

APRIL 11, 2011

**BOARD OF TRUSTEES
REGULAR MEETING/BUDGET HEARING**

PRESENT: TRUSTEE Giordano
TRUSTEE Quigley
TRUSTEE Luisi
TRUSTEE
MAYOR Ecklund

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

PUBLIC HEARINGS

a) PUBLIC HEARING – TENTATIVE BUDGET – FISCAL YEAR JUNE 1, 2011 TO MAY 31, 2012. NOTICE IS HEREBY GIVEN THAT a public hearing will be held in Village Hall, 65 Main Street, Tuckahoe, NY at 8:00 PM on Monday, April 11, 2011 to consider the annual budget of the Village of Tuckahoe for the fiscal year beginning June 1, 2011 to May 31, 2012, showing the expenses, obligations and estimated revenue for such fiscal year.

A copy of the Tentative Budget, which has been filed with the Village Clerk, is available at the office of the Village Clerk where it may be examined by any interested party during office hours.

The proposed budget provides compensation for the Mayor and Trustees as follows:

**Mayor \$7,282
Trustees \$5,075**

BY ORDER OF THE BOARD OF TRUSTEES, Susan Ciamarra, Village Clerk

Trustee Giordano motioned to open the public hearing; motion was seconded by Trustee Luisi and upon roll call was carried by a vote of 4 – 0.

Mayor Ecklund called on John Pintos, Treasurer, to present the 2011-12 tentative budget with an overview of projected expenses and revenues. Treasurer Pintos said the budget calls for an increase in tax rate of 6.86% over last year and cited several factors that caused the proposed increase; namely, loss of about \$160,000 in revenue from not being able to rent the third floor, major reductions in assessments due to large certiorari settlements as well as increases in pension costs, health insurance benefits and utilities. Making additional cuts to the proposed budget would result in a decrease in Village services.

Mayor Ecklund said the board will work further on the budget in the hopes of making some additional adjustments.

Trustee Quigley motioned to keep the public hearing open; motion was seconded by Trustee Giordano and upon roll call motion was carried by a vote of 4 – 0.

ADOPTION OF MINUTES

- a) Trustee Quigley motioned to approve the minutes of the regular meeting of March 7, 2011; motion was seconded by Trustee Giordano and upon roll call was carried by a vote of 3 – 1 - Trustee Luisi abstained from voting.
- b) Trustee Quigley motioned to approve the minutes of the regular meeting of March 28, 2011; motion was seconded by Trustee Giordano and upon roll call was carried by a vote of 3 – 1- Trustee Luisi abstained from voting..
- c) Trustee Quigley motioned to approve the minutes of the re-organization meeting of April 4, 2011; motion was seconded by Trustee Giordano and upon roll call was carried by a vote of 4 – 0.

APPOINTMENTS

- a) Mayor Ecklund called for the appointment of Clare Gorman as member to the Planning Board to fill an unexpired term to 04/01/2012; Trustee Quigley motioned to appoint Clare Gorman; motion was seconded by Trustee Giordano and upon roll call was carried by a vote of 4-0.
- b) Mayor Ecklund called for the appointment of Ronald Gallo as member to the Zoning Board of Appeals for a term to expire on 04/01/2016; Trustee Giordano motioned to appoint Ronald Gallo; motion was seconded by Trustee Quigley and upon roll was carried by a vote of 4-0. Ron Gallo thanked the board and congratulated Steve , Tom and Greg on their elections.
- c) Mayor Ecklund called for the re-appointment of Ann Marie Ciaramella as Chairperson to the Planning Board for a term to expire on 04/01/2012; Trustee Quigley motioned to appoint Anne Marie Ciaramella; motion was seconded by Trustee Giordano and upon roll was carried by a vote of 4-0.
- d) Mayor Ecklund called for the appointment of Nicholas DiSalvo as a member of the Zoning Board of Appeals to fill an unexpired term to 04/01/2014; Trustee Quigley motioned to appoint Nicholas DiSalvo; motion was seconded by Trustee Luisi and upon roll was carried by a vote of 4-0.

FIRST OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Jeff Zuckerman questioned resolution # 8 late date, May 9th, for public hearing on the Community Development Block Grant (CDBG) application saying that this late date could preclude THA from applying unless the Village Board, on May 9th, votes in favor of participating in the program. He urged the Board to approve participation due to the fact that if the Village did not, THA stands to lose much funding to make upgrades to the housing authority.

RESOLUTIONS

Mayor Ecklund offered resolution #1 approving Westchester Italian cultural Center request for the closure of Depot Square and the use of the two parking lots on Oak Avenue on Sunday, October 2, 2011 from 6:00am to 6pm for their annual Italian Sports Car Show. Trustee Quigley made a

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

Mayor Ecklund said the Village Board was going to consider voting on the renewal of several Limited Cabaret Licenses for certain business establishments and he asked Lieutenant Stabile to report on any incidents that may have occurred over the last couple of years. Lieut. Stabile said in checking the records, only two incidents have occurred since 2009 both of which dealt with noise. Each case was addressed with no issues and he did not see any reason to deny the licenses.

Mayor Ecklund offered resolution #2 approving Stephen's Green request for the renewal of the Limited Cabaret License for six months November 8, 2010 to May 7, 2011. Trustee Quigley made a motion to adopt resolution #2; motion was seconded by Trustee Luisi and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #3 approving Angelina's Restaurant request for the renewal of the Limited Cabaret License for six months April 4, 2011 to October 2, 2011. Trustee Giordano made a motion to adopt resolution #3; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #4 – approving Mamma Assunta Restaurant request for the renewal of the Limited Cabaret License for six months March 5, 2011 to September 4, 2011. Trustee Luisi made a motion to adopt resolution #4; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #5 approving The Quarry Restaurant request for the renewal of the Limited Cabaret License for six months October 11, 2010 to April 10, 2011. Trustee Quigley made a motion to adopt resolution #5; motion was seconded by Trustee Luisi and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #6 authorizing the Mayor to sign the RICI IMA agreement between the Village of Tuckahoe and the Westchester County Department of Public Safety for the period June 1, 2011 to May 31, 2016. This agreement allows the Village to utilize the County Fingerprint data base. Trustee Luisi made a motion to adopt resolution #6; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #7 approving Barbara Ricci's request for a Peddler's License for one year to sell hot dogs, soda, ice tea, chips, ice cream from a hot dog truck in the area of Garrett Avenue, by the park. The board discussed the request with Trustee Quigley making a motion to deny the issuance of a Peddler's License for this purpose. Motion was seconded by Trustee Giordano and upon roll call was carried by a vote 4-0 to deny.

Mayor Ecklund offered resolution #8 SCHEDULING A PUBLIC HEARING CONCERNING AN INTER-MUNICIPAL AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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 April 11, 2011.

WHEREAS, the County of Westchester has requested that the Village of Tuckahoe enter into an Inter-Municipal Agreement (“IMA”) for Community Development Block Grant (“CDBG”) funding; and

WHEREAS, in connection with said IMA, the Village wishes to conduct a public hearing where public comment can be received concerning the said IMA; and

WHEREAS, under the IMA the Village would have an obligation to affirmatively further fair housing as the same is set forth in the IMA,

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of applicable law, a public hearing shall be held on or about the 9th day of May 2011, 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 shall be determined by the Village Board of Trustees whether the Village shall enter into said IMA with the County of Westchester, whereby said IMA imposes the obligation on the Village to affirmatively further fair housing as the same is set forth in the IMA.

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk in accordance with applicable law and said notice shall be published and posted at least ten (10) days before the date of said public hearing.

Section 3. That this resolution shall take effect immediately.
Trustee Quigley made a motion to adopt resolution #8; motion was seconded by Trustee Giordano and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #9 approving the Westchester County Board of Elections request for the use of the Community Center as a polling place for the September 13th Primary Election and the November 8th General Election. The necessary Liability Insurance will be provided as well as pay a rental fee of \$1000. Trustee Luisi made a motion to adopt resolution #9; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #10 approving An American Bistro Restaurant request for the renewal of the Limited Cabaret License for six months April 4, 2011 to October 3, 2011. Trustee Quigley made a motion to adopt resolution #10; motion was seconded by Trustee Luisi and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #11 approving payment of vouchers in the amount of \$456,321.95 consisting of abstract #46 for \$5,443.84, abstract #47 for \$59,470.81, abstract #48 for \$2,295.83, abstract #49 for \$97,528.24, abstract #50 for \$156,559.32, abstract #51 for \$87,586.81 and abstract #52 for \$47,437.10. The three largest invoices paid were: (1) \$104,117.85, for employee health insurance premiums for the month of April 2011, (2) \$78,111.37 for a serial bond principal and interest payment and (3) \$25,213.57 for fire hydrant rental for the period of December 01, 2010 through March 01, 2011. Trustee Quigley made a motion to adopt resolution #11; motion was seconded by Trustee Giordano and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #12 SCHEDULING A PUBLIC HEARING ON AMENDING THE CODE OF THE VILLAGE OF TUCKAHOE, SECTION 22-33 ENTITLED "COLOR SCHEMES, EMBLEMS AND IDENTIFICATION" OF CHAPTER 22 ENTITLED "VEHICLES FOR HIRE"

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 April 11, 2011.

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to amending Section 22-33 of the Code of the Village of Tuckahoe entitled, "Color schemes, emblems and identification," subdivisions (d) and (e), of Chapter 22 entitled, "Vehicles for Hire".

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of the Municipal Home Rule Law a public hearing shall be held on or about the 9th day of May 2011, 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 shall be determined by the said Board of Trustees whether Section 22-33 of the Code of the Village of Tuckahoe entitled, "Color schemes, emblems and identification", subdivisions (d) and (e), of Chapter 22 entitled, "Vehicles for Hire" shall be amended so as to omit the restriction on political advertising.

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.

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

Trustee Quigley noted the intent of this law is to prohibit political advertising on vehicles for hire.

Mayor Ecklund offered resolution #13 authorizing the Mayor to execute a retainer agreement with the law firm of Silverberg Zalantis, LLP to review the Communications Site Lease Agreement between the Village of Tuckahoe and Nextel of New York, Inc. at a cost not to exceed \$825. Trustee Quigley made a motion to adopt resolution #13; motion was seconded by Trustee Luisi and upon roll call was carried by a vote 4 -0.

Mayor Ecklund offered resolution #14 DECLARING AN EMERGENCY AND ACCEPTING AND APPROVING THE PROPOSAL OF MVM CONTRACTING, INC. FOR THE REPAIR AND/OR REPLACEMENT OF A RETAINING WALL

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 April 11, 2011.

WHEREAS, to the west side of the Village Hall premises there exists a retaining wall dividing the Village Hall premises from the Tuckahoe Mall premises; and

WHEREAS, such retaining wall has been found to be in imminent danger of collapse; and

WHEREAS, the Village Board desires to declare the wall a public emergency and hire the services of MVM Contracting, Inc., the lowest proposer, to repair and/or replace said retaining wall as necessary;

NOW, THEREFORE, BE IT RESOLVED

Section 1. That, the Village Board of Trustees hereby declares said retaining wall to be a public emergency in that such retaining wall has been found to be in imminent danger of collapse.

Section 2. That, the Village hereby solicited proposals for the repair and/or replacement of the retaining wall and the lowest proposal was received from the contracting firm of MVM Contracting, Inc.

Section 3. That, the Village hereby hires the services of MVM Contracting, Inc. to repair and/or replace said retaining wall as necessary.

Section 4. That, the costs of said project to repair and/or replace said retaining wall as necessary shall not exceed \$ 87,500;

Section 5. That, this resolution shall take effect immediately. Trustee Quigley made a motion to adopt resolution #14; motion was seconded by Trustee Giordano and upon roll call was carried by a vote 4 -0.

John Cavallaro said the wall is a shared responsibility with the owner of the mall. Mayor Ecklund said he had addressed this matter with the mall owner and are working out the details.

DEPARTMENTAL REPORTS TO THE BOARD

DPW- Frank DiMarco said the curb and sidewalk project on Cameron Place is complete. Presently DPW is working on creating a trench, on a short stretch on Dante Avenue, to provide underground conduit so that Con Edison can activate the power for the new light pole recently installed in that area. Regarding the Yonkers Avenue project, Con Edison will place utilities underground within the next few days and the residents and business establishments will be notified on the one or two days that power will be turned off. Upon completion of the project, metal guard rails with 3 decorative lamp posts will be installed along Yonkers Avenue making the area more aesthetically pleasing and create more light. Trustee Luisi inquired about traffic pattern during the time of the project and Frank DiMarco said that during the construction phase one lane will be open and upon completion the road will be paved.

Building Inspector, Bill Williams, announced upcoming Sign & Awning, Zoning, and Planning meetings.

MISCELLANEOUS BUSINESS

Mayor Ecklund announced the upcoming meetings:

- a) Special Village Board Meeting – Monday, April 25th - Budget Adoption
- b) Next Village Board Meeting – Monday, May 9th

He reminded residents that Village Offices and DPW are closed Friday, April 22nd in observance of Good Friday.

Susan Ciamarra reported that several sets of “photos with Santa” taken at the Generoso Pope Foundation building this past Winterfest event on December 5th were not picked up at the studio in Bronxville. The photos are at Village Hall and individuals need to contact the Village Clerk’s office for pick up arrangements.

BOARD OF TRUSTEES MEMBER REPORTS

Trustee Quigley reported that the recent Chamber Dinner dance was a success. Their theme is “Shop Local.” The library will be selling books at the Crestwood Street Fair on May 1st; the library will be approaching its 100th anniversary on 12/12/12 and plans are underway for some events. Tim Idoni County Passport Office will be in Depot Square on Sunday, May 15. From 11-2.

Trustee Luisi, as Liaison to DPW, recreation and school, he will set up a meeting shortly to meet with each one. He announced the upcoming Easter Egg Hunt on April 23rd being sponsored by the Generoso Pope Foundation.

Mayor Ecklund reported that at the April 14th ECAP “Books & Beyond” event Lieutenant, Peggy Belles, Vicki Ford and Donna Riebling will be honored. Earth Day is being celebrated on April 17th at the Kensico Dam. Tuckahoe is the recipient of an award for “Collecting Vegetable Oil locally for refinement and beneficial reuse.”

James Petronella will receive a NOTABLE MENTION award for dedicated volunteer services in assisting the Tuckahoe with local recycling collection, education and outreach programs.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

John Campano of 160 Dante Ave. inquired about obtaining a resident parking sticker for a car he uses registered to his employer. Mayor Ecklund explained that a notarized letter from his employer is necessary before the permit can be issued.

ADJOURNMENT

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

Susan Ciamarra, Village Clerk

