

December 8, 2014

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

Anthony Lore led the meeting with the Pledge of Allegiance.

ROLL CALL

TRUSTEE	Giordano-absent
TRUSTEE	Quigley
TRUSTEE	Luisi
TRUSTEE	Alfasi
MAYOR	Ecklond

APPOINTMENTS

Mayor Ecklond did appoint Charles duChateau as a member of the Tuckahoe Housing Authority for a term to expire 7/5/2018.

PRESENTATIONS –

Councilman Marcoccia gave a brief overview of the 2015 adopted Eastchester Budget. He said that sales tax and mortgage receipts are on an upward trend; contributions to the retirement system came down slightly; there were no layoffs and all employees, except department heads, were given raises. Tuckahoe residents will see a slight increase in their Eastchester tax. He spoke about the Lake Isle renovations and the amenities at that location.

Community Fund President Katharine Outcalt spoke about their thermometer campaign and how the funds are distributed to the various local community organizations

PUBLIC HEARINGS

Trustee Quigley made a motion to open public hearing; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote of 4-0.

1. Public Hearing – Local Law # 6 of 2014

A LOCAL LAW AMENDING SECTION 21-119(a) OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED “PARKING PERMIT AND METERS ZONES,” REGULATING PARKING PERMIT AND METER ZONES

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 December 8, 2014

WHEREAS, the Chief of the Police Department has requested legislation amending Section 21-119(a) of the Village Code of the Village of Tuckahoe, entitled “Parking Permit and Meters Zones,” regulating parking permit and meter zones (the “Local Law”); 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 November 2014; and

WHEREAS, said public hearing was duly held on the 8th day of December, 2014, 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 21-119(a), entitled "Parking Permit and Meter Zones" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

(a) The following zones in certain streets and parking areas of the Village shall be known as "parking permit and meter zones":

(12) Marbledale Road, ~~the west side of the street from Main Street to the Village Department of Public Works yard~~ Fisher Avenue.

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 ----- through

Trustee Quigley made a motion to close public hearing; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #1 adopting Local Law #6 of the year 2014.

Trustee Quigley made a motion to adopt resolution #1; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

ADOPTION OF MINUTES

Trustee Quigley made a motion to approve the minutes of the regular meeting of November 10, 2014; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote 4-0.

RESOLUTIONS

RESOLUTION # 2 approving certiorari settlement for Marbledale Associates, 174 Marbledale Road, Tuckahoe designated as Section 39, Block 3, Lot 7A for the years 2010 through 2014 in the amount of \$9,717.02. Trustee Quigley made a motion to adopt resolution #2; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #3 to provide free short-term street parking in the business districts of the Village to encourage local shopping during the holidays. The meters will be bagged from December 22nd thru December 25th. Trustee Luisi made a motion to adopt resolution #3; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #4 authorizing the Mayor, Administrator and Public Works General Foremen to register with NY-Alert for public notification to the NYS DEC and other interested parties in the event of a sewage leak. Trustee Alfasi made a motion to adopt resolution #4; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #5 considering the authorization of the issuance of a Bond Anticipation Note (BAN) in the amount of \$1,040,000.00. Trustee Alfasi made a motion to adopt resolution #5; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

BOND RESOLUTION, DATED DECEMBER 8, 2014, AUTHORIZING THE ISSUANCE OF UP TO \$1,060,480 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TUCKAHOE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF ROAD IMPROVEMENTS, (II) THE RELINING OF SEWER LINES, (III) THE ACQUISITION OF VEHICLES AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, (IV) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF CERTAIN "CLASS A" BUILDING IMPROVEMENTS, (V) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF PARKING IMPROVEMENTS, (VI) THE ACQUISITION OF COMPUTERS, AND (VII) THE PAYMENT OF JUDGMENTS AND SETTLED CLAIMS TO BE PAID BY THE VILLAGE RESULTING FROM TAX CERTIORARI PROCEEDINGS BROUGHT PURSUANT TO ARTICLE 7 OF THE NEW YORK REAL PROPERTY TAX LAW, ALL IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Tuckahoe (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of road improvements (\$61,560), (ii) the relining of sewer lines (\$31,330), (iii) the acquisition of vehicles and apparatus for construction and maintenance (\$212,790), (iv) the acquisition, construction and reconstruction of certain "Class A" building improvements (\$306,000), (v) the acquisition, construction and reconstruction of parking

improvements (\$204,000), (vi) the acquisition of computers (\$40,800), and (vii) the payment of judgments and settled claims to be paid by the Village resulting from tax certiorari proceedings brought pursuant to Article 7 of the New York Real Property Tax Law (\$204,000), all in and for the Village, including any equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$1,060,480, all in accordance with the Local Finance Law;

WHEREAS, the total amount of the payment of such judgments and settled claims is more than one (1%) per centum and less than three (3%) per centum of the real property tax levy of the Village levied for its municipal purposes in the year for which the payment is to be made.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tuckahoe, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$1,060,480, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of street improvements, including any equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$61,560, for which \$61,560 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The relining of sewer lines, including any equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$31,330, for which \$31,330 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition of machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$212,790, for which \$212,790 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of

five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(d) The acquisition, construction and reconstruction of certain “Class A” building improvements for the Village, including any equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$306,000, for which \$306,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty-five (25) years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of “Class A” construction as that term is defined in Section 11.00 of the Local Finance Law). Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(e) The acquisition, construction and reconstruction of parking improvements for the Village, including any equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$204,000, for which \$204,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(e) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(f) The acquisition of computers, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$40,800, for which \$40,800 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 81(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(g) The financing of the payment of judgments and settled claims to be paid by the Village resulting from tax certiorari proceedings brought pursuant to Article 7 of the New York Real Property Tax Law, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$204,000, for which \$204,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 33-a(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$1,060,480; (b) except as set forth on the financial records of the Village Treasurer, no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to

finance the costs of the Project from the proceeds of the serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, authorized herein; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of an item within an object or purpose, or class of object or purpose, for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt,

amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

RESOLUTION #6 approving payment of vouchers in the amount of \$445,698.40, consisting of Abstract #26 for \$1,152.77, Abstract #27 for \$287,838.78, Abstract #28 for \$2,096.00 and Abstract #29 for \$154,610.85. The three largest invoices paid were: (1) \$198,084.50 for a progress payment on the Fisher Avenue Parking Lot project, (2) \$65,550.00 for a progress payment on the Community Center Roof project and (3) \$19,740.50 for the September & October NYS share of fines and fees collected by the Tuckahoe Village Justice Court. Trustee Alfasi made a motion to adopt resolution #6; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #7 authorizing the closing of capital project #2012-0063: Public Works Vehicles and allocating the remaining balance of \$27,525.30 as follows:

A transfer of \$9,836.94 to capital project #2011-0057: Tuckahoe Youth Bureau which will close out this project.

A transfer of \$2, 503.94 to capital project #2012-0061: Village Hall Security System which will close out this project.

A transfer of \$10,888.72 to capital project #2012-0064: Police Department Vehicles which will close out this project.

A transfer of \$146.30 to capital project #2014-0066: Fisher Avenue Park Project which will close out this project.

A transfer of \$4,149.40 to the General Fund.
Trustee Quigley made a motion to adopt resolution #7; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #8 approving a partnership with Lehman College to collaboratively share GPS/ GIS information to update the Village of Tuckahoe files by interns completing their Geospatial Science degree. Trustee Quigley made a motion to adopt resolution #8; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #9 approving the use of Depot Square on Sunday, December 21st for a Menorah Lighting Ceremony to begin at 5:00 p.m. (rain location Tuckahoe Community Center) Trustee Luisi made a motion to adopt resolution #9; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #10 authorizing Village Offices to close Friday December 26th in honor of the Christmas Holiday. Trustee Quigley made a motion to adopt resolution #10; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #11 approving an amendment to the Village of Tuckahoe Fee Schedule as follows:

Tuckahoe Community Center Birthday Party:

	From:	To:	Notes:
Eastchester Resident	\$40	\$50	2-hour minimum
Non-Resident		\$75	2-hour minimum

Weekend Rate:

Eastchester Resident	\$100	2-hour minimum
Non – Resident	\$150	2-hour minimum

Trustee Luisi made a motion to adopt resolution #11; motion was seconded by Trustee Alfasi and upon roll call, motion was carried by a vote of 4-0.

DEPARTMENTAL REPORTS TO THE BOARD

POLICE- Chief Costanzo thanked the Community Fund and asked residents to support them. Winter parking regulations are about to kick in. The signs are being posted. The Tuckahoe Police Department Annual Christmas Party is Friday December 12 from 7:00-8:30PM at the Tuckahoe Community Center.

VILLAGE ADMINISTRATOR- David thanked Frank Dimarco and Lehman College. The Fisher Lot is open and looks amazing. The roof on the Community Center is almost done. John and I are working on the audit.

ATTORNEY- The Hotel will be on the Planning agenda next week.

MISCELLANEOUS BUSINESS

Mayor Ecklund announced the next Village Board Meeting is January 12, 2015.

Village Offices and DPW closed on Thursday, December 25th and on Thursday, January 1st in observance of the Christmas holiday and New Year's Day.

BOARD OF TRUSTEES MEMBER REPORTS

► **TRUSTEE** Quigley Tuckahoe joined Sustainable Westchester. Their goals include keeping taxes down, LED lights, solar energy, weatherization, and helping the tax base. He gave an update on the many activities at the library. The Friends of the Library have joined Amazon.com "Smile" in which Amazon will donate 0.5% of any eligible purchase to the Friends of the Tuckahoe Library.

► **TRUSTEE** Luisi Residents should bag leaves. There is no more curbside leaf pickup. He gave an update on Senior activities for December. The Historians are selling Tuckahoe coverlets at the Community center and Village for \$40.00 each.

► **TRUSTEE** Alfasi is proud that the VFW was in attendance.

► **MAYOR** Ecklund thanked The Pope Foundation, Phil Raffiani, Lucente Landscaping and Tuckahoe Beatification for the beautiful way the Village looks for this holiday season. Tomorrow is the Fire Election, please vote. ECAP is getting ready for their annual Martin Luther King Breakfast in January.

The Mayor and Board wishes all a Merry Christmas, Happy Hanukah and Happy New Year.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Anthony Lore encouraged all residents to vote for Fire Commissioner.

Bob Forster suggested renovations on some of the war memorials and possibly have one central location.

There being no further business, the Board unanimously voted to adjourn the meeting at 9:00PM.

Susan Ciamarra, Village Clerk

