

AUGUST 9, 2010
Regular Meeting of the Board of Trustees
Called to Order at 8:00 PM

PRESENT: TRUSTEE ECKLOND
TRUSTEE GORMAN
TRUSTEE QUIGLEY
MAYOR FITZPATRICK
TRUSTEE GIORDANO- absent

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

Mayor Fitzpatrick called for the **appointment of David Kubaska of 12 Gifford Street as a member of the Zoning Board of Appeals** to fill the unexpired term of Thomas Giordano to April 1, 2013. **Trustee Ecklund motioned to appoint David Kubaska; motion was seconded by Trustee Quigley and upon roll was carried by a vote of 4-0.**

Mayor Fitzpatrick called for the **appointment of Todd Huttunen to fill the unexpired term of Richard O'Donnell as Assessor** contingent upon Richard O'Donnell's resignation date effective 9/11/10. The unexpired term expires April 1, 2011. **Trustee Ecklund motioned to appoint Todd Huttunen; motion was seconded by Trustee Gorman and upon roll was carried by a vote of 4-0.**

Mayor Fitzpatrick called for the reappointment of **Paul Brand as a member of the Assessment Review Board** for a term of 5 years expiring September 30, 2015. **Trustee Ecklund motioned to reappoint Paul Brand; motion was seconded by Trustee Quigley and upon roll was carried by a vote of 4-0.**

PUBLIC HEARING I. - CONTINUATION OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a continuation of public hearing will be held by the Board of Trustees of the Village of Tuckahoe on August 9, 2010 at 8 p.m. at Village Hall, 65 Main Street, Tuckahoe, New York regarding the adoption of a Local Law of the Village of Tuckahoe for the year 2010, concerning the following:

An amendment to the Official Zoning Map of the Village of Tuckahoe rezoning and redesignating the premises commonly known as 300-308 Columbus Avenue, Tuckahoe, New York from a Business Zoning District to a Business/Residence Zoning District, under the Zoning Ordinance of the Village of Tuckahoe, subject to all regulations created and established relative to said Business/Residence Zoning District. The subject premises is also known as Section 42, Block 8; Lots 5 and 10 on the Tax Map of the Village of Tuckahoe and is owned by Crestwood Station Plaza, LLC; and

Corresponding amendments to the Zoning Ordinance's Schedule of Area and Bulk Requirements and/or Schedule of Permitted Uses, if any;

All persons shall be entitled to be heard upon said proposed Local Law at such public hearing.

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

Frank Fish said that based on his review of the applicant's data, traffic will be reduced, an increase in tax revenue will be realized and projected number of school children 3-5 is correct; further, it will have a positive impact for the Village. Regarding the aesthetics, that will be addressed by the Planning Board.

Leslie Davidson said that since there is no guarantee as to what would be built on the site, she wondered what steps would be taken to protect the residents. Trustee Ecklund said that the responsibly lies with the planning board since they control what is built at the site.

Christine Valente from the Leewood Park Association expressed concerns with construction, traffic, number of school children, and felt that consideration should be given to the residents.

Lou Kunda believes the population numbers are incorrect and is unhappy with the number of school children and amount of traffic.

Ray Macioci believes there will be more school children than is being projected.

Renada Constantali, Eastchester resident, who used to walk to the train, would like the old way of life preserved.

Christine Valente questioned why the board is lead agency. Mayor Fitzpatrick said that the Board has the most information and data on the project; they're in the best position to act as lead agency. There is a 30-day window when another agency could indicate it wants to have lead status. This would allow for the proposed plan to be presented to the planning board as is.

Mayor Fitzpatrick said that Tracey Schiovone could not make this meeting but had asked that her opposition to the Crestwood Rezoning be noted.

Trustee Gorman motioned to close the public hearing; motion was seconded by Trustee Ecklund and upon roll call was carried by a vote of 4 – 0.

1. Mayor Fitzpatrick offered a resolution authorizing the Village Clerk to issue a Peddler's license to Ryan McManus of 980 Seventh North Street, Liverpool, NY 13088 to go door-to-door selling fixed rates for gas and electric.

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

2. Mayor Fitzpatrick offered a resolution approving payment of vouchers in the amount of \$264,001.29 consisting of abstract #8 for \$99,381.26, abstract #9 for \$37,716.32, abstract #10 for \$2,497.02 and abstract #11 for \$124,406.69. The three largest invoices paid were: (1) \$37,835.00 as part of the Village's cash requirement associated with the Streambank Protection Project, (2), \$21,498.88 for fire hydrant rental for the period March 31, 2010 through June 22, 2010 and (3) \$15,303.85 to settle a tax certiorari claim.

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

3. Mayor Fitzpatrick offered a resolution authorizing the issuance of a Limited Cabaret License to Mamma Assunta for a period of six months expiring on September 5th. Their present six month license expired on April 5, 2010.

Trustee Ecklund motioned to adopt resolution #3; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 4-0.

4. Mayor Fitzpatrick offered a resolution approving the Westchester Cultural Center request to have Depot Square, West side, closed on August 19th, August 26th and September 2 from 7PM to show outdoor movies.

Trustee Quigley motioned to adopt resolution #4; motion was seconded by Trustee Gorman and upon roll call was carried by a vote of 4-0.

5. Mayor Fitzpatrick offered a resolution DECLARING THE VILLAGE BOARD OF TRUSTEES' INTENT TO ACT AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AS IT CONCERNS THE PETITION AND APPLICATION OF CRESTWOOD STATION PLAZA, LLC

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 August 9, 2010.

WHEREAS, the Village Board of Trustees is in receipt of a petition with supporting materials from Crestwood Station Plaza, LLC (the "Applicant") that requests that the Premises commonly known as 300-308 Columbus Avenue, Tuckahoe, New York and further known as Section 42, Block 8 and Lots 5 and 10 on the Tax Map of the Village of Tuckahoe (the "Premises") be re-zoned and re-designated from the Business Zoning District to the Business/Residence Zoning District; and

WHEREAS, in connection with the petition of the Applicant, the Applicant has submitted expanded Environmental Assessment materials, including, but not

limited to, a long-form Environmental Assessment form, studies, reports, letters and supplements to the same which consist of the following:

1. Letter of Robert F. Davis, Esq. to the Village Board, dated January 4, 2010;
2. Petition for Re-Zoning and Amendments to Zoning Ordinance, dated January 4, 2010;
3. Expanded Environmental Assessment, dated October 15, 2009 and revised January 5, 2010, including long EAF, prepared by John Meyer Consulting, P.C. dated January 5, 2010, with Appendices, including, *inter alia*, Traffic Impact Study, Phase II Environmental Site Assessment Report, and photographs, plans and elevations;
4. Color Elevation of Street View of Proposed Building;
5. Letter of Anthony Nester, John Meyer Consulting, P.C., dated January 5, 2010, addressing the memorandum of Frank Fish, FAICP of BFJ Planning, Village Planning Consultant, dated December 11, 2009;
6. Additional memoranda of Frank Fish to the Village Board, dated March 13, 2010, May 17, 2010 and July 12, 2010;
7. John Meyer Consulting, P.C. letter to Frank Fish, dated March 25, 2010, with school children analysis;
8. Alternate site plans prepared by John Meyer Consulting, P.C. (57 space and 70 space plans). (John Meyer Consulting, P.C.'s Plan SP-4, Layout and Striping Plan, revised April 6, 2010);
9. One and two-bedroom unit floor plans, dated May 2010;
10. John Meyer Consulting, P.C. alternate plans for Commuter Parking Lot Layout Plan, dated May 27, 2010 and Retail Layout Plan, dated May 27, 2010;
11. John Meyer Consulting, P.C. letter to Frank Fish, dated May 10, 2010, with tax analysis;
12. Letter of Robert F. Davis, Esq. to Village Board dated June 10, 2010 responding to comments at June 7, 2010 Public Hearing and including list of Benefits to Village of Crestwood Mixed Use Re-Development Project and the Key Points with Respect to Enrollment Projection Calculation Update Study for the Eastchester Union Free School District, dated January 2008;
13. Letter of Robert F. Davis, Esq. to the Village Board dated June 11, 2010 relating to public proposal for senior citizen housing;
14. John Meyer Consulting, P.C. Supplemental Studies – School, Traffic and Tax Analysis, dated July 7, 2010; and
15. Letter of Robert F. Davis, Esq. to the Village Board dated June 16, 2010, amending Petition for Re-Zoning to delete requested text amendments; and
16. Addendum to Supplemental Studies-School, Traffic and Height Analyses”, dated August 3, 2010, prepared by John Meyer Consulting PC”.

WHEREAS, the proposed action of re-zoning and re-designating the Premises from the Business Zoning District to the Business/Residence Zoning

District is subject to the requirements and regulations of the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Village Board of Trustees finds the proposed action of re-zoning and re-designating the Premises from the Business Zoning District to the Business/Residence Zoning District is an Unlisted Action under SEQRA; and

WHEREAS, the Village’s Planning Consultant has recommended that the Village Board of Trustees declare its intent to act as lead agency for purposes of SEQRA for the action described herein;

NOW, THEREFORE, BE IT RESOLVED

Section 1. That, the proposed action of re-zoning and re-designating the Premises from the Business Zoning District to the Business/Residence Zoning District is subject to the requirements and regulations of SEQRA.

Section 2. That, the proposed action of re-zoning and re-designating the Premises from the Business Zoning District to the Business/Residence Zoning District is an Unlisted Action under SEQRA.

Section 3. That, based on the information included in the Applicant’s long-form Environmental Assessment Form and the studies, reports, letters and supplements thereto, as above referenced, and the criteria contained in 6 NYCRR § 617.7, the Village Board of Trustees hereby declares its intent to act as Lead Agency for SEQRA review of the proposed action, and copies of the SEQRA material will be provided to the Involved and Interested Agencies, if any, and the public during the review of whether the Premises commonly known as 300-308 Columbus Avenue, Tuckahoe, New York and further known as Section 42, Block 8 and Lots 5 and 10 on the Tax Map of the Village of Tuckahoe should be re-zoned and re-designated from the Business Zoning District to the Business/Residence Zoning District.

Section 4. This resolution shall take effect immediately.

Mayor Fitzpatrick said this is consistent with the master plan. He explained that the coordinated review must go as is to Westchester County. No changes will be made.

Trustee Ecklund motioned to adopt resolution #5; motion was seconded by Trustee Gorman and upon roll call was carried by a vote of 4-0.

6. Mayor Fitzpatrick offered a resolution approving Tuckahoe Housing Authority request to have Washington Street closed from the corner of Main Street to the dead end and from the corner of Union Place to Washington Street for THA’s Family Day on Saturday, September 4th, rain date Sunday, September 5th from 9:00AM to 10:00PM. The Authority will provide the necessary insurance naming the Village of Tuckahoe as additional insured.

Trustee Gorman motioned to adopt resolution #6; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 4-0.

7. Mayor Fitzpatrick offered a resolution designating Gifford Street, Eastbound at Fulling Avenue, as a stop sign intersection.

Trustee Gorman motioned to adopt resolution #7; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 4-0.

8. Mayor Fitzpatrick offered a resolution AUTHORIZING THE VILLAGE OF TUCKAHOE TO ACCEPT THE DONATION OF A TROLLEY FROM THE GENEROSO POPE FOUNDATION

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 August 9, 2010.

WHEREAS, the Generoso Pope Foundation has purchased a Trolley from Hometown Trolley by Double K, Inc; and

WHEREAS, the Generoso Pope Foundation seeks to donate all right, title and ownership in said Trolley to the Village of Tuckahoe for the Village's ownership and operation; and

WHEREAS, the Village is willing to accept the donation of said Trolley from the Generoso Pope Foundation for the Village's ownership and operation.

NOW, THEREFORE, BE IT RESOLVED

Section 1. That, the Village of Tuckahoe approves and accepts the donation of a Trolley from the Generoso Pope Foundation to the Village of Tuckahoe for the Village's ownership and operation.

Section 2. That, this resolution shall take effect immediately

Trustee Ecklund motioned to adopt resolution #8; motion was seconded by Trustee Gorman and upon roll call was carried by a vote of 4-0.

David Pope thanked Frank DiMarco, Joe Tavalilla and the board for their efforts and input and said the trolley links the three communities and the various shopping districts. He also thanked Senator Klein and said the trolley will make its first trip on Friday August 13th at 11:30AM. He then presented the keys to the trolley to Mayor Fitzpatrick.

9. Mayor Fitzpatrick offered a resolution rejecting all bids received on July 28, 2010 in connection with the project known as "Tennis Courts- Main Street Park," Bids received were above budget.

Trustee Ecklund motioned to adopt resolution #9; motion was seconded by Trustee Gorman and upon roll call was carried by a vote of 4-0.

10. Mayor Fitzpatrick offered a resolution authorizing the Village Clerk to advertize to rebid the project known as “Tennis Courts-Main Street Park” with return bid and opening of bid date for September 8, 2010 at 10:00AM.
Trustee Quigley motioned to adopt resolution #10; motion was seconded by Trustee Ecklund and upon roll call was carried by a vote of 4-0.

11. Mayor Fitzpatrick offered a resolution authorizing the revocation of Mr. George Loccisano’s Village of Tuckahoe Taxi Driver’s License.
Trustee Gorman motioned to adopt resolution #11; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 4-0.

Trustee Ecklund motioned to approve the minutes of the regular meeting of July 12, 2010; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 3 – 0. Trustee Gorman abstained.

Trustee Quigley motioned to approve the minutes of the special meeting of July 19, 2010; motion was seconded by Trustee Ecklund and upon roll call was carried by a vote of 4 – 0.

Mayor Fitzpatrick announced the Residents Community Meeting scheduled for 7:00PM on August 23rd in Depot Square with the next Village Board Meeting scheduled for September 13th at 8:00PM. He reminded the public that Village offices and DPW would be closed Monday, September 6th in observance of the Labor Day holiday.

TRUSTEE ECKLOND- reported that bids for the Yonkers Avenue project will be opened on August 17 in NYC. Tuckahoe Beautification and Eastchester Beautification will have a Yard Sale at Lake Isle on Oct 3rd from 10-4.

TRUSTEE GORMAN- reported that no planning or zoning meetings are scheduled for August; she then announced upcoming library events and the Roadrace event scheduled for September 12th .

TRUSTEE QUIGLEY- announced August 18th is the summer concert in Depot Square sponsored by Senator Klein and the outdoor movies are scheduled for August 19, 26, and Sept. 2 also in Depot Square; THA family day is Sept. 4th .

MAYOR FITZPATRICK spoke on the subject of United Water Public Hearing rate increase where both he and Frank DiMarco had testified against the increase. Trustee Gorman attended the hearing but did not testify.

Trudy Gunther said that she spoke with Frank DiMarco regarding the garbage problem at THA. She also announced the Save our Sons school supplies program.

Lynette Ramaglia said that the parking of DPW trucks on Midland Place is a concern because of rats, skunks, and raccoons and requested that the problem be addressed.

Mayor Fitzpatrick explained that a Rodent Monitoring and Eradication program began on August 8th and will continue for four weeks.

There being no further business, the Board unanimously voted to adjourn the meeting at 9:45 P.M.

Susan Ciamarra, Village Clerk