

March 6, 2017

Meeting of the Board of Trustees
Called to Order at 8:00PM

The meeting opened with the salute to the flag and Pledge of Allegiance

ROLL CALL

TRUSTEE	Giordano
TRUSTEE	Luisi
TRUSTEE	Leo
TRUSTEE	Alfasi
MAYOR	Ecklund

APPOINTMENTS - none

PRESENTATION -

Pat Murtaugh and John Collins presented information regarding the March 12, 2017 St. Patrick's Parade and requested a moment of silence in memory of Steve A Quigley.

PUBLIC HEARINGS -none

ADOPTION OF MINUTES

Trustee Leo made a motion to approve the minutes of the meeting February 6, 2017, motion was seconded by Trustee Giordano; and upon roll call, and motion was carried by a vote 5-0.

CORRESPONDENCE- none

FIRST OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

RESOLUTIONS

- 1) Authorizing Walters Hot Dog food truck in the Broken Bow parking lot for a Relay for Life Cancer Fundraiser on March 23rd
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 5-0
- 2) Authorizing a fun run on Saturday, April 1st for Canine Companions for Independence around the Immaculate Conception Church
Trustee Luisi made a motion to approve resolution; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0

- 3) Authorizing the acceptance of a donation in the amount of \$25,000 from the Raffiani Family Foundation to the capital fund for Main Street Park Improvements (2015-0092)
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 5-0
- 4) Authorizing a grant in the amount of \$15,000 from the Office of Parks, Recreation and Historical Preservation received through Assemblywoman Amy Paulin's office to the capital fund for Main Street Park Improvements (2015-0092)
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0
- 5) Authorizing the acceptance of three pieces of exercise equipment for use at the Tuckahoe Community Center in the approximate value of \$2,700 from Gina Lee of Plank Fit
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0
- 6) Authorizing the acceptance of a new Dell laptop computer in the approximate value of \$1,000 from the Rotary Club of Eastchester for use by the Tuckahoe History Committee
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 5-0
- 7) Authorizing an agreement with Mobil Smart City Corp (dba Pango, USA, LLC) for a parking meter pay by mobile phone service
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0
David Burke gave a brief explanation of the Pango system.
- 8) Scheduling a Budget Hearing for April 10, 2017 to consider a Tentative Budget for Fiscal Year June 1, 2017 through May 31, 2018
Trustee Leo made a motion to approve resolution; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0
- 9) Authorizing the approval of vouchers in the amount of \$342,441.10
Consisting of Abstract #30 for \$170,287.20
Abstract #31 for \$141,418.80
Abstract #32 for \$2,760.90
T&A for February for \$27,974.20.
The three largest invoices paid were:
(1) \$63,941.53 for Sterling National Bank bond payments
(2) \$27,872.02 for Sive, Paget & Riesel, P.C. for lawyer fees
(3) \$19,511.29 for Sanitation Equipment Corp. for repairs & maintenance.

Trustee Luisi made a motion to approve resolution; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0

DISCUSSION- none

DEPARTMENTAL REPORTS TO THE BOARD

POLICE- Chief Costanzo said they will be flipping the sign within the next couple of weeks.

DPW- Frank DiMarco thanked the Raffiani family for their Main Street donation. He reminded all residents to recycle. The DPW is working on textile collections at the yard.

RECREATION- John Galluzzi announced the upcoming Easter Egg Hunt and July Fireworks event. He thanked the Raffiani family and the Generoso Pope Foundation who are always here for the village.

VILLAGE ADMINISTRATOR- David Burked said the tentative budget will be available on March 20, 2017. March 25th is a budget workshop. .

MISCELLANEOUS BUSINESS

The Mayor announced the following:

- 1) Reorganization meeting April 3, 2017
- 2) Budget Hearing - Village Board meeting April 10, 2017
- 3) Special meeting-Budget Adoption April 24, 2017.
- 4) Village offices and DPW will be closed Friday, April 14th for Good Friday

BOARD OF TRUSTEES MEMBERS REPORTS

TRUSTEE LEO- announced adult, teen and children's library programs.

TRUSTEE ALFASI- read the following



BOARD OF EDUCATION REPORT

On March 14, 2017, Tuckahoe Union Free School District will hold a **Special Public Vote** at which time the issue of whether to purchase the property located at 110 Ridge Street, Eastchester, NY will be placed before the school district's voters. For more information, please visit www.tuckahoeschools.org. The polls will be open from 7am-8pm at the following election district poll places:
District A- Tuckahoe Community Center
District B- William E. Cottle School
District C- Union Corners (Chester Heights) Fire House

TRUSTEE LUISI- senior's activities for March and reminded all that the History Committee meets at Village Hall every Wednesday morning at 9:00AM.

DEPUTY MAYOR GIORDANO- read the following:

I would like to say a few words on the record about the Marbledale hotel project; perhaps more than a few words, so I humbly ask of you the same patience this Board has shown the public over the past months. Most of my opinions are shared by this Board; some are personal and perhaps may not be.

Three points:

First - This Board has actively listened to and heard you our residents over the past year.

Second - we have assimilated a massive amount of Information regarding this project, trying always to separate fact from conjecture.

Third - I believe this Board has acted properly and completely in accordance with the oath of office we have taken as it pertains to this Project.

First - Listening - I want to thank all those who have participated in this democratic process. This Board has listened to each of you attentively - those who wrote, and those who participated in our Board meetings; we Listened to criticisms, suggestions. Listened to our historians; listened to our mothers -- confirming there is no more formidable force than a mother protecting her child; listened to our experts; listened to experts brought by others; listened to the DEC. We have listened attentively and heard your valid and

principal concern about the safety of our families, our neighbors and our community. We also have heard and share in your secondary, but equally valid concern about the ramifications of having an operational hotel in our village.

I want to thank especially those who approached this Board with criticisms and questions - those who clearly were genuinely concerned and even questioning at times the conduct of this Board - yet still maintained a respectful discourse, and separated important criticisms from hurtful and unjustified ad hominem attacks. Mr. Dardano's thoughtful participation comes to mind, but there were many others who balanced valid concern with common decorum and respect.

To those who may not have been quite as respectful, but came to the podium regardless to share valid concerns, I want to thank you for sharing those concerns. Your perspectives are important to us. In fact, many of your concerns helped this Board to formulate questions to the experts and lawful authorities. Further, some of your expressions of concern and suggestions helped to change for the better the DEC's remedy and plan for the Site. For this, this Board extends its gratitude on its own behalf and behalf of all our residents.

Finally, those few of you who I believe had other motives for your conduct than the best interest of the village as a whole - be it to further personal political aspirations, or for other personal motives. I find it difficult to thank those people for propounding misinformation and incomplete information, and for placing their own interests above those of the community as a whole. Again, those of you are few, and you know who you are.

Second Point – Information. There has been an incredible amount of information for this Board and our community to compile, analyze and react to surrounding this project, ranging from scientific fact, to insightful speculation based on rational thought, to rumor and at times even deceptive and incomplete misinformation. I believe this Board has done the best it could have possibly done to assimilate this information, and share it with the public in manner that is open and transparent.

Much of this information involves environmental science and specialized industry terminology - something in which no member of this Board has expertise. For this reason, among others, we retained Mike Musso, a highly reputable individual from HDR, a large and reputable firm. Mr. Musso was also retained expressly to assure the safety of our community. I personally confirmed this with him on numerous occasions, and remain convinced that every action he has taken has been consistent with this directive - the "Prime Directive" as I like to refer to it. Mr. Musso also helped this Board greatly in translating the science and industry terminology into concepts we could more easily understand. I have personally posed many questions to Mr. Musso over the past year, and challenged him on numerous occasions. Each time, he patiently responded to me, and satisfied my critical mind that our actions and the DEC's actions were appropriate, and in accordance with the Prime Directive. Where appropriate, he questioned and challenged the DEC and the Developer. I have found him to act unfailingly in a professional manner.

Mike Musso and HDR were not only retained to oversee the testing and review process; and inform the Board and public; they will also help to oversee that the remediation is performed properly and safely. If this is not occurring, it will be reported and the work immediately stopped.

There was an attempt to use an article published by the Huffington Post about a New Salem practice field to question the reputation and integrity of Mr. Musso and his firm. I found no evidence of wrongdoing at all even intimated against Mr. Musso or HDR in that article whatsoever. In sum, I have found Mike Musso to be a person whose words and statements are worth listening to. In fact, I found it most interesting the evening of that the Coalition brought a new expert to our January 23rd Board meeting. It was clear to me, to the rest of this board, and to the public, that this expert had a great deal of trust in and respect for Mr. Musso, and agreed with him on just about everything he had to say - including the proposed remedy once he was properly informed of the facts and circumstances. I find it interesting, though not surprising, that we never heard from Mr. Pritchett again as a Coalition spokesman after this meeting.

Ultimately, while we questioned it on many occasions, we also listened to the DEC, the governmental body responsible for the approval and oversight of the remediation plan. While not infallible, I do believe that the DEC is aligned with our Prime Directive for the safety of those affected by its programs. I believe the Brownfield site program itself has been created to increase the safety of contaminated areas, such as the Marbledale quarry landfill. As you may know, this project has been placed under the scrutiny of the highest levels of state government - having been questioned by both Assemblyman Latimer and Assemblywoman Paulin - and has been approved to proceed. I note that neither oppose this Project; nor does the leadership of our neighboring communities.

I appreciate the concern of those who relayed the rumors about an initiative at the state level to create hotel space to turn Empire City into a fully functional casino. However, I have not found that rumor to be substantiated. We must base decisions on fact, not rumor.

Apart from the public forum that was deliberately left open by this Board for many months, I want to mention the other significant measures this Board has taken to assure that the law was followed, and that the process was transparent. We have published a wealth of information on our Village website about the Project, stifling none, erring always on the side of full and open disclosure. We have arranged for bi-weekly meetings with the developer and his consultants, as well as HDR, members of the public, and consultants engaged by interested project groups. There have been 7 of these meetings to date. They are recorded, and available on YouTube, and links to them are available on the Village website. We have retained special counsel to make certain our actions are in accordance with applicable law, and that the public is best considered in connection with decisions we have made.

Which takes me to my third point - of most importance, I believe this Board has acted properly in connection with this project and the actions it has taken - assimilating all of this vast amount of information, painstakingly separating fact from conjecture, and making the

best available sound decisions based upon the information we had, maintaining always the priorities of safety, transparency, due process and the law that we have sworn to uphold. I believe we acted deliberately and methodically, did not jump to conclusions,

Ultimately, apart from the proper decisions to listen to all stakeholders, to share all information with the public; to engage experts to question the process and assure its safety, the only real decision this Board was able to make regarding this project was whether to impose a moratorium to stop it. This turns on several questions and factors:

Is capping plan safe? Are sufficient measures in place to protect safety?

1. DEC says yes.
2. Petitions went up to Governor's office from Assemblymen Latimer and Paulin. As a result, this project received highest attention from DEC
3. Our consultant says yes.
4. If unsafe, HDR has been expressly instructed to report to building inspector immediately, who will immediately stop the work. DEC will stop the work.
5. Ultimately, based on all the facts I know and have considered, I am convinced that remedy proposed by the DEC can be implemented safely, and capping and monitoring the site will make it safer to the public than it is currently. I believe I share this opinion with the entire Board.

Second question - Is a hotel right for village?

1. Good question. Wisdom of hotel - I am not sure - on this point I may not be fully aligned with each member of the Board.
2. However, I am sure that we will lose on a challenge via moratorium of the construction of a hotel on the Marbledale site - exposing the village to legal costs, at a minimum, and the potential exposure to significant damages asserted by the Developer, both of which would be fully paid for by our taxpayers. None of us want this.
3. Decided by Board that a hotel was a good thing unanimously in 2009, based in part on the recommendations of the Master Plan Revision Committee. As you may know, Melba Caliano served as a member of this committee, and while she may not have ultimately voted on the master plan, she was an advocate of a hotel on Marbledale when she worked on that committee, and never once changed that opinion until she decided it was expedient for her to do so to in pursuit of her political objectives.
4. If nothing is built there, DEC will cap and monitor as a Superfund site, just as they are doing now. Only this time, there may be the potential that Tuckahoe and other neighboring communities are asked to pay all or some of the costs of remediation - instead of being shared by all state residents under the Brownfield program.
5. I think there will be much less traffic from a hotel, then if a medical office building or other type of retail facility is built there. Also, a hotel will generate significantly more revenue for our community, nearly \$700,000 per year. This is a good thing.

6. Regarding the Developer – It seems unfair that he should benefit from any governmental sponsored program, as his family's business seems to have shared in responsibility for dumping at the site. However, I understand that his family has submitted a sworn affidavit that he never personally dumped in the quarry. I am not sure a family business disqualifies all members of that family from participating in the Program. If so, I am happy for the DEC to deny his application.
7. I have some sympathy for those who live adjacent to the site and oppose having a building there. However, this is not, unfortunately, an appropriate reason to not follow the law.

One more thing I have thought about a great deal - Could we have done things better? I believe the answer is Yes: we have been faced with a Coalition whose leadership has invested a significant amount of resources spreading information. From my perspective, much of this information has been misleading at best - and has been contradicted by fact time and again. I have come to believe that certain members of that leadership have done this intentionally, tailoring its message not to discover facts, but to undermine the project, and cast aspersions upon this administration, with a goal of stopping the project at all costs, irrespective of fact or law. I must state emphatically that I do NOT ascribe these same motives to most of the public that have once supported/or even continues to support the Coalition, or voice legitimate concerns about the Project. I believe that the vast majority of our residents simply and rightly want to make certain that nothing was going to be done that would endanger the lives of our children our loved ones, our neighbors.

So perhaps we should have spent taxpayer funds on a PR campaign to counter the misinformation and incomplete information propagated by Coalition leadership. Perhaps those funds would have helped to more effectively correct the Coalition leadership's misinformation and incomplete information with facts. Perhaps we incorrectly relied on the developer to fund this effort to reach the public more directly and in counter to the Coalition leadership. As we have mentioned, the Developer's failure to do this has been disappointing. I wish Bill Weinberg had faced the public more frequently, and assured that he too was following the Prime Directive, and not force this Board to expend so much effort to do so for him. I agree that such failures undermine the perception of his credibility. For this reason this Board believes that every stage of remediation requires consistent oversight. For this reason we have engaged our consultant to enhance the DEC's oversight at the Developer's expense.

We have been walking door to door for the past few weeks, making sure that our individual residents, those that have not spoken to use otherwise, are comfortable and understands that their interests and the interests of this Board are aligned. That has brought us some comfort.

So far, I believe the vast majority of our residents understand the facts, and are supportive of our process, leadership and decisions. I am grateful for that. I and this Board remain willing to discuss this project with those who do not. Thank you for participating. Thank you for listening.

MAYOR- Mayor Ecklund sympathizes with the staff since it has been a rocky time. Mayor Ecklund gave an update on the Crestwood Train Station clean up and hopes that it may house the History Committees museum. The Main Street Park has beautiful improvements. He thanked the Shiloh Church. The Brotherhood Breakfast was a success. The Chamber of Commerce meeting at American Bistro's guest speaker was Nick Zanzano. Please go to our website and look at the great historical slide show he has created.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Mike Dardano voiced is dismay at the way the hotel site's dust is flying off trucks. Melba Caliano clarified her role while on the Master Plan Committee. Albert Stern asked for clarification regarding the Village's fiscal status. He questions the need of a hotel insinuating that it is tied in with Yonkers Raceway.

Mayor Ecklund responded that this morning he received a report from DiNapoli and the Village is financially in great shape.

Bilwin Public Relations Representative David Simpson and Bill Canavan ~~along with Mike Musso~~ gave an update on soil remediation.

Joe Marinello is angry about not receiving tax check when the village went over the tax cap. Jessica Cioffoletti asked about the hotel site. Kathryn Thompson, on behalf of the residents that utilize the Main Street Park, requests a charging kiosk at the park, portable potty and water fountain. Mayor Ecklund explained that the recreation leagues provide portable potties during the summer months and a water fountain and splash park feature has been explored in the past with no success due to burdensome regulations by the County Health Department. Eastchester resident Perry Guilanti feels the Planning Board is unqualified and does not like Mike Musso. Anthony Fiore asked for security lighting at the Jackson Senior Housing. Mayor Ecklund explained that the Jackson Senior Housing is located in Eastchester not Tuckahoe. Mr. Fiore congratulated the Tuckahoe Cheerleaders on winning the title World Champs.

John Rabijs is angry that coalition signs were removed by the DPW. He is unhappy with the hotel clean up. Maria Palumbo endorses the Independents.

Moment of Silence for Steve Quigley

ADJOURNMENT

There being no further business, the Board unanimously voted to adjourn the meeting at 11:15 PM

Camille DiSalvo, Village Clerk