

June 8, 2015

Regular 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:**

**PRESENTATIONS**

Kathryn Urbina and Julie Dalton gave a presentation on Gramatan Village

**PUBLIC HEARINGS**

Public hearing to repeal and replace Village Code §21-117 regarding Parking Lot Permits

Trustee Giordano made a motion to open public hearing; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.

Trustee Giordano made a motion to close public hearing; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.

**ADOPTION OF MINUTES**

Trustee Luisi made a motion to approve the Minutes of the May 11, 2015; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 3-0. Trustees Giordano and Leo abstained.

Trustee Luisi made a motion to approve the Minutes of the Special meeting of May 21, 2015; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 4-0.

Trustee Giordano abstained

**CORRESPONDENCE**-none

**FIRST OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS**

Antoinette Martino expressed her displeasure with the banner restriction resolution #4

**RESOLUTIONS**

- 1) Trustee Giordano made a motion Adopting Local Law # 3 of 2015- to repeal and replace Village Code §21-117 regarding Parking Lot Permits; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 5-0.

## Parking Lot Permits

### §21-117. Parking Lot Permits

- (a) Subject to availability and the capacity of Village Permit Parking Lots, permits may be issued upon application and fee submission to the Village Clerk. The schedule of fees for parking lot permits will be set by resolution of the Village Board of Trustees and maintained by the Village Clerk.

#### **(b) Village Resident Parking Lot Permits.**

A resident of the Village of Tuckahoe may be issued a Resident permit for parking in specified parking lots subject to the payment of fees provided that there are no outstanding tickets for the owner of the motor vehicle making the application and that the applicant provide proof of ownership in the form of a registration from the New York State Department of Motor Vehicles with a valid Village of Tuckahoe address. The Village Clerk may require any proof of residency which is determined to be necessary before issuing a resident parking lot permit.

#### **(c) Non- Resident Parking Lot Permits.**

Issued for permit parking in specified parking lots subject to the payment of fees provided that there are no outstanding tickets for the owner of the motor vehicle making the application and that the applicant provide proof of ownership in the form of a registration from the New York State Department of Motor Vehicles.

#### **(d) Merchant Parking Lot Permits.**

A merchant doing business in the village may be issued a merchant parking lot permit in specified parking lots subject to the payment of fees provided that there are no outstanding tickets for the owner of the motor vehicle making the application. The Village Clerk may require proof of the applicant doing business in the village which is determined to be necessary before issuing a merchant parking lot permit.

- (e) The fees for village permit parking lots shall be set by resolution of the Board of Trustees with each permit being valid for the twelve- month period commencing on January 1 and ending of December 31, and said permit must be renewed annually.

#### **(f) Cancellation**

Permits returned to the Village after the beginning of or during the twelve-month period covering the permit may be cancelled. A refund will be issued for the balance of the year subject to a one (1) month cancellation fee, effective one full month after the permit is received by the Village Clerk's Office. There shall be no reduction pro rata or otherwise for usage of a permit during the month that the permit is returned.

- (g) Parking lot permits shall be placed on the rearview mirror of the vehicle for which the permit was issued.
  - (h) No permit holder shall give or sell a permit to another person or otherwise allow it to be placed on a vehicle other than the vehicle listed on the permit application. Any permit holder who violates the provisions of this subsection shall upon conviction thereof be subject to a penalty as prescribed in § 1-7 of this ordinance and in addition shall have such permit revoked and may not be entitled to be issued a new permit for a period of one year after such revocation.
  - (i) Vehicles with commercial license plates shall not be eligible for Village Parking Lot permits. (As of June 1, 2015, any commercial vehicle with a Parkway Oval Parking Permit may continue to be issued a parking lot permit)
  - (j) The fees, if any, that are collected by the Village for Village Parking Lot permits shall be credited to the general fund.
  - (k) The Village may revoke a Parking Lot permit of any permit holder when it is found that a false or fraudulent application has been filed or it is found that the permit was improperly or wrongfully issued. The Village Clerk shall provide notice of such revocation, and the effective date of such revocation shall be the date of such notice. Such notice shall provide that the Parking Lot permit shall be removed from the vehicle or vehicles.
  - (l) Parking without parking permit prohibited. The parking of vehicles, other than those displaying currently valid parking permits obtained and displayed pursuant to the provisions above, is prohibited in village public parking lots.
- 2) Motion Authorizing the modification of the term of office for Mayor and Trustees from two (2) to four (4) years beginning in March 2016 culminating in an odd year election cycle

WHEREAS, the Village Board of Trustees believes that it is in the best interests of the residents of the Village of Tuckahoe to increase the term of Mayor and members of the Board of Trustees from two year terms to four year terms as it will alleviate the annual burden on the Village Clerk and staff of the of the four month process of

conducting a general village election and reduce the costs incurred therewith on an annual basis, result in more efficient use of time of our elected officials, reduce the costs of well qualified persons who may wish to run for office but may be dissuaded from doing so because of the burden, financially and otherwise, of having to campaign for office every other year in the scheduled outlined below:

2016	3year term for 2 Trustees
2017	4year term for 2 Trustees AND 1 Mayor
2018	3year term for Judge
2019	4year term for 2 Trustees
2020	No Election
2021	4year term for 2 Trustees AND 1 Mayor AND Judge
2022	No Election
2023	4year term for 2 Trustees
2024	No Election
2025	4year term for 2 Trustees AND 1 Mayor AND Judge
2026	No Election

NOW, THEREFORE, BE IT RESOLVED that effective July 13, 2015 subject to permissive referendum as set forth below, the terms of the Mayor and members of the Board of Trustees of the Village of Tuckahoe are increased from two to four years pursuant to the authority contained in New York State Village Law Section 3-302(5); and

BE IT FURTHER RESOLVED that this resolution is subject to permissive referendum in accordance with New York State Village Law Article 9.

Trustee Giordano made a motion to postpone indefinitely Resolution #2 from the printed Agenda of June 8, 2015 which relates to extending the term of office for Elected Officials; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.

3) Motion Setting a public hearing on a proposed local law establishing term limits for the Mayor and Trustees

Trustee Giordano made a motion to postpone indefinitely Resolution #3 from the printed Agenda of June 8, 2015 which relates to establishing term limits for Elected Officials; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 5-0.

4) (a) Trustee Luisi made a motion authorizing the restriction of all banners on public property except to publicize village events beginning January 1, 2016; motion was seconded by Trustee Giordano; after discussion no roll call.

(b) Trustee Alfasi made a motion to table the resolution on the restriction of all banners on public property except to publicize village events beginning January 1, 2016; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 4-1; Trustee Luisi opposed. Trustee Luisi said there were illegal signs and signs that are not taken down.

- 5) Trustee Leo made a motion authorizing Park View Heights permission to close off Bella Vista Street from Monroe to Verde for a block party on Saturday, September 12, 2015 from 11:00a.m.to 11:00p.m; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 6) Trustee Leo made a motion authorizing residents of Gifford Street permission to close Gifford Street for a block party June 14, 2015 from 1:00p.m.to 6:00p.m ; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 7) Trustee Leo made a motion authorizing the Emanuel AME Church permission to close Van Duzen Street to sponsor a Health Fair on July 11, 2015 from 9a.m. to 4p.m.; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 8) Trustee Leo made a motion authorizing a community celebration at Home Ice Rink on Marbledale Road for Saturday, June 14<sup>th</sup> from 11 a.m. to 3 p.m. motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.  
Rose from Home Ice said that Saturday is open house to show that the rink is a family community facility.
- 9) Trustee Giordano made a motion authorizing a donation to the Westchester Italian Cultural Center in the amount of \$3,000 for three nights of *Cinema Sotto Le Stelle*; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 10) Trustee Leo made a motion authorizing the use of the Tuckahoe Trolley to ferry the Tuckahoe Seniors back and forth from Assumption Church to Lake Isle on Thursday, June 18<sup>th</sup> for their 45<sup>th</sup> Anniversary luncheon; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 11) Trustee Giordano made a motion authorizing the use of the Tuckahoe Trolley by the Town of Eastchester Parks & Recreation Department as outlined in the May 26, 2015 letter from Sally Veltidi, Eastchester Superintendent of Parks & Recreation; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 12) Trustee Leo made a motion authorizing the Mayor to sign a contract with Fireworks by Grucci, inc. for the annual 4<sup>th</sup> of July celebration; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 13) Trustee Giordano made a motion authorizing a donation in the amount of \$14,250 from the Generoso Pope Foundation for the annual Tuckahoe Fireworks; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.
- 14) Trustee Giordano made a motion authorizing the Mayor to sign an Inter-municipal Agreement between the County of Westchester Department of Correction and the Village of Tuckahoe the term commencing January 1, 2015 and continuing through

December 31, 2016 as it relates to Prisoner Transportation Reimbursement; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.

15) Trustee Leo made a motion authorizing the Mayor to sign an Inter-municipal Agreement for Street Resurfacing and Repairs of Asphalt Concrete – 2015; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.

16) Trustee Giordano made a motion authorizing the Mayor to sign an Inter-municipal Agreement between the County of Westchester for the Organic Yard Waste Transfer Program; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.

17) Trustee Leo made a motion amending the police special duty rate of pay from \$68 to \$70/ hour; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.

18) Trustee Leo made a motion accepting a bid in the amount of \$10,600.00 for a 1997 Mack MR688S with a 27 yard packer body garbage truck auctioned on eBay; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.

19) Trustee Leo made a motion authorizing the Board to establish a Standard Work Day and Reporting; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.

**BE IT RESOLVED**, that the Board of Trustees hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee's Retirement Systems based on the record of activities maintained and submitted by these officials to the Village Clerk:

Standard Work Day and Reporting

TITLE	STANDARD WORK HOURS
Library Director	7 hour day
Librarian I	7 hour day
Librarian II	7 hour day
Library Staff Assistant	7 hour day
Library Clerk	7 hour day
Building Inspector	7 hour day
Code Enforcer	6.6 hour day
Intermediate Clerk	7 hour day
Intermediate Typist	7 hour day
Village Administrator	7 hour day
Deputy Treasurer	4 hour day
Parking Enforcement Officer	3.2 hour day

- 20) Trustee Leo made a motion authorizing an extension of the employment agreement with Robert J. Fels; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 21) Trustee Giordano made a motion authorizing the modification of the Judge's salary to \$31,228 and Acting Judge's salary to \$7,809 for the 2015-2016 budget year; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 22) Trustee Leo made a motion authorizing the amendment of the Building Department fee schedule to include a \$200 fee for construction work on Sunday from 9 a.m. to 5 p.m. in business, commercial and industrial zones; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 23) Trustee Leo made a motion accepting a donation by the Generoso Pope Foundation in the amount of \$8,000 for the 2014-2015 Trolley operation; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 24) Trustee Leo made a motion accepting a donation by the Generoso Pope Foundation in the amount of \$7,910 for repairs to the Trolley in the 2014-2015 budget year; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 25) Trustee Giordano made a motion accepting a donation by the Generoso Pope Foundation in the amount of \$2,235 in support of the Village Easter Egg Hunt; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 26) Trustee Leo made a motion appointing Dolph Rotfeld Engineering, P.C. as engineering consultant for the 2015 fiscal year in accordance with the proposal letter dated May 13, 2015; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 27) Trustee Giordano made a motion appointing BFJ Planning as planning consultant for the 2015 fiscal year in accordance with the proposal letter dated May 15, 2015; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 28) Trustee Alfasi made a motion appointing John F. Burkhardt, Tax Certiorari counsel for the 2015 fiscal year in accordance with the proposal letter dated May 26, 2015; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 29) Trustee Leo made a motion appointing Jeff Storch of Cahill Gambino, LLP, Bond counsel for the 2015 fiscal year in accordance with the proposal letter dated May 26, 2015; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.

- 30) Trustee Leo made a motion appointing James Pinto, village consultant for the 2015 fiscal year in accordance with the proposal letter dated May 28, 2015; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 31) Trustee Giordano made a motion appointing Chris Harold of Harold, Salant, Strassfield & Spielberg, Labor attorney for the 2015 fiscal year in accordance with the proposal letter dated January 10, 2014; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 32) Trustee Leo made a motion appointing O'Connor Davies, village auditor for the fiscal year ending 2015 in accordance with the letter dated June 1, 2014; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.
- 33) Trustee Giordano made a motion approving a tax certiorari settlement for 14 Grant Street, LLC, Section 32, Block 2, Lot 2 for assessment years 2007 through 2014 in the amount of \$23,494.19; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 34) Trustee Giordano made a motion approving a tax certiorari settlement for AJM Tuckahoe, LLC, Section 32, Block 4, Lots 2B and 10 for assessment years 2009 through 2014 in the amount of \$28,750.91; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 35) Trustee Giordano made a motion approving a tax certiorari settlement for Parkway Plaza Condominium/ Residential Board of Managers, Section 32, Block 3, Lots 2.-3A to 3G, 2.-4A to 4G and 2.-5 to 5G for assessment years 2007 through 2014 in the amount of 58,348.89; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.
- 36) Trustee Giordano made a motion approving a tax certiorari settlement for 33 Loudon/ One Elm Street, Section 32, Block 3, Lot 2.1A for assessments years 2006 through 2014 in the amount of \$43,442.66; motion was seconded by Trustee Leo and upon roll call, motion was carried by a vote 5-0.
- 37) Trustee Giordano made a motion authorizing the approval of vouchers in the amount of \$401,705.17, consisting of Abstract #52 for \$79,395.12, Abstract #53 for \$4,389.25, Abstract #54 for \$303,002.91, Abstract #55 for \$6,333.28 and Trust & Agency for \$8,584.61. The three largest invoices paid were: (1) \$112,709.88 for Landi Contracting, (2) \$86,542.65 for Vernon Hills Contracting Corp and (3) \$15,085.96 for New York Power Authority; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 5-0.
- 38) Trustee Leo made a motion 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 \$8000.00 for the Tuckahoe Trolley; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.



- 39) Trustee Leo made a motion 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 \$10,500.00 for the Tuckahoe youth Programs and DARE; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote 5-0.

## **DISCUSSION**

- 1) Potential legislation restricting certain types of food service establishments. We are looking at Eastchester and Bronxville. Trustee Giordano requests public input.
- 2) Building Department fees and zoning amendments

## **DEPARTMENTAL REPORTS TO THE BOARD**

**POLICE** - Chief Costanzo congratulated the DARE graduates. He also thanked Andrew Zirolnik for all his work. June 27<sup>th</sup> is Police Community Day.

**DPW** - Frank DiMarco said Eastchester Green Day is June 13<sup>th</sup>. The trolley will be used for the event and not on its usual route.

**CLERK**- Camille DiSalvo reminded residents that the first half Village taxes are due June 30<sup>th</sup>.

**COMMUNITY CENTER**- John Galluzzi said that Fireworks are scheduled for Saturday July 11<sup>th</sup> at Parkway Oval.

**ADMINISTRATOR**- David Burke gave an update on the Main Street project. He asked that motorists please slow down by the site.

## **MISCELLANEOUS BUSINESS**

The Mayor announced the Next Village Board meeting-July 13, 2015, County Passport Mobile in Depot Square-June 22, 2015 from 11:00a.m.-2:00p.m, Fireworks - Parkway Oval July 11, 2015 and the Farmers Market Sundays from 10 a.m. to 4 p.m. in Depot Square

## **SECOND OPPORTUNITY TO ADDRESS THE BOARD**

Antoinette Martino thanked the Board for tabling the vote regarding banners. She is concerned regarding what occurred at the last Zoning meeting and suggested the attorney talk to the state to insure that proper procedures are followed regarding the vote.

Anthony Fiore expressed his concern over lack of lighting on the Main Street project. Frank DiMarco said that 4 lights were out and so far 2 have been repaired. The lighting on the site is the owner's responsibility. Mr. Fiore also expressed his concern on regarding the lack of street markings on Armourville. Chief Costanzo weather permitting the markings will be completed. Mr. Fiore requested a Residents meeting being held in the Jefferson- Midland area. Mr. Fiore also asked when the walk bridge over the train tracks would be taken down. Mayor Ecklund explained that it is difficult since the bridge goes over the train tracks.

Melba Caliano questioned the resolutions regarding agreements. Mayor Ecklund explained that the Village Administrator is cleaning up and these resolutions demonstrate the importance of the Village Administrator. Nate Jackman from Gifford Street expressed his dislike for Subway coming into the village and expressed his dislike for the metal mini mall. Trustee Leo explained that the owner of the mini mall is trying to fix it up with limited funds.

### **BOARD OF TRUSTEES MEMBER REPORTS**

- ▶ TRUSTEE           Giordano welcomed Trustee Leo and reminded residents that the Zoning Board meeting is Wednesday, June 10<sup>th</sup> at 6:30PM. The Board is looking into eliminating some building fees in order to help homeowners improve their homes.
- ▶ TRUSTEE           Luisi reminded all that the Senior's 45<sup>th</sup> party is June 18 at Mulinos. He thanked Vito Pinto for the plaque on Pee Wee Samuels' painting in Village Hall.
- ▶ TRUSTEE           Alfasi said the Chamber of Commerce's scholarship dinner is June 15 at Ciao's.
- ▶ TRUSTEE           Leo gave an update all library events.
- ▶ MAYOR             Ecklund asked for a moment of silence in memory of Nicholas DePippo.

### **ADJOURNMENT**

There being no further business, the Board unanimously voted to adjourn the meeting at 10:15P.M.

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Camille DiSalvo, Village Clerk