

August 8, 2016

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

Mayor Ecklund motioned for the appointment of Steven J. McCann to the position of Police Officer effective August 1, 2016; motion was seconded by Trustee Leo; and upon roll call was carried by a vote 5-0.

The swearing in of Steven J. McCann to the position of Police Officer effective August 1, 2016.

PRESENTATION - none

PUBLIC HEARINGS

Trustee Leo made a motion to open public hearing on proposed amendment to Section 21-119(A) of the Village Code of the Village of Tuckahoe, entitled "Parking Permit and Meter Zones," regulating parking permit and meter zones on Midland Place; motion was seconded by Trustee Giordano; and upon roll call, motion was carried by a vote 5-0.

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

Trustee Leo made a motion to open public hearing on proposed local law authorizing a property tax levy in excess of the limit established in general municipal law section 3-c; motion was seconded by Trustee Giordano; and upon roll call, motion was carried by a vote 5-0.

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

ADOPTION OF MINUTES

Trustee Leo made a motion to approve the minutes of the meeting of July 11, 2016; motion was seconded by Trustee Giordano; and upon roll call, motion was carried by a vote 5-0.
Trustee Leo made a motion to approve the minutes of the meeting of July 18, 2016; motion was seconded by Trustee Luisi; and upon roll call, motion was carried by a vote 3-0. Trustees Alfasi and Giordano abstained.

CORRESPONDENCE- none

FIRST OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

RESOLUTIONS

1) Approving refunds totaling \$4723.18 for the list of properties that follow having received a reduction in the 2016 assessments by the Small Claims Assessment Review (SCAR).

Parcel ID	Owner	Legal Address	Note	AV 2016	NEW AV 2017	REFUND
23./7/2.A-B	REVADIGAR SHARANABASAPPA	94 KENSINGTON RD	JMBURNS	9350	n/c	
26./5/18	PAOLERCIO, MICHAEL	5 GARRETT AVE	HO	8750	7630	611.28
27./5/2	ANTONINI JOHN J	11 GOVERNORS RD	C	13500	11775	941.48
34./1/6	IBANEZ, PABLO F	131 WALLACE ST	AVITAGLIANO	7300	6100	654.94
35./1/34	ZIOMBER PAUL J.	36 CHESTNUT ST	GRANITE	11650	8740	1588.24
43./1/42	MASTROGIOVANNI THOMAS	296 MARBLEDAL RD	RWOLPER	8300	6600	927.24

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.

2) Approving a license agreement with the homeowners of 8 Everett Street to place a fence on Village property

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

3) Accepting and awarding the following high bid for Police Department surplus equipment, which was advertised through Legal Notice and available for auction on eBay from July 21, 2016 to July 31, 2016

2012 Dodge Charger

Highest bid of \$11,100 awarded to: Annette Meerkamp, Windmuehlenstr 50129, Bergheim Germany

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 the proposed local law amendment to Section 21-119(A) of the Village Code of the Village of Tuckahoe, entitled “Parking Permit and Meter Zones,” regulating parking permit and meter zones on Midland Place

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.

5) Authorizing proposed local law authorizing a property tax levy in excess of the limit established in general municipal law section 3-c 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.

6) Authorizing the ratification of a Memorandum of Agreement with Local 456 IBT 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.

7) Authorizing a donation of Foosball Table for Community Center from: Lisa Gjelijaj and Family.

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.

8) Authorizing approving payment of vouchers in the amount of \$369,014.02. consisting of Abstract #8 for \$75,596.94, Abstract #9 for \$268,719.87, Abstract #10 for \$18,366.56, T&A for June for \$2,945.65 and four bills for the Fireworks Show for \$2,385.00 . The three largest invoices paid were: (1) \$145,906.88 for NYS Employee’s Health Insurance for the month of August 2016, (2) \$46,952.75 for Travelers for General Liability first payment and (3) \$11,432.53 for New York Power Authority for June 2016.

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.

DISCUSSION -

- Department of Environmental Conservation and Department of Health representatives discussed the quarry remediation in depth.

Tonight I have asked members from the Property Owner, Members from the DEC, and Members from the DOH to attend and speak to both the Village Officials and members of the Public on questions that have been raised in flyers, signs, and on social media websites.

We have tonight from the DEC, Randy Wicher, Kevin Carpenter and Mr. Amen Ogirabe

From the DOH we have Renata Ockerby, Steve Karpinski

From the property owner, Bill Canavan of the environmental firm HES

In addition we have from our own environmental firm, John Guzewich from HDR, Mike Musso who everyone is familiar with could not attend tonight’s meeting

I want to personally thank each and every one of you for coming to this meeting. I know you traveled a good distance to be here and we all appreciate the priority you have given this project in our little Village.

Before we hear from these folks I want to take a moment to explain a few things.

1. This Brownfield Site is private property. The Village Board has no legal authority or standing to take possession or make a private property owner do something with their property if it stays within the parameters of the land use.

HOWEVER

2. I have made myself loud and clear for many months now that this private property owner will be held to the strict requirements, standards and oversight that we have at our discretion.
3. Aside from the approvals that this private property owner has received under the BCP program, this private property owner will be attending the Planning Board at their next meeting which will be on September 15th.
4. If the Planning Board approves the application along with all of the conditions the DEC, DOH and Village consultants have provided, then I expect with the large opposition we have seen against this private property owner that there will be an Article 78 lawsuit filed asking a Judge to order a “Stay” in the development.
5. Alternatively, if the Planning Board denies the application, I would expect the property owner will file an Article 78 lawsuit challenging their decision.
6. If either one of these legal courses of action are taken, the court will ultimately decide on whether or not the private property owner can move forward starting with his Brownfield Project.

The Public needs to know that I have been in touch with Town Supervisor Tony Colavita, County Legislator Sheila Marcotte, Assemblywoman Amy Paulin and State Senator George Latimer and have kept them all up to speed on the timeline of the project.

Tonight we will hear from the Private Property Owner’s team, the DEC and the DOH regarding the most recent and important concerns for the possibility of airborne matter to rise up and onto the Waverly School grounds.

In terms of oversight, if the private property owner’s project is approved, it’s my understanding that there will be 4 levels of oversight.

- a) The private property owner’s remediation contractor authorized by the state in this field to perform this work.
- b) The private property owner’s environmental engineering firm, HES Company
- c) The DEC

d) The Village's hired Environmental Engineering Firm, HDR, Mike Musso.

If this private property owner ultimately gets his approvals and moves forward with this project, I anticipate that his team will hold multiple and periodic meetings with the School PTA, members of the Tuckahoe Community, and invite the Village Board. If the property owner fails to setup and hold these meetings, I will make sure the Village holds similar meetings and I will make sure that the Village has attendance with our own experts at these meetings to provide input on behalf of our residents.

Tonight I'm going to start by asking Randy Wicher from the DEC to introduce his team and give us a summary of where this whole BCP project currently stands. I and my Board would then like to ask a few questions that I have seen circulated and then we'll open up the meeting for the Public to ask questions.

Let's start with Randy, would you please bring us up to speed on the BCP project.

Randy Wicher, Kevin Carpenter and Mr. Amen Ogirabe, from the DEC, Renata Ockerby, Steve Karpinski from the DOH explained in depth the remedial action program.

There was an outcry for further testing from Tuckahoe, Eastchester and Bronxville residents voicing concern for their safety during the remediation process. Residents in attendance would prefer to have the site remain undeveloped. Dr. Walter Moran, Superintendent of Eastchester Schools voiced his concern for his staff and the students.

Trustee Alfasi said the scientists have told us that the site will be safer than it currently is after it is remediated. The Board can do legally nothing if very little. We are dealing with the zoning that we currently have.

Trustee Leo said that he believes that the project will be a benefit to Tuckahoe. Currently, we have a site that is contaminated and everything that science tells us is that we are taking every precaution possible to make the site safer. Leaving as is, is not a right decision.

Trustee Giordano reminded the public that the decision to adopt the Master Plan was done years ago. If there is the ability of this developer to build a hotel, it needs to be done in a way that protects the public. There are three choices: take action to make sure nothing is built there, see what happens if this becomes a super fund site and brought to bedrock which could be worse, or do something to make it better; cap it. If he gets the sense that what is going to happen will threaten the public, he says look at the solution that may be litigation.

Trustee Luisi said, "I rely on the experts for the facts and proper remedy of the site. The simple question I asked is will the site will be better after remediation as opposed to doing nothing at all. The answer is "Yes" the site will be better when the site is developed."

Gary Gjertsen gave an explanation of the planning process and the consequences if the Board voted for a moratorium.

DEPARTMENTAL REPORTS TO THE BOARD

none

MISCELLANEOUS BUSINESS

Mayor Ecklund announced the following:

Village Offices closed September 5th - Labor Day

Next Village Board meeting- September 19th

Road race- September 18^t

Residents' meeting August 24th – Westy's Storage, 65 Marbledale Road

BOARD OF TRUSTEES MEMBERS REPORTS

TRUSTEE GIORDANO - acknowledged the Generoso Pope Foundation, David Pope, John Galluzzi, the police and the DPW for a great fireworks event.

TRUSTEE LUISI- reminded all that the Senior Center is closed during August. The History Committee is working on a 100 year Anniversary of the US entering WWI. He thanked Nick Zanzano for his work on the history photos.

TRUSTEE LEO- gave an update on library activities.

TRUSTEE ALFASI- thanked all who worked and contributed to the fireworks.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

ADJOURNMENT

There being no further business, the Board unanimously voted to adjourn the meeting at 12:00A.M.

Camille DiSalvo, Village