be 1.5;

30 Attachment 3:1 to provide that the number of parking spaces shall be amended from 1 to 1.5;

Section 4-5.4 to amend Zoning Board of Appeals to Planning Board as the approval authority with respect to the joint use of parking spaces;

Section 5-1.2.1.4 to amend two or more establishments on the same lot to two or more uses or establishments on the same lot; to amend the phrase maximum use by patrons or employees among such establishments to maximum use by patrons, employees or residents among such uses or establishments; to amend the phrase terminated upon the termination of the operation of any such establishments to terminated upon the termination of any such use or the operation of any such establishment; to amend the approval authority from the Zoning Board of Appeals to the Planning Board.

Section 5-1.2(d) to add the phrase including any municipal lot in which the owner has obtained and maintains Village permits for parking spaces reserved for the occupants or users of the building and to amend the approval authority from the Zoning Board of Appeals to the Planning Board;

Section 11-2.4 to provide that the Planning Board, in its discretion, may waive or vary such area, bulk and off-street parking requirements as may be necessary in order to afford the developer with the additional incentive market rate units;

Section 4-5.3.1 to eliminate the requirement of a special permit for residences combined with business uses in the Business/Residence Zoning District; and

An amendment to the Official Zoning Map of the Village of Tuckahoe rezoning and redesignating the premises commonly known as 300-308 Columbus Avenue, Tuckahoe, New York from a Business Zoning District to a Business/Residence Zoning District, under the Zoning Ordinance of the Village of Tuckahoe, subject to all regulations created and established relative to said Business/Residence Zoning District. The subject premises is also known as Section 42, Block 8; Lots 5 and 10 on the Tax Map of the Village of Tuckahoe and is owned by Crestwood Station Plaza, LLC; and

Corresponding amendments to the Zoning Ordinance's Schedule of Area and Bulk Requirements and/or Schedule of Permitted Uses, if any;

All persons shall be entitled to be heard upon said proposed Local Law at such public hearing.

IV. APPOINTMENTS –

Reappointment of Donald Wauchope to the Tuckahoe Housing Authority for a term of five years to expire July 5, 2015.

V. SPECIAL PRESENTATION(S)

VI. PUBLIC HEARINGS

VII. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

RESOLUTIONS -

1. RESOLUTION authorizing the Mayor to sign an agreement between the Community Fund of Bronxville-Eastchester-Tuckahoe, Inc. and Village of Tuckahoe as it relates to a grant of \$9,200 for the Tuckahoe Police community Programs. (\$4,500 for Youth Community Events, \$3,000 for the Tuckahoe Bike Safety Day and \$1,700 for the Tuckahoe D.A.R.E. Program support.)

2. RESOLUTION approving payment of vouchers in the amount of \$734,412.55 consisting of abstract #1 for \$53,790.85, abstract #2 for \$89,791.06, abstract #3 for \$470,705.59, abstract #4 for \$1,533.90, abstract #5 for \$29,201.81, abstract #6 for \$34,127.45 and abstract #7 for \$55,261.89. The three largest invoices paid were: (1), \$208,838.74 for the annual renewal of the Village's umbrella liability insurance, (2) \$127,529.95 for the annual renewal of the Village's Workers' Compensation insurance and, (3) \$92,434.02 for employee health insurance premiums for the month of July 2010.

3. RESOLUTION authorizing the Village Clerk to issue a Peddler's license to Ryan McManus of 980 Seventh North Street, Liverpool, NY 13088 to go door-to-door selling fixed rates for gas and electric.

4. RESOLUTION authorizing the Mayor to sign the Street Resurfacing and Repairs of Asphalt Concrete – 2010 Inter-municipal Agreement between the Town of Eastchester, Village of Tuckahoe, Village of Bronxville, Eastchester Union Free School District and Tuckahoe Union Free School District.

5. RESOLUTION authorizing the Village Clerk to issue a Peddler's License to Matthew Barich of 142 Mountindale Rd., Yonkers to sell ice cream, soda and water by bicycle ice cream cart for 3 month period commencing July 12, 2010 and ending October 11, 2010.

6. RESOLUTION approving the Shiloh Men's Ministry request to close Marble Place on Saturday, August 7th from 10am to 1pm for the Shiloh Baptist Church Community Day. Liability Insurance will be provided.

7. RESOLUTION approving The Quarry Restaurant request for a Special Permit Under Cabaret Law for a Fundraiser on **July 25th, 2:00 pm - 8:30 pm.**

8. RESOLUTION authorizing an additional 5% Non-Federal funds requirement amount payment of \$37,835 for the Village's cost sharing requirement for the Yonkers Avenue, Section 14 Streambank Protection Project with the US Army Corps of Engineers, New York District.

9. RESOLUTION authorizing the Mayor to execute a Fireworks Performance Contract with Fireworks by Grucci, Inc. for the July 24, 2010 (July 25, 2010 –rain date) Village of Tuckahoe celebration.

10. RESOLUTION authorizing Chief Costanzo to attend the 2010 New York State Association of Chiefs Annual Training Conference in Fairport New York from July 18-21, 2010.

VIII. APPROVAL OF MINUTES –

(A) APPROVAL OF MINUTES OF THE REGULAR MEETING OF JUNE 7, 2010.

(B) APPROVAL OF MINUTES OF THE SPECIAL MEETING OF JUNE 21, 2010.

(C) APPROVAL OF MINUTES OF THE SPECIAL MEETING OF JUNE 27, 2010.

IX. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS –

X. CORRESPONDENCE

XI. MISCELLANEOUS BUSINESS –

Next Village Board Meeting – August 9th – 8:00PM

XII. BOARD OF TRUSTEES MEMBER REPORTS:

- TRUSTEE MARCOCCIA
- TRUSTEE ECKLOND
- TRUSTEE GORMAN
- TRUSTEE QUIGLEY
- MAYOR FITZPATRICK

XIII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

XIV. ADJOURNMENT