

**January 22, 2007**

Regular Meeting of Board of Trustees  
Called to order 8:05 PM

Present: Mayor Michael Martino  
Trustee Luigi Marcoccia  
Trustee Steve Ecklund  
Trustee Tony Sayegh  
Trustee John Fitzpatrick

The meeting opened with the salute to the flag and the Pledge of Allegiance led by Josh Wauchope, Boy Scout Troop #353.

**Swearing in ceremony – Police Officer James Kennedy**

Mayor Martino introduced James Kennedy, Tuckahoe resident, as a great addition to Tuckahoe's Police Dept. He was selected from a fine group of recruits. He attended Iona College, summer internships at Larchmont P.D., and was involved with the community policing youth program. The Mayor then administered the Oath of Office to James Kennedy. Eastchester Town Supervisor, Anthony Colavita with Councilwoman Sheila Marcotte and Councilman Rocco Cacciola were in attendance to mark this occasion. Supervisor Colavita congratulated the Tuckahoe Police Dept. for the outstanding work they do and added that the Board had chosen an excellent candidate. Mayor Martino called for a recess.

Meeting resumed.

Ms. Elena Peruso, on behalf of the Tuckahoe/Eastchester Chamber of Commerce and the Rotary Club, presented a \$500 check to the members of the Tuckahoe High School football team for the purchase of championship rings.

**PRESENTATION by Boys Scouts.**

Josh Wauchope, Boy Scout Troop #353, addressed the Board to outline his Eagle Scout project. The plan for this project is to collect donations from the various local businesses and private donations to improve the overall appearance of the outside of the Tuckahoe Library which would include a bench, plants, shrubs, and repainting the wall. It will be at no cost to the Village and the project should be completed before April 1, 2007. Mayor Martino thanked Josh and applauded his efforts and Troop #353.

## **PUBLIC HEARING #1**

Application of Verizon New York Inc. for the establishment of a cable franchise with the Village of Tuckahoe.

Trustee Marcoccia motioned to open the public hearing. This motion was seconded by Trustee Ecklund and carried unanimously.

Mayor Martino inquired whether any correspondence had been received to which the Village Clerk replied that four letters had been received. Three of which contained the same language and had been sent by three separate local residents whose sentiments were for the approval of this franchise agreement. The fourth letter was written by former Mayor, Robert D'Agostino, also in favor of this agreement. Said letters to be attached to the minutes as part of the record.

### **Public Comments**

Mayor White stated his support for this Verizon agreement.

Vito Citiano, resident and employee of Verizon, noted that competition would be good for the community.

Claire Gorman, 24 Bronx St, voiced her support of the agreement and said competition is good.

Gail Stewart, resident of Eastchester, indicated that competition was good and was pleased that Verizon offered extras to the school districts. She asked if the seniors would be able to receive some extras. She congratulated the Board on their efforts with this project.

Frank Salamone, Tuckahoe resident and Verizon employee, was pleased with the agreement.

Tom McNamara, resident and employee of Verizon, noted that competition would control the costs.

Mr. Mark Weingarten, Attorney representing Cablevision indicated that the incumbent provider was entitled, by law, to view the competitor's franchise agreement. He noted that Cablevision has had a 10 year contract with Tuckahoe. He said that Cablevision would review the franchise agreement, create a matrix to point out whether anything was the same or different and the Village would gain from this information.

Mr. Philip Pepe, representing Verizon, announced that he was pleased with the Verizon agreement.

Mr. Sean Kulka, Attorney representing Verizon, thanked Tom Kennedy, John Cavallaro, Sue Ciamarra for all their efforts with working with Verizon. He noted that Verizon was indeed within the "Level Playing Field" as the agreement does satisfy the law. It is a non-exclusive agreement with a 15yr. term and 5% franchise fee of gross revenue. The Village Hall, Generoso Pope Foundation and the high school, will all have free access to the cable. There will be 3 channels

for the Village, one for Public, one for education and one for government and Verizon will offer substantial technical support.

Mr. W. Scott Parr, attorney representing Verizon, addressed the Board and noted that the residents would be pleased with the agreement as most residents spoke of pricing, customer service and programming.

Former Mayor Phil White, noted that the original agreement was a joint venture with the Towns of Eastchester and Bronxville.

Mayor Martino called for a motion to close the hearing for verbal comments, but keep it open for written comments.

Mr. Weingarten indicated that this would be a violation to close the hearing without Cablevision given an opportunity to view the contract with Verizon. He noted that he had requested a copy and had not received one.

John Cavallaro, Village Attorney, indicated that the agreement was available for Cablevision and the public to read.

**Mayor Martino motioned** for the Board to enter into an Executive session. This motion was seconded by Trustee Ecklund and unanimously carried by the Board.

**Mayor Martino requested a motion** to come out of executive session and re-open the public meeting. Motion by Trustee Sayegh was seconded by Trustee Marcoccia and unanimously carried by the Board.

**Mayor Martino requested a motion** to keep the public hearing open until next meeting, February 12, 2007 with written comments submitted by January 31, 2007.

John Cavallaro, Village Attorney, indicated that he had spoke with both parties and that all agreed upon this schedule. He submitted a copy of the Verizon agreement to Mr. Weingarten.

Trustee Marcoccia moved to adopt this motion, seconded by Trustee Ecklund and upon roll call, was carried with a vote of 5-0.

## **PUBLIC HEARING #2**

Proposed amendment to the Village of Tuckahoe Comprehensive Plan relating to a rezoning of the Crestwood Business District from its existing Business zoning district to a Business/Residential zoning district in the area bounded by Lincoln Avenue to the north, Dante Avenue to the south, Oakland Avenue to the east and Crestwood Plaza to the west. The subject area currently consists of a mix of commercial/residential uses and is located near and about the Crestwood Metro North Train Station.

**Motion by Trustee Ecklund** to open the public hearing was seconded by Trustee Marcoccia and unanimously carried by the Board.

### **Public Comments**

Mr. Fish, Village Consultant, submitted an Environmental Assessment Form (EAF) dated March 2006 and a memorandum dated February 9, 2006. The plan is to modify the Master Plan to re-zone the Business district in Crestwood, to have an additional use of residential. Therefore the area would be Business/Residential. Mr. Fish noted that residential actually generates less traffic and would keep 24 hour activity in the area, but would impact the school district and the services.

Commissioner Caliano, Chair of the Master Plan Committee, addressed the Board with key recommendations for the modification of the Master Plan. The Crestwood Business District would be changed to Business/Residential, revise the word 'height' throughout the Zoning Code to be a maximum of 38 feet, there should be 12ft. width for sidewalk-front yard, and the FAR for the Crestwood/Business district should be as follows: 1.0 for the first floor (Bus.), 1.2 for the second and third floors (Res.) with a maximum of 38ft. limit for the height of the building. There should be 2 spaces for each residential area and 5 parking spaces per 1000 sq. ft. for the commercial space.

Trustee Fitzpatrick voiced his concern that changing the zone may give an incentive to builders to knock down the existing one story building to erect a three story building. The EAF should then be prepared by the applicant and not by the Village consultant.

Mr. Fish noted that the EAF was prepared for the change to the Master Plan and each prospective applicant must prepare an EAF for their project.

**Motion by Trustee Ecklund** to close the Public Hearing was seconded by Trustee Marcoccia and unanimously carried by the Board.

### **ADOPTION OF MINUTES –**

**Motion by Trustee Ecklund** to approve the Special Meeting - January 8, 2007 was seconded by Trustee Sayegh and carried unanimously.

**Motion by Trustee Ecklund** to approve the Special Meeting - January 17, 2007 was seconded by Trustee Sayegh and carried unanimously.

## **Mayor's Report**

Mayor Martino offered condolences to the families of Jackie Valaradi, Mary Lucci and Martha Rogers. Mayor Martino announced that the flags throughout the Village will fly at half staff for thirty days due to the passing of President Gerald Ford. He thanked the Generoso Pope Foundation for the replacement of the beautiful clocks in Depot Square and downtown Crestwood. He congratulated the new board members for the Tuckahoe Senior Citizens. Mayor Martino thanked all involved with the Battle of the Bands which was a great success. Mayor Martino noted that Con Ed was present in the Village trimming trees to prevent future power outages. Tuckahoe was the first to participate in this Tree Maintenance Program. The community meeting this month was very successful with constructive suggestions made by residents.

## **RESOLUTIONS**

**A LOCAL LAW AMENDING AND SUPPLEMENTING THE VILLAGE Resolution No. 1 scheduling a public hearing on February 12, 2007 to renumber and amend proposed local law #6 of 2006 to Local Law #1 of 2007 entitled:**

### **CODE OF THE VILLAGE OF TUCKAHOE CONCERNING A LANDLORD REGISTRY**

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 November 13, 2006.

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 23<sup>rd</sup> day of October 2006, at 8:00 p.m. at Village Hall, 65 Main Street, Tuckahoe, New York, to hear all interested parties concerning an amendment to the Village Code of the Village Tuckahoe, requiring all owners of two-family dwellings, multi-family dwellings and mixed-uses (commercial-residential), not otherwise occupied by the owner, to file an annual registration statement with the Village Department of Buildings; and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 3<sup>rd</sup> day of November 2006; and

WHEREAS, said public hearing was duly held on the 13<sup>th</sup> day of November 2006, 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 Village Code is hereby amended and supplemented to add a Chapter 13A, entitled "Landlord Registry" as follows:

Section 1.

Chapter 13A

LANDLORD REGISTRY

§ 13A-1. Purpose and scope.

(a) The purpose of this chapter is to establish a registry of all rental property where the owner is out of possession and does reside at the property, as defined herein, enabling the Village to identify persons responsible for the care and management of such property which will ensure the enforcement of local, state and federal regulations.

(b) The provisions of this chapter shall apply to all property located in the Village of Tuckahoe.

§ 13A-2. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

BUILDING---Any improved real property located within the Village of Tuckahoe.

OWNER---Any individual or individuals, partnership or corporation, limited liability company, similar type of business organization or proprietary interest, whether or not for profit or otherwise, in whose name title to a building or a residence is vested.

RENTAL PROPERTY---Includes all buildings containing residential units which are either rented, leased, let or hired out to be occupied which shall be limited to two-family, multifamily, or mixed uses (commercial-residential), where the owner is out of possession and does not reside at the premises where such buildings are located.

§ 13A-3. Registration of Ownership of Property.

(a) Registration. Every owner of rental property as defined herein shall be required to register such property with the Building Department on such form or forms as prescribed by the Building Department within a period of 60 days from the effective date of this chapter. A new form shall be filed whenever there is a change of ownership and it shall be the responsibility of the new owner to see that such form is filed within a period of 60 days from the taking of title to the property.

(b) Registry fee. On or after the effective date of this subsection, every owner or prospective owner of rental property, as defined in this chapter, shall be required to register said property with the Building Department and pay an annual registration fee of \$25 per residential dwelling unit located at the premises, payable to the Village of Tuckahoe.

§ 13A-4. Registry Form and Filing.

It shall be the responsibility of the owner of each property which is subject to the provisions of this chapter to timely file a registry application within 60 days of the effective date of this chapter. The form shall require the following information:

- (a) The property address, the section, block and lot number of the property as stated on the Tax Map of the Village of Tuckahoe and the number of residential dwelling units on each property.
- (b) The owner(s), owner mailing address and telephone number.
- (c) The name and names, titles, addresses and telephone numbers of any responsible person(s) of the corporation, limited liability company, partnership or other similar business entity if the ownership is held in a non-individual capacity.
- (d) The name, address and telephone number of a local responsible person over 21 years old, residing or doing business in Westchester County, who shall be responsible for the care and management of such property and is authorized by said owner to accept legal process on behalf of the owner when the owner resides or has its principal place of business outside of Westchester County.
- (e) The form shall be signed by the owner or his or her designee and witnessed by a notary public and shall contain the following declaration: "I hereby certify that all information contained in this statement is true and correct to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact herein will subject me to the provisions of law relevant to the making and filing of false instruments and shall constitute a violation of this chapter."
- (f) It shall be the responsibility of each owner to timely notify the Building Department whenever the information provided in this form has become outdated or for any reason is no longer accurate. It shall be the responsibility of each owner to recertify the aforementioned information annually.

#### 13A-5. Penalties for Offenses.

- (a) No rental property as defined herein, shall be occupied by any tenant without compliance with the provisions herein and failure to comply shall constitute a violation of a certification of occupancy.
- (b) Any person committing an offense against any provision of this chapter shall be punishable as provided in Section 1-7 of this Code in addition to any penalties that may apply under local, state or federal law or regulation.

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.

Trustee Ecklund motioned to adopt Resolution #1, was seconded by Trustee Fitzpatrick and unanimously carried by the Board.

## **Resolution No. 2**

Scheduling a public hearing to consider Local Law #2 of 2007 amending Local Law #1 of 2006 known as "The Stormwater Management and Erosion and Sediment Control Law" within the Village of Tuckahoe to reflect the following change from Article XI of the Zoning Ordinance to Article XII of the Zoning Ordinance.

Trustee Ecklund motioned to adopt Resolution #2, was seconded by Trustee Marcoccia and unanimously carried by the Board.

## **Resolution No. 3**

Resolution accepting donation of \$10,200 from the Generoso Pope Foundation to pay for the balance of the second four-dial E. Howard Post Clock Replica for the island in Crestwood.

Trustee Sayegh motioned to adopt Resolution #3, was seconded by Trustee Ecklund and unanimously carried by the Board.

## **Resolution No.4**

Resolution to accept and award bid for the Circuit Avenue Park Improvements Project to the lowest responsible bidder, Vernon Hills Contracting Corp. of Mt. Vernon, NY at the base bid of \$149,170 less a deduction of (Wood Fibar Safety Surface) of -\$9,225.00 plus Alternate B (Decorative Steel Fence) of \$38,750 plus Alternate C (Poured in-place Safety Surfacing) of \$36,900 for a total award of \$215,595.00. A total of six bids were received ranging from \$149,170 to \$245,055.50.

Discussion evolved between the Trustees concerning the removal of the proposed water feature, and the use of a rubberized mat instead of the wood chips.

After discussion, Trustee Ecklund motioned to adopt Resolution #4, was seconded by Trustee Marcoccia and unanimously carried by the Board.

## **Resolution No. 5**

Resolution authorizing the Mayor to sign the Stop-DWI Patrol Project Reimbursement Contract Amendment

Trustee Sayegh motioned to adopt Resolution #5, was seconded by Trustee Ecklund and unanimously carried by the Board.

## **Resolution No. 6**

Resolution authorizing the Mayor to sign the IMA agreement between Westchester County and Village of Tuckahoe for Disposal of Recyclable Material as well as Disposal of Solid Waste for Members of Refuse Disposal District #1 to expire October 21, 2009.

Trustee Ecklund motioned to adopt Resolution #6, was seconded by Trustee Marcoccia and unanimously carried by the Board.

## **Resolution No. 7**

### **A RESOLUTION SCHEDULING A PUBLIC HEARING ON THE VILLAGE OF TUCKAHOE ZONING ORDINANCE OF 2001**

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 January 22, 2007.

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to an amendment to the Village of Tuckahoe Zoning Ordinance of 2001."

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of Village Law § 7-706 et al., a public hearing shall be held on the 12th day of February 2007, 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 4-5.3.2. of the Village of Tuckahoe Zoning Ordinance of 2001" shall be amended to require a six-foot (6') front yard setback for uses located in the Business/Residential Zoning District. If amended, such amendment would also amend the applicable tables and/or schedules of regulations annexed to said Zoning Ordinance as exhibits and schedules thereto.

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 Fitzpatrick motioned to adopt Resolution #7, was seconded by Trustee Sayegh and unanimously carried by the Board.

## **Resolution No. 8**

A resolution authorizing the retaining of the law firm of Calano and Culhane, LLP concerning the application of the owner of the Verdi Avenue parcel (Woodbine Holding Inc. presently before the Tuckahoe Zoning Board of Appeals)

Trustee Sayegh motioned to adopt Resolution #8, was seconded by Trustee Ecklund and unanimously carried by the Board.

## **Resolution No. 9**

### **A RESOLUTION CONCERNING EMPLOYEE BENEFITS FOR ELECTED OFFICIALS**

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 January 22, 2007.

WHEREAS, insurance benefits are important to employees and employers; and

WHEREAS, it is important for employees and employers to know what their insurance benefits are; and

WHEREAS no clear policy has previously been articulated as to benefit eligibility in the Village for its elected officials, both during their elected service and thereafter;

NOW, THEREFORE BE IT RESOLVED THAT:

(1) Village Mayors and Trustees are and shall remain eligible for health, dental, optical and life insurance benefits, with individual or family coverage as appropriate, during the period of their active service, with the plans to be determined by the Village as identified below, which plans may hereafter be changed by resolution of the Board of Trustees in its discretion, with the premium cost to be paid by the Village.

(2) The current health insurance plans provided to Village Trustees are the Empire Core Plan plus enhancements; the current dental plan is provided by First Ameritas Life Insurance Co. of New York; and the Village Trustees are

currently provided term life insurance in the face amount of \$ 50,000 during their active service, and

(3) If a Mayor or Trustee serves the Village in one or both of these capacities for a minimum of twelve years, no fewer than five of which shall be contiguous, then that Mayor/Trustee shall also become eligible for individual or family health insurance coverage upon retirement, provided the Mayor/Trustee meets the remaining eligibility standards of the plan for continued participation as a retiree/vestee and such participation is permitted by the plan, and the Village shall pay 75% of the individual or family premium for that coverage during the Mayor/Trustee's period of retirement.

**Discussion:**

Trustee Fitzpatrick requested that this Resolution be tabled as he indicated that he had only received this tonight.

John Cavallaro, Village Attorney, indicated that this was prepared by the Labor and Employment Council and based on discussions with the attorney; the Board could enact this resolution just as in the case of other benefits such as vacation days and sick days. Mr. Cavallaro indicated that he does not specialize in Labor and Employment, but the Board can request a second opinion if need be. He noted that it would be incomprehensible for this attorney to deliver this to the Board for a Resolution if the Board were not able to vote on it.

Trustee Fitzpatrick asked for a public hearing regarding this resolution as he determines it to be self serving.

Mayor Martino reviewed the terms of the Resolution.

After discussion, Trustee Sayegh motioned to adopt Resolution #9, was seconded by Trustee Ecklund and carried to approve. Trustee Fitzpatrick voted 'Nay'. The Resolution was adopted by a vote of 4-1.

## **Resolution No. 10**

A RESOLUTION SCHEDULING A PUBLIC HEARING ON AMENDING THE CODE OF THE VILLAGE OF TUCKAHOE, SECTION 15-41(i) COMMONLY KNOWN AS THE "NOISE ORDINANCE"

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 January 22, 2007.

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to an amendment to Section 15-41(i) of the Code of the Village of Tuckahoe, commonly known as the "Noise Ordinance."

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 12th day of February 2007, 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 a certain section of the Code of the Village of Tuckahoe, to wit: Section 15-41(i), shall be amended so as to require that construction and demolition on weekends or prior to 8:00 a.m. or after 5:00 p.m. on a weekday(s) shall require a permit from the Building Inspector, and further require that any temporary construction and/or demolition exceeding 70 dba at any time shall also require a permit from the Building Inspector.

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk in the manner provided by applicable law.

Section 3. That this resolution shall take effect immediately.

**Discussion:**

Trustee Fitzpatrick indicated that he was in favor of a public hearing, but the Resolution should be changed to include all construction noises, not just chopping.

Bill Williams, Building Inspector, indicated that the Resolution included noises produced by all construction procedures.

Trustee Ecklund motioned to adopt Resolution #10, was seconded by Trustee Fitzpatrick and carried unanimously by the Board.

**POLICE DEPARTMENT / COURT/FIRE - TRUSTEE TONY SAYEGH**

JOHN COSTANZO, POLICE CHIEF

MAUREEN STEVENS, COURT CLERK

Chief Costanzo noted that on Jan. 8, 2007 there were 3 individuals arrested in a significant drug arrest which was the largest drug bust in Tuckahoe's history. He noted that he was confident that there was not a significant drug problem in the High School and in Tuckahoe. Chief Costanzo stated that the Westchester County Planner has plans to re-design the Marbledale Rd. and Fisher Ave. intersection. The Police Dept. will put temporary barriers in place for the time being.

**SCHOOLS -**

**TRUSTEE TONY SAYEGH**

**No Report**

**SR. CITIZENS - TRUSTEE TONY SAYEGH**

Trustee Sayegh congratulated the new Board members.

**RECREATION/COMMUNITY OUTREACH - TRUSTEE TONY SAYEGH**

JOHN D'ARCO, DIRECTOR

Trustee Sayegh thanked the Chamber of Commerce and the Rotary Club for the generous donation for the championship rings. He noted that there will be a Winter Recess Vacation Camp at the recreation center - Feb. 20 – 23 from 9:00am to 3:00pm.

**FINANCES-**

**TRUSTEE LUIGI MARCOCCIA**

**Motion by Trustee Marcoccia for the RESOLUTION** authorizing payment of vouchers in the amount of \$940,029.73 consisting of the following abstracts: abstract #26 - \$669,007.37; abstract #27 - \$148,132.40; abstract #30 - \$122,689.96. Largest six invoices are to Hudson Valley Bank/ Principal and interest on Bond \$69,191.18; New York Power Authority/Electricity \$12,496.82; NYS Local Police & Fire Retirement System/employer share pension costs; NYS Local Employees Retirement System/employer share pension costs for all other personnel; United Water/quarterly underground piping fire hydrants \$12,540.06 and NYS Employees' Health Insurance – premium for Jan. 07 \$91,503.22. This motion was seconded by Trustee Ecklund and unanimously carried by the Board.

**CABLE- TRUSTEE LUIGI MARCOCCIA**

Trustee Marcoccia indicated that he was pleased with the final agreement with Verizon as the services should improve and the costs should be reduced.

**PLANNING & ZONING BOARDS TRUSTEE LUIGI MARCOCCIA**

Trustee Marcoccia stated that the Zoning and Planning Boards were working hard on the amendment of the Master Plan.

**ENVIRONMENTAL, SAFETY COMMITTEE - TRUSTEE LUIGI MARCOCCIA**

No Report

**DEPARTMENT OF PUBLIC WORKS - TRUSTEE STEVEN A. ECKLOND**  
ROBERT MASCIANICA, SUPT. OF  
PUBLIC WORKS

Mr. Mascianica noted that the DPW will be closed Feb. 12 and Feb. 19. The trash will be picked up on Thursday. Survey will be sent out to residents, north of Fisher Ave., regarding the basketball court. The tally of the responses will be taken on Feb. 16.

**INTER-GOVERNMENTAL PLANNING - TRUSTEE STEVEN ECKLOND**

Trustee Ecklund announced that the Village has secured another grant for a robotic camera to go through the sewer line. This is a cost savings and a simple way to fix the sewer problem.

**EMERGENCY RESPONSE PLANNING - TRUSTEE STEVEN ECKLOND**

No Report

**FACILITIES DEPARTMENT - TRUSTEE STEVEN ECKLOND**  
BILL WILLIAMS, FACILITIES MANAGER

No Report

**BUILDING DEPARTMENT/ TRUSTEE JOHN FITZPATRICK**  
BILL WILLIAMS/BUILDING INSPECTOR

Bill Williams, Building Inspector, noted that the requirements for permits are posted on the cable channel. The digital controls for the Library are working good, and the air

samples taken were tested and cleared. The digital controls for Village Hall should be completed soon.

The generator for the Fountains will be moved and a new, quieter one will be installed with a Level 3 sound enclosure.

As for the sidewalk shed on Main St., John Cavallaro, Village Attorney, indicated that it has been extremely difficult to locate the owner of the property. The Village is waiting to hear from the Administrative Law Judge.

**HOUSING/SECTION 8 - TRUSTEE JOHN FITZPATRICK**

Vice Chairman of the Tuckahoe Housing Authority addressed the Board and read a letter submitted by Chairman Cacciola in response to the comments made by Mary Smith last month. (see attached letter)

**PARKING/TRAFFIC - TRUSTEE JOHN FITZPATRICK**

No Report

**UTILITIES - TRUSTEE JOHN FITZPATRICK**

No Report

**LIBRARY - TRUSTEE JOHN FITZPATRICK**

DEBRA COPPOLA, DIRECTOR

Ms. Coppola announced that she attended a seminar "Bridges" and would like to implement the procedure and form a coalition from all parts of the community.

There are now 4 free parking spaces at the Library. She asked the Board to consider making the meters 2 hour limits.

**PERSONNEL/APPOINTMENTS - MAYOR MICHAEL J. MARTINO**

**Resolution** appointing Camille DiSalvo of 158 Dunwoodie Street, Yonkers, NY to the position of Deputy Clerk and Deputy Registrar of Vital Statistics effective January 23, 2007 and waiving the Village of Tuckahoe residency requirement.

**Trustee Ecklund motioned** to accept this Resolution, was seconded by Trustee Sayegh and unanimously carried by the Board.

**VILLAGE CLERK - MAYOR MICHAEL J. MARTINO**

SUSAN CIAMARRA, VILLAGE CLERK

Ms. Ciamarra welcomed Ms. DiSalvo.

Ms. Ciamarra noted that the Election will be held on March 20, 2007 from 7:00am – 9:00pm. Districts 10, 13, 14, 22 will vote at the Community Center; Districts 11 and 12 – Church of the Assumption; and District 33 at Immaculate Conception School. An application available at Village Hall is required for an absentee ballot.

March 9, 2007 is the deadline to register with the County Board of Elections to be eligible to vote in the March 20<sup>th</sup> elections.

**VILLAGE ATTORNEY -**

**MAYOR MICHAEL J. MARTINO**

JOHN CAVALLARO, VILLAGE ATTORNEY

John Cavallaro, Village Attorney, indicated that there are four actions against the Village, all actions have been suspended and all four could be subjected to dismissal.

Trustee Fitzpatrick indicated that he requested to have three items added to the agenda. He stated that he wrote letters to the Mayor and John Cavallaro, Village Attorney, and stated that the Mayor does not have the authority to keep items off the agenda.

John Cavallaro indicated that the letter was dated Jan. 18, 2007 and provided a 26 yr. old quote of an opinion. Mr. Cavallaro noted that the entire opinion would be necessary as one cannot use an excerpt to base one's judgment.

Mayor Martino asked Trustee Fitzpatrick to follow the rules and procedures to add items to the agenda. Items flow through the Mayor or there would be chaos.

**MEETING OPEN TO PUBLIC**

Mary Smith, Eastchester Advisory Committee, representing persons with disabilities, indicated that the Tuckahoe Housing Authority has not signed the voluntary compliance agreement. She indicated that she spoke to many people at the Tuckahoe Housing Authority with regards to this issue. There should be a minimum of 5% of units accessible. Ms. Smith noted that they are in violation of not having the required number of units that are handicap accessible.

Jeff Zuckerman, 24 Bronx St., asked the members of the Board if they understood Resolution #9. He asked what 'Retirement' meant, and 'meet the remaining eligibility...' meant.

Mayor Martino noted that the Board voted on this Resolution based on recommendation from outside council, to cap the retirement cost of the future.

He stated that there are two parts to this resolution; ratifying the benefits of those in office and capping the percent of retirement.

Mr. Zuckerman noted that due to the late hour of this meeting, he requested that the Board have two meetings per month to allow sufficient time for discussion.

Claire Gorman, 24 Bronx St., asked about the status of the DPW union contract as they are without a contract now for two years.

Mayor Martino indicated that the negotiations are still ongoing and the Board takes the fiscal responsibilities very seriously.

Trustee Sayegh indicated that the Board appreciates the hard work of the DPW, but the Board has to also protect the tax payers of Tuckahoe as well.

Resident, whom did not identify himself, voiced his concern regarding the area where Marble Place runs into Marbledale Rd. He indicated that there is poor visibility and is a very dangerous area. He noted that he watches the monthly meetings at home and would like to see the Board members engage in a spirited debate and forgo the nasty politics.

There being no further business, the Board unanimously voted to adjourn the meeting at 12:30 A.M.

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Susan Ciamarra, Village Clerk