

**January 10, 2011**

**Regular Meeting of the Board of Trustees  
Called to Order at 8PM**

**CALL TO ORDER**

**ROLL CALL**

**TRUSTEE ECKLOND  
TRUSTEE GORMAN  
TRUSTEE QUIGLEY  
TRUSTEE GIORDANO  
MAYOR FITZPATRICK**

**A moment of silence was observed for the victims in Tucson, Arizona**

Mayor Fitzpatrick noted the passing of John Pidvirny. John Pidvirny had served as Village Trustee in the 60s and at one point as Deputy Mayor during that time. He was known for his woodcarving and had donated to the Village, before his passing, a wooden sign with on one side carved "Welcome to the Village of Tuckahoe" and the other "Til We Meet Again" which will be hung in the Mayor's office.

**APPOINTMENTS –**

Mayor Fitzpatrick called for the appointment of Keith Minarik to the Library Board to fill the unexpired term of Edward Keenan which term will expire 4/1/2011.

**Trustee Gorman motioned to appoint Keith Minarik; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 5-0.**

**PUBLIC HEARINGS**

**I. PUBLIC HEARING LOCAL LAW #1 OF THE YEAR 2011**

**AMENDING SECTIONS 5-26 AND 5-27 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "ARTICLE VIOLATIONS; PENALTY" AND "LICENSING FEES" OF ARTICLE II, ENTITLED "DOGS"**

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 22, 2010.

WHEREAS, the Village Clerk has requested legislation amending Sections 5-26 and 5-27 of the Village Code of the Village of Tuckahoe, entitled "Article Violations; Penalty" and "Licensing Fees" of Article II, entitled "Dogs"; and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 23rd day of November 2010; and

WHEREAS, said public hearing was duly held on the 6th day of December 2010, 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, the Village Board, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

NOW, THEREFORE, be it enacted by the Village Board of the Village of Tuckahoe, as follows:

Section 1. Section 5-26, entitled "Article Violations; Penalty" of Article II, entitled "Dogs" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

**§ 5-26. Article violations; penalty.**

Except as provided in § 118 of the Agriculture and Markets Law, any person violating any of the provisions of this Chapter shall, upon conviction thereof, be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.

[A violation of this article is hereby declared to be an offense. Any person who himself or itself or by his or its agent or employee shall violate any of the provisions of this article shall, upon conviction of such violation, be punished by a fine not exceeding \$100 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$100 nor more than \$200 or imprisonment for a period not to exceed 15 days, or both; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$200 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both. Each day any violation of any provision of this article shall constitute a separate offense.]

Section 2. Section 5-27, entitled "Licensing Fees" of Article II, entitled "Dogs" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

**§ 5-27. Licensing fees.**

(a) In addition to any licensing fees imposed by the state pursuant to the Agricultural and Market Laws of the state, any resident of the village owning a dog or dogs [must] shall apply for individual licenses for any such animal from the Clerk of the Town of Eastchester. [A fee of five dollars (\$5.) shall be charged for each dog license upon application to the Village Clerk, and such license shall be effective for one (1) year regardless of renewal date. Failure to obtain such a license as it is required shall submit the violator to a penalty in accordance with § 5-26 above.]

[(b)] [Dog owners who are sixty (60) years or older shall be exempt from payment of local fee set forth in § 5-27(a) upon application to the Village Clerk with proof of age.]

(b) The seizure, redemption, fees and disposal of dogs pursuant to this Chapter shall be governed by Article 7 of the Agriculture and Markets 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. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 5. This Local Law shall take effect immediately.

Section 6. 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.

New Matter Underlined

Deleted Matter in Brackets [ ]

**Trustee Gorman made a motion to open public hearing was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**Trustee Ecklund made a motion to close public hearing was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**Trustee Quigley made a motion for the adoption of LOCAL LAW #1 OF THE YEAR 2011 AMENDING SECTIONS 5-26 AND 5-27 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "ARTICLE VIOLATIONS; PENALTY" AND "LICENSING FEES" OF ARTICLE II, ENTITLED "DOGS" was seconded by Trustee Giordano and upon roll call was carried by a vote 3-2. Trustee Gorman and Mayor Fitzpatrick opposed.**

**PUBLIC HEARING II – LOCAL LAW #2 OF THE YEAR 2011 AMENDING SECTION 15-40 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "DEFINITIONS" WITHIN ARTICLE II ENTITLED "NOISE AND OTHER ENUMERATED NUISANCES"**

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 December 6, 2010.

WHEREAS, legislation has been requested amending Section 15-40 of the Village Code of the Village of Tuckahoe, entitled "Definitions" within Article II entitled "Noise and Other Enumerated Nuisances;" and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 14th day of December 2010; and

WHEREAS, said public hearing was duly held on the 10<sup>th</sup> day of January 2011, 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, the Village Board, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

NOW, THEREFORE, be it enacted by the Village Board of the Village of Tuckahoe, as follows:

Section 1. Section 15-40, entitled "Definitions" within Article II entitled "Noise and Other Enumerated Nuisances" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

**Section 15-40. Definitions.**

...

*Legal holiday*, means [holidays designated by the federal, state or village government. These shall include, but not be restricted to,] New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

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.

New Matter Underlined  
Deleted Matter in Brackets [ ]

**Trustee Ecklund made a motion to open public hearing was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**Trustee Quigley made a motion to close public hearing was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

Trustee Ecklund made a motion FOR THE ADOPTION OF LOCAL LAW #2 OF THE YEAR 2011 AMENDING SECTION 15-40 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "DEFINITIONS" WITHIN ARTICLE II ENTITLED "NOISE AND OTHER ENUMERATED NUISANCES" was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.

**PUBLIC HEARING III LOCAL LAW #3 OF THE YEAR 2011 AMENDING SECTION 21-122 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "OPERATION OF PARKING METERS" WITHIN DIVISION 5 ENTITLED "PARKING METERS"**

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 December 6, 2010.

WHEREAS, legislation has been requested amending Section 21-122 of the Village Code of the Village of Tuckahoe, entitled "Operation of Parking Meters" within Division 5 entitled "Parking Meters;" and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 14th day of December 2010; and

WHEREAS, said public hearing was duly held on the 10th day of January 2011, 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, the Village Board, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

NOW, THEREFORE, be it enacted by the Village Board of the Village of Tuckahoe, as follows:

Section 1. Section 21-122, entitled "Operation of Parking Meters" within Division 5 entitled "Parking Meters" of the Village Code of the Village of Tuckahoe, is hereby amended as follows:

**Section 21-122. Operation of parking meters.**

Except in a period of emergency determined by an officer of a fire company or of the Police Department, or except in compliance with the directions of a police officer or traffic control signal, when any vehicle shall be parked in a space regulated by a parking meter, between the hours of 8:00 a.m. and 7:00 p.m. on any day except Sundays and legal holidays, the owner, operator or driver of such vehicle shall, upon entering said parking space immediately deposit at least one coin of the United States of America in the parking meter regulating such space as may be required to activate the mechanism of such meter.

For purposes of this Section 21-122 "Legal Holidays" means New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day.

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.

New Matter Underlined

Deleted Matter in Brackets [ ]

**Trustee Quigley made a motion to open public hearing was seconded by Trustee Giordano and upon roll call was carried by a vote 5-0.**

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

**Trustee Quigley made a motion CALLING FOR THE ADOPTION OF LOCAL LAW #3 OF THE YEAR 2011 AMENDING SECTION 21-122 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "OPERATION OF PARKING METERS" WITHIN DIVISION 5 ENTITLED "PARKING METERS" was seconded by Trustee Ecklund and upon roll call was carried by a vote 5-0.**

Larry Wilson from Turf and Landscape Assn. opposes the leaf blower ban for the summer months. Peter Telesco seller of leaf blowers, questioned the 65 decimals saying this restriction infringes on owners' rights.

## **RESOLUTIONS -**

**1. Mayor Fitzpatrick offered a RESOLUTION - TO ADOPT LOCAL LAW #4 OF THE YEAR 2011 (previously referred to as Local Law #7 of the year 2010) AMENDING AND SUPPLEMENTING THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE CONCERNING LEAF BLOWER AND OTHER ENGINE-DRIVEN POWER EQUIPMENT REGULATIONS**

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 December 6, 2010.

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 25th day of October 2010, 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 of Tuckahoe concerning leaf blower and other engine-driven power equipment regulations; and

WHEREAS, notice of said public hearings were duly advertised in the Journal News, the official newspaper of said Village, on the 2nd day of October 2010 and the 31<sup>st</sup> day of October 2010; and

WHEREAS, said public hearings were duly held on the 25<sup>th</sup> day of October 2010; the 22nd day of November 2010; on the 6<sup>th</sup> day of December 2010, 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:

Section 1.

The Village Code is hereby amended and supplemented to add an Article IV of Chapter 15, entitled “Leaf Blower And Other Engine-Driven Power Equipment Regulations” as follows:

## **Chapter 15**

### **Article IV Leaf Blower And Other Engine-Driven Power Equipment Regulations**

#### **§ 15-50. Purpose.**

The Village Board of Trustees finds that the reduction of noise, emissions of gases, the blowing of dust particles and other airborne pollutants into the air and onto other nearby properties from the use of leaf blowers and other engine-driven power equipment is a public concern that affects the public health, welfare and environment of the Village of Tuckahoe and its citizens.

#### **§ 15-51. Definitions.**

*Leaf Blower* - Leaf Blowers are defined as portable, handheld or back pack style power equipment that is powered by fuel or electricity and used in any landscape maintenance, construction, property repair, or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.

*Holidays* – shall mean New Year’s Day, Martin Luther King Day, President’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

#### **§ 15-52. Limitations On Use.**

- a) The use of gasoline-powered Leaf Blowers in the Village of Tuckahoe is prohibited from June 1<sup>st</sup> through and including September 30<sup>th</sup> of each year.



- b) Subject to subsection (a) of this Section, during the period of June 1<sup>st</sup> through and including September 30<sup>th</sup> of each year, the use of power lawn mowers, power hedge trimmers, electric Leaf Blowers and any other engine-driven power tool or motorized equipment may be used during the following hours:
  - (1) Monday through Friday – 8 AM through 7 PM
  - (2) Saturday – 9 AM through 5 PM
  - (3) Sunday and Holidays – Noon through 5 PM
  
- c) During the period of October 1<sup>st</sup> through and including May 31<sup>st</sup> of each year, the use of Leaf Blowers, power lawn mowers, power hedge trimmers, and any other engine-driven power tool or motorized equipment may be used during the following hours:
  - (1) Monday through Friday – 8 AM through 7 PM
  - (2) Saturday – 9 AM through 5 PM
  - (3) Sunday and Holidays – Noon through 5 PM
  
- d) The foregoing provisions of this section 15-52 (b) and (c), above, shall not apply to snow blowers, chain saws, and other tools and equipment that may be used to clear and plow walks, streets, sidewalks and/or driveways during and within forty-eight (48) hours of snow, rain, ice, or wind storms or other similar emergencies.
  
- e) Leaf Blower operations shall not cause leaves, dirt, debris, grass clippings, cuttings or trimmings from trees or shrubs or any other type of litter or debris to be blown on any adjacent parcel of land or lot other than the parcel, land or lot upon which the Leaf Blower is being operated. Leaves, dirt, debris, grass clippings, cuttings or trimmings that are blown onto a public right-of-way shall be promptly removed, or during leaf season gathered at the curb in a manner suitable for collection by the Village in its normal course of leaf collection.
  
- f) All Leaf Blowers, power lawn mowers, power hedge trimmers and any other engine-driven power tool or motorized equipment must comply with all local, county, state and Federal laws.

**§ 15-53. Enforcement.**

- a) The Code Enforcement Officer, Building Inspector, the Superintendent of Public Works and any police officer in the Village Police Department shall have the authority to enforce the provisions of this article.

**§ 15-54. Penalties For Offenses.**

- a) Subject to the terms set forth in subsection (b) of this Section, a violation of the provisions of this Article shall be punishable, upon conviction thereof, by a fine not exceeding \$350 or imprisonment not exceeding 15 days, or both, which shall

be enforceable by the Code Enforcement Officer, Building Inspector, the Superintendent of Public Works and any police officer in the Village Police Department. All persons shall be entitled to one warning before the Village proceeds with a prosecution of such person under this Article.

- b) Where the operator of a Leaf Blower, power lawn mower, power hedge trimmer, electric Leaf Blower, or any other engine-driven power tool or motorized equipment (“Equipment”) is an employee of a business that owns the Equipment and the operator is operating the Equipment pursuant to his or her employment duties, the employer of the operator of the Equipment shall be deemed in violation of the provisions of this article and, upon conviction, punished in accordance with the provisions in subsection (a) hereof.
- c) In addition to the penalties indicated in subsection (a) and (b) above, the Code Enforcement Officer, Building Inspector, the Superintendent of Public Works and any police officer in the Village Police Department shall have all other remedies and techniques for the enforcement granted by this Article or any other law, statute or regulation, including, but not limited to, summary action, injunctive relief and civil actions for damages to the environment.

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 Quigley read a statement. Trustee Giordano expressed his opposition to the ban citing no evidence that it is harmful and it blows less air than a politician.. Trustee Ecklund wants it regulated. Trustee Gorman is in favor of the ban citing quality of life.

**Trustee Gorman made a motion to adopt resolution #1; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 3-2 Trustees Giordano and Ecklund opposed.**

**2. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Village Clerk to advertise calling for bids for the DPW Yard Drainage Improvements project. Specifications and plans for this project will be available as of January 12<sup>th</sup>.

**Trustee Ecklund made a motion to adopt resolution #2; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**3. Mayor Fitzpatrick offered a RESOLUTION** – rescinding resolution number ten (10) adopted October 4, 2010 authorizing the Mayor to sign a two year agreement between the Village of Tuckahoe and Stuyvesant Energy, LLC D/B/A Hess Small Business services as provider of natural gas beginning November 10, 2010.

**Trustee Ecklund made a motion to adopt resolution #3; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**4. Mayor Fitzpatrick offered a RESOLUTION** – authorizing the Mayor to sign a one year agreement between the Village of Tuckahoe and Stuyvesant Energy, LLC d/b/a Hess Small Business services as provider of natural gas beginning February 1, 2011 and ending January 31, 2012.

**Trustee Quigley made a motion to adopt resolution #4; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**5. Mayor Fitzpatrick offered a RESOLUTION** – designating Tuesday, March 15, 2011 as Election Day in the Village of Tuckahoe. Polls will open at 7am and close at 9pm.

**Trustee Quigley made a motion to adopt resolution #5; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**6. Mayor Fitzpatrick offered a RESOLUTION** designating location of polling places:

10<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 32<sup>nd</sup> and 33<sup>rd</sup> districts, Tuckahoe Community Center  
11<sup>th</sup> and 12<sup>th</sup> districts, Assumption Church Hall

**Trustee Ecklund made a motion to adopt resolution #6; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**7. Mayor Fitzpatrick offered a RESOLUTION** appointing inspectors to serve on Election Day, March 15<sup>th</sup> for the seven polling places. Names of inspectors will be provided by Democratic and Republican chairpersons.

**Trustee Quigley made a motion to adopt resolution #7; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**8. Mayor Fitzpatrick offered a RESOLUTION – Standard Work Day and Reporting –**

**BE IT RESOLVED**, that the Board of Trustees hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee's Retirement

Systems based on the record of activities maintained and submitted by these officials to the Village Clerk:

<u>Title</u>	<u>Name</u>	<u>Standard Work</u>	<u>Term</u>	<u>Participation in</u>	<u>Days/Month</u>
		<u>Hrs/Day</u>	<u>Begin/Ends</u>	<u>Employer's</u>	<u>(based on</u>
	SSFour digits	Reg.#5014842-8		<u>Time Keeping</u>	<u>record of</u>
	1084			<u>System</u>	<u>Activities)</u>
Mayor –John Fitzpatrick		7hrs.	4/09-4/11	Yes	13 days/month

**Trustee Ecklund made a motion to adopt resolution #8; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**9. Mayor Fitzpatrick offered a RESOLUTION** SCHEDULING A PUBLIC HEARING ON AMENDING ARTICLE V OF CHAPTER 6, SECTIONS 6-69 THROUGH 6-80 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED “UNSAFE BUILDINGS”

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 10, 2011.

WHEREAS, the Village Board of Trustees wishes to conduct a public hearing relating to amendments to Article V of Chapter 6, Sections 6-69 through 6-80 of the Village Code of the Village of Tuckahoe, entitled “Unsafe Buildings”; and

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 7th day of February 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 Article V of Chapter 6, Sections 6-69 through 6-80 of the Village Code of the Village of Tuckahoe, entitled “Unsafe Buildings” shall be amended.

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.

**Trustee Quigley made a motion to adopt resolution #9; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**10. Mayor Fitzpatrick offered a RESOLUTION** designating The Westchester Guardian as an additional newspaper for Village of Tuckahoe for publication of legal notice(s).

**Trustee Quigley made a motion to adopt resolution #10; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**11. Mayor Fitzpatrick offered a RESOLUTION** approving the issuance of a vendor's license to Mostafa Salem to sell Mediterranean food from a Cart in Depot Square daily for one year.

**Trustee Quigley made a motion to adopt resolution #11; motion was seconded by Trustee Gorman and upon roll call was opposed by a vote 0-5.**

Mayor Fitzpatrick questioned cleanliness and unsafe parking issues; Trustees Ecklund and Gorman suggested he consider selling at the farmers market and Trustee Quigley felt it takes away from the aesthetic appeal. Village Clerk will inquire whether the applicant has an interest in participating at the Farmers Market.

**12. Mayor Fitzpatrick offered a RESOLUTION** approving payment of vouchers in the amount of \$1,173,744.29 consisting of abstract #30 for \$32,894.60, abstract #31 or \$56,605.08, abstract #32 for \$139,880.59, #33 for \$3,284.97, abstract #34 for \$230,082.25, abstract #35 for \$17,536.19 and abstract #36 for 693,457.61. The three largest invoices paid were: (1) \$416,990 for the Police & Fire Retirement System pension contribution for FY10/11, (2) \$264,563 for the Employees Retirement System pension contribution for FY10/11 and (3) \$119,921.46, for employee health insurance premiums for the month of January 2011.

**Trustee Ecklund made a motion to adopt resolution #12; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

Trustee Ecklund motioned to approve the minutes of the regular meeting of December 6, 2010; motion was seconded by Trustee Quigley and upon roll call was carried by a vote of 5-0.

Frank DiMarco reported on the recent snow storms saying his men did an outstanding job in clearing the snow. He asked that residents contain the snow on their property and thanked Phil Raffiani for allowing the Village to dump snow on his property. Resident were reminded that plastic bags and strained vegetable oil is also collected by the department and urged residents not to throw oil into storm drains as well as not to place Christmas trees in plastic bags. He asked that residents clear a path leading to the garbage receptacles area for garbage pick up.

**Mayor Fitzpatrick** mentioned that Village offices and DPW will be closed Monday, January 17<sup>th</sup> in observance Martin Luther King Day. Garbage pick-up is Tuesday. Tuesday pick up is on Thursday. Next Village Board Meeting – February 7<sup>th</sup>.  
Community Meeting – Monday, February 21<sup>st</sup> – Community Center

- **TRUSTEE ECKLOND** congratulated Glen Bellitto on his appointment to the Eastchester Town Board and wished Vicki Ford well. He then addressed the upcoming DPW Drainage Improvement project scheduled for bid opening on February 2nd.

- **TRUSTEE GORMAN** announced upcoming meetings and Library news.
- **TRUSTEE QUIGLEY** announced ECAP's Martin Luther King Breakfast.
- **TRUSTEE GIORDANO** said the 2011-2012 Budget process will begin shortly.
  
- **MAYOR FITZPATRICK** Mayor Fitzpatrick urged residents not to throw snow in the street. He wished Vicki Ford well and congratulated Glen Bellitto.

There being no further business, the Board unanimously voted to adjourn the meeting at 9:30 PM.

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Susan Ciamarra, Village Clerk