

June 9, 2014
Regular Meeting of the Board of Trustees
Called to Order at 8:00PM

PRESENT:
TRUSTEE Giordano
TRUSTEE Quigley
TRUSTEE Luisi
TRUSTEE Alfasi - absent
MAYOR Ecklund

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

APPOINTMENTS

Trustee Quigley motioned for the appointment of Gary Gjertsen as Village Attorney for a term of 1 year effective, May 17, 2014; motion was seconded by Trustee Giordano and upon roll call, and motion was carried by a vote 4-0.

2. Mayor Ecklund re-appointed Jeff Zuckerman as Commissioner to the Tuckahoe Housing Authority for a 5 year term effective July 5, 2014; term shall expire July 4, 2019.

ADOPTION OF MINUTES

Trustee Luisi made a motion to approve the minutes of the regular meeting of May 12, 2014; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote 3-0; Trustee Giordano abstained.

Trustee Quigley made a motion to approve the minutes of the Special meeting of May 21, 2014; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote 3-0; Trustee Giordano abstained.

RESOLUTIONS

RESOLUTION #1 -Adoption of Local Law #4 of 2014 previously known as local law #3 of 2014 - A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2014 ENTITLED, "A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C," SUCH LOCAL LAW NO. 1 OF 2014 HAVING BEEN ENACTED ON FEBRUARY 10, 2014

At a regular meeting of the Village Board of Trustees of the Village of Tuckahoe, New York (the "Village Board") held at Village Hall, 65 Main Street, Tuckahoe, New York on June 9, 2014.

WHEREAS, on February 10, 2014, the Village Board enacted Local Law No. 1 of 2014 entitled, "A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law Section 3-C;" and

WHEREAS, the Village Board is repealing Local Law No. 1 of 2014 in its entirety.

NOW, THEREFORE, BE IT RESOLVED

Section 1. Local Law No. 1 of 2014 entitled, "A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law Section 3-C is hereby repealed in its entirety.

Section 2. Partial Invalidity. If any section of this Local Law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this Local Law.

Section 3. 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 4. This Local Law shall take effect upon its filing with the Office of the New York State Secretary of State.

Section 5. 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.

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

RESOLUTION #2 - A RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING A PETITION RELATING TO A PROPOSED AMENDMENT TO THE OFFICIAL ZONING MAP OF THE VILLAGE OF TUCKAHOE

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 June 9, 2014.

WHEREAS, HP 150 Lake, LLC (the "Petitioner") has submitted a petition, dated January 24, 2014, to the Village Board of Trustees for the rezoning of the premises known as 150 Lake Avenue, Tuckahoe, New York and designated on the Tax Assessment Map of the Village of Tuckahoe as Section 33, Block 7, Lot 4; and

WHEREAS, in connection with said petition, Petitioner seeks to have the Premises rezoned from the "I" (Industrial) Zoning District to the "Res B"(Residential B) Zoning District as defined and described in the Village of Tuckahoe Zoning Ordinance of 2001; and

WHEREAS the Village Board on May 12, 2014 amended and supplemented the Village of Tuckahoe Comprehensive Plan, adopted May 2008, to suggest that 150 Lake Avenue, 8 Cedar Street and 10 Cedar Street (Hereinafter "Premises") be excluded from the "I" (Industrial) Zoning District and be rezoned to the "Res B"(Residential B); and

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to the proposed amendment to the Official Zoning Map of the Village of Tuckahoe as it concerns the rezoning of the Premises from the "I" (Industrial) Zoning District to the "Res B"(Residential B) Zoning District; and

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of Village Law § 7-706 et seq. and other applicable law, a public hearing shall be held on or about the 14th day of July 2014, at 8:00 o'clock p.m., at Village Hall, 65 Main Street, Tuckahoe, New York, at which hearing parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by said Board of Trustees whether the Official Zoning Map of the Village of Tuckahoe shall be amended to rezone the Premises from the "I" (Industrial) Zoning District to the "Res B"(Residential B) Zoning District.

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk at least ten (10) days in advance of such time and place in the manner provided by law.

Section 3. That this resolution shall take effect immediately.

A LOCAL LAW AMENDING THE VILLAGE OF TUCKAHOE's OFFICIAL ZONING MAP

WHEREAS, a resolution was duly adopted by the Village Board of Trustees of the Village of Tuckahoe, New York for a public hearing to held by the Village Board on the 14th day of July, 2014, at 8:00 p.m. at Village Hall, 65 Main Street, Tuckahoe, New York, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW AMENDING THE VILLAGE OF TUCKAHOE's OFFICIAL ZONING MAP;" and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the _____ day of _____, 2014; and

WHEREAS, said public hearing was duly held on the 14th day of July, 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, pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA) it has been determined by the Village Board of said Village that adoption of said proposed Local Law would not have a significant effect upon the environment; and

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

Be it enacted by the Village Board of Trustees of the Village of Tuckahoe as follows:

The Official Zoning Map of the Village of Tuckahoe be and hereby is amended to reflect that the following properties are hereby zoned and designated as follows:

| <u>Tax Map No.</u> | <u>Property Address</u> | <u>Property Owners</u> | <u>District</u> |
|--------------------|-------------------------|-------------------------|-----------------|
| 33./7/4 | 150 Lake Ave | 150 Lake Ave Realty LLC | Residential B |
| 33./7/2 | 8 Cedar Street | Galucci, John | Residential B |
| 33./7/1 | 10 Cedar Street | Village of Tuckahoe | Residential B |

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby declared repealed.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law. 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 State.

Trustee Quigley made a motion to adopt resolution #2; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #3 approving street closure for the 2nd Annual Park View Heights Block Party on Saturday, September 6th on Bella Vista Street rain or shine. Trustee Quigley made a motion to adopt resolution #3; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #4 authorizing the street closure of the entire Gifford Street closed on Sunday, June 22nd from noon to 3pm for a block party.

Trustee Luisi 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 approving a certiorari settlement for Intercontinental Can Company, Inc./Opto-Acoustic, LLC 145-147 Main Street, Section 29, Block 3, Lot 16 for the years 2006 through 2013 in the amount of \$19,224.17. Trustee Quigley made a motion to adopt resolution #5; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #6 approving certiorari settlement for Intercontinental Con Company 73 Main Street, Section 33, Block 8, Lot 14 for the years 2009 through 2012 in the amount of \$34,972.06. Trustee Quigley made a motion to adopt resolution #6; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #7 ratifying authorization for the Village Clerk to issue a special permit under the Cabaret Law to Tuck'd Away for May 23, 2014 from 9pm to 12 midnight; R & B band. Trustee Luisi

made a motion to adopt resolution #7; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #8 accepting a grant from the Generoso Pope Foundation in the amount of \$8,000 for operating costs of the Village of Tuckahoe Trolley; a grant in the amount of \$7,500 to support the Village of Tuckahoe Fireworks Event, scheduled for July 19th and a grant in the amount of \$1,000 to support Tuckahoe Beautification street fair event scheduled for June 1, 2014. Trustee Luisi made a motion to adopt resolution #8; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #9 authorizing the Village Clerk to advertise and receive sealed bids for a new sanitation truck for the DPW. Trustee Luisi made a motion to adopt resolution #9; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #10 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. Trustee Quigley made a motion to adopt resolution #10; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #11 authorizing the Mayor to sign an agreement between Fireworks by Grucci, Inc. and Village of Tuckahoe as it relates to the Fireworks event scheduled for July 19th, rain date July 20th. Trustee Luisi made a motion to adopt resolution #11; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #12 amending the schedule of fines for parking violations in the Village of Tuckahoe

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 June 9, 2014.

WHEREAS, Section 21-67(a) of the Village Code of the Village of Tuckahoe authorizes that "the fines for various parking violations shall be designated by the Board of Trustees by resolution adopted at a regularly scheduled meeting of the Board of Trustees. A list of such fines shall be maintained by the Village Clerk and Police Department. Notice of the amount of the fines established in accordance with this section shall be provided on all parking tickets, summonses and notices of violation;" and

WHEREAS, the Village Board of Trustees desires to amend the Schedule of Fines for parking violations in the Village of Tuckahoe; and

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby amends the Schedule of Fines for parking violations in the Village of Tuckahoe as follows:

| <u>Violation</u> | <u>Former Amount</u> | <u>Current & Amended Amount</u> |
|-------------------------|-----------------------------|--|
| Overtime | \$25 | \$30 |
| Prohibited | \$35 | \$45 |
| Improper | \$35 | \$45 |

| | | |
|---------------|------|------|
| Blocked Drive | \$35 | \$50 |
| Uninspected | \$35 | \$50 |
| Unregistered | \$35 | \$50 |
| Handicap | \$60 | \$75 |
| No Permit | \$50 | \$60 |
| Fire Zone | \$50 | \$60 |
| Double Park | \$60 | \$75 |
| Other | \$35 | \$45 |

Section 2. To the extent that this Resolution conflicts with the Schedule of Fines currently maintained by the Office of the Village Clerk or the Department of Police, this Resolution shall be controlling.

Section 3. That this resolution shall take effect on June 10, 2014.

Trustee Quigley made a motion to adopt resolution #12; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #13 authorizing the Village Clerk to issue a Peddler's license to Lamar's Pastry and Bambino Ravioli to participate in the Farmer's Market in Depot Square every Sunday to November 23, 2014. Trustee Quigley made a motion to adopt resolution #13; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #14 approving request from the Westchester Italian Cultural Center for funding in the amount of \$2500 to support the outdoor Italian film festival during the month of July in Depot square. Trustee Luisi made a motion to adopt resolution #14; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #15 authorizing the Mayor to sign an Intermunicipal Agreement between the Village of Tuckahoe, the Town of Eastchester, the Village of Bronxville, the Eastchester Union Free School District and the Tuckahoe Union Free School District as it relates to the resurfacing of various streets. Trustee Quigley made a motion to adopt resolution #15; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #16 authorizing the Mayor to sign a lease renewal between the Eastchester/Tuckahoe Chamber of Commerce and the Village of Tuckahoe for one year. Trustee Quigley made a motion to adopt resolution #16; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #17 approving payment of vouchers in the amount of \$428,892.13, consisting of Abstract #46 for \$68,028.84, Abstract #48 for \$185,760.83, Abstract #49 for \$7,488.25, Abstract #50 for \$118,006.96 and Abstract #51 for \$49,607.25. The three largest invoices paid were: (1) \$121,733.56 for employee health insurance premiums for the month of June 2014, (2) \$38,213.58 for work done on the Audio Visual Room in the courtroom and (3) \$17,684.79 for the payment of electric charges for April 2014. Trustee Luisi made a motion to adopt resolution #17; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #18 approving the use of Trolley by the Town of Eastchester Recreation Department on July 10, 17, 24, 31, and August 7 from 11:30am-2:00pm. Pick up will be at the Main Street Park and drop off for swimming at Lake Isle for ages 5-12. Trustee Quigley made a motion to adopt resolution #18; motion was seconded by Trustee Giordano and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #19 approving the use of the Main Street Park on Mondays and Wednesdays for the Summer Eastchester Instructional Basketball League for residents entering 7th-12th beginning July 7 and runs for 5 weeks. Trustee Giordano made a motion to adopt resolution #19; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #20 accepting a donation in the amount of \$500.00 from the Town of Eastchester. Trustee Quigley made a motion to adopt resolution #20; motion was seconded by Trustee Luisi and upon roll call, motion was carried by a vote of 4-0.

RESOLUTION #21 authorizing the Mayor to sign Amendment No. 1 to Agreement between Metro-North Commuter Railroad Company and Village of Tuckahoe. Trustee Luisi made a motion to adopt resolution #21; motion was seconded by Trustee Quigley and upon roll call, motion was carried by a vote of 4-0.

DEPARTMENTAL REPORTS TO THE BOARD

POLICE- Congratulations to Detectives Andrea Pinto and Charles Weinstein who were recognized for their burglary investigation which led to the arrest of two individuals. Ashley C. Toccitto and Daniel J. Coughlin graduated the academy on May 23rd. June 28th beginning at 11:00AM is “Cops for Kids” at Parkway Oval.

DPW- Frank DiMarco reported the department is doing maintenance of the park equipment, pruning, planting and removing trees. Over 30 catch basins have been repaired. He gave an update on the Crestwood Underground Utility project and said the Village will go out to bid on improvements to the Fisher Avenue Lot in July or August. Con Edison is almost finished with the gas line replacement on Hollywood, Verdi and Monroe. He is looking to schedule a Q & A forum on recycling in mid-winter. He asked that garbage not be contaminated with items that need to be recycled.

MISCELLANEOUS BUSINESS Mayor Ecklund announced the next board meeting is scheduled for July 14th and Village offices and DPW are closed on July 4th in observance of the Independence Day holiday.

BOARD OF TRUSTEES MEMBER REPORTS

► **TRUSTEE** Giordano met with MTA regarding excessive horn blowing. The MTA requested specific days and times that we experienced non-compliance with the rule to not sound the horn between 9PM and 6AM provided there is no person on the platform. They explained that they have contacted other agencies. The other agencies either sound the horn or bell when approaching a station. Metro-North’s electric fleet is not equipped with a bell and their diesel equipment has a bell that sounds simultaneously with the horn. MTA says that they will continue to explore an alternative plan for warning customers of approaching trains.

► **TRUSTEE** Quigley announced the Chamber of Commerce Scholarship winners Eastchester, Angelina DiRoma and Tuckahoe, Sheldon Maxwell Pearce. The Shredder will be at the Fisher

lot on June 14 from 10-1 and many events are scheduled at the library. Trustee Quigley said that we are very proud of Susan Ciamarra who was honored by the Lions this past weekend. He also mentioned that Anthony Lore was honored as well.

► TRUSTEE Luisi reminded residents that the Leaf Blower Ban is in effect as of June 1st. The Seniors' website is up and running. Please visit www.tuckahoeseniors.org. The Car Show and Beautification Street Fair had great turn outs.

► MAYOR Ecklund Broken Bow donated \$200.00 and Shift Master's donated \$100.00 to Tuckahoe Beautification from proceeds from the Car Show. The Poetry Contest at the library this evening was great. Last Saturday interviews were conducted for the hiring of a Village Administrator. The Village Board is anxious to hire an administrator but is being cautious to be sure the right person is chosen. A meeting was held with the developer of the Main Street development project and one of the conditions is that the developer is required to make improvements to the Main Street Park and has set aside \$150,000 for these improvements to renovate the entire park. It is possible the park will be renamed and are contemplating a school contest. Lastly the Mayor expressed congratulations to all graduates.

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

Susan Ciamarra, Village Clerk