

**July 14, 2008**

Regular Meeting of Board of Trustees  
Called to order 8:00 PM

Present: Mayor John Fitzpatrick  
Trustee Steve Ecklund  
Trustee Clare Gorman  
Trustee Margaret Coleman  
Trustee Luigi Marcoccia (present from 8:25pm)

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

**APPOINTMENT AND OATH**

**Mayor Fitzpatrick offered the appointment and swearing in of Christopher Santiago** to the position of Police Officer effective August 4, 2008. Trustee Ecklund motioned to approve this appointment, seconded by Trustee Coleman and upon roll call was carried with a vote of 4 – 0.

Officer Santiago thanked Mayor Fitzpatrick, Board members, Chief Costanzo and his family for their support and said he looked forward to serving the community.

Mayor Fitzpatrick said this appointment was to fill a spot created by the retirement of one police officer back in November. He added that Officer Santiago is a resident of the Village, a graduate of Iona College and he will be an asset to the department and community.

Each Board member offered congratulations.

**SPECIAL PRESENTATIONS**

Wheels of Time Classic Car Club, owner Mr. Quaranta, thanked the Board members and the Village staff for the success of the car show on Marbledale Rd. He presented a \$500.00 check to Chief Costanzo for the DARE program and then presented two plaques one to Mayor Fitzpatrick and one to Chief Costanzo in appreciation for the successful car show. He then asked the Board to consider August 17, 2008 as a date for the second annual Fisher Ave. Car Show.

Mayor Fitzpatrick noted that Fisher Ave. is more residential than Marbledale Rd., but indicated that the Board will consider the request. He thanked Mr. Quaranta for the generous donation to the DARE program and the two plaques.

**PUBLIC HEARING I.**

**Continuation of public hearing on LOCAL LAW #6 OF 2008 – A LOCAL LAW AMENDING SECTION 21-67 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED “PARKING VIOLATION FINES”**

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 June 9, 2008.

WHEREAS, the Mayor has requested legislation amending Section 21-67 of the Village Code of the Village of Tuckahoe, entitled "Parking Violation Fines;" and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 22nd day of May 2008; and

WHEREAS, said public hearing was duly held on the 9th day of June 2008, 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 21-67, entitled "Parking Violation Fines" of the Village Code of the Village of Tuckahoe, is hereby amended and supplemented as follows:

**§ 21-67. Parking violation fines.**

- (a) The fines for various parking violations shall be designated by the Board of Trustees by resolution adopted at a regularly scheduled meeting of the Board of Trustees. A list of such fines shall be maintained by the Village Clerk and Police Department. Notice of the amount of the fines established in accordance with this section shall be provided on all parking tickets, summonses and notices of violation.
- (b) Notwithstanding Section 21-67(a) above, the amount of the fine for parking meter violations shall be \$20.00. The amount of the fine for parking meter violations only shall be reduced by [~~\$2.00~~] \$10.00 per violation if the fine is paid in person at the office of the Court Clerk of the Village of Tuckahoe Justice Court on the day of the violation or, if the violation is issued on a day that the Court Clerk's office is not open, on the next business day.
- (c) If the owner, operator or other party that may be responsible for a vehicle in accordance with the New York State Vehicle and Traffic Law fails to appear or pay the fine on or before the appearance date set forth on a parking ticket summons, in addition to the fines established pursuant to this § 21-67, such person or party shall be charged and be liable for the following penalties and administrative fees:

- (1) The amount of the fine established pursuant to this § 21-67 for all parking violations shall be doubled if the fine is not paid or an appearance is not made before the [14<sup>th</sup>] 30<sup>th</sup> day after the original appearance date or any adjournment thereof; and
- (2) The amount of the fine established pursuant to this § 21-67 for all parking violations shall be tripled if the fine is not paid or an appearance is not made before the 45th day after the original appearance date or any adjournment thereof; and
- (3) An administrative fee of \$10.00 shall be charged if the fine is not paid or an appearance is not made before the 21<sup>st</sup> day after the original appearance date or any adjournment thereof.

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 motioned to open the public hearing, was seconded by Trustee Coleman and upon roll call was carried with a vote of 4 – 0.**

### **No Public Comments**

Mayor Fitzpatrick stated that the online payment for the Court was not ready and requested to hold this public hearing open until next month.

**Trustee Ecklund motioned to keep the public hearing open was seconded by Trustee Coleman and upon roll call was carried with a vote of 4 – 0.**

### **PUBLIC HEARING #II**

**Continuation of public hearing on LOCAL LAW #7 OF 2008 – A LOCAL LAW CONCERNING TRASH AND GARBAGE COLLECTION SERVICES (Copy of law attached)**

**Trustee Coleman motioned to open the public hearing, was seconded by Trustee Ecklund and upon roll call was carried with a vote of 4 – 0.**

**Mayor Fitzpatrick** stated that what prompted this law is that the Department of Public Works is currently collecting quite a bit more trash from commercial properties than homeowners; therefore by the passage of this law, more of a balance will be created.

John Cavallaro, Village Attorney, noted that since DPW is funded through tax revenue, all tax payers are entitled to the services provided by the DPW. The law under consideration will set limits for residential and commercial properties. If the property owner exceeds the limit, a fee will be imposed.

Mayor Fitzpatrick added that most commercial and restaurants produces approximately 2 times as much trash as a resident. If the limit is set at 2 barrels per pick up, the business property will only be permitted to 2 barrels as well; therefore creating the same service for business and residents. The Board, along with the DPW and Village Attorney, will work to establish a formula that will be fair to all tax payers.

### **No Public Comments**

Trustee Gorman felt this law would make the pick up for all tax payers equal.

The Village Attorney noted that the draft of this local law is attached to the agenda and would welcome public comments.

**Trustee Gorman motioned to keep the public hearing open, was seconded by Trustee Coleman and upon roll call was carried with a vote of 4 – 0.**

### **OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS**

Mr. Thomas Logan, 31 Midland Pl., representing the 14<sup>th</sup> district, expressed concern with the recent Tuckahoe Housing Authority audit report that had approximately \$198,243 tagged as unsupported. He also voiced his concern with the THA Board members and his lack of trust in their abilities and their blatant disregard to the residents' best interest. He asked the Board of Trustees to remove the current THA Board members as he and the other residents are victims of the present Board due to their mismanagement of federal funds.

Former Mayor Phil White, THA Board member, felt that there is misinformation and that HUD has been pleased with the progress THA has made in the last year or so.

### **8:25 Trustee Marcoccia arrived.**

Mr. White said that the liability is down from \$1,000,000 to \$600,000; the repairs are being done, the bills are getting paid and he anticipates that compliments from HUD will continue. He felt that the Board of Trustees was acting prematurely in trying to replace this Board and said that THA Board members report to the federal government, not the Village of Tuckahoe.

Mayor Fitzpatrick noted that it was he with Congresswoman Nita Lowey who got the wheels in motion and THA Board members finally signed the voluntary compliance agreement, something that was supposed to have been done a long time ago.

Mr. White added that if anyone should take responsibility for the THA problems would be the Ex Director and the former attorney representing the THA.

Mayor Fitzpatrick asked about the \$200,000 unsupported, found by the audit to which Mr. White answered that all the allegations have been responded to and is awaiting a response.

Jeff Zuckerman, 24 Bronx St., commented that it was ridiculous for THA Board to take trips to Atlantic City funded with public funds. He said that the residents have lost their confidence in this Board and the Board must be replaced.

Anthony DeCintio, Chairman of the THA Board, made several comments about spending the last ten months working to help the people of Tuckahoe, that he had received a letter from the new Director of the THA asking that a meeting be set up to come up with an employment contract and at the same time requested a \$25,000 increase in salary to which he is opposed to. He voiced his concern regarding the attempt to move Section 8 by others to Eastchester and, to protect THA, he, as Chairman of the Board, by proper votes, implement that only the THA Executive Director will be represented on the JUMA Board.

Mr. Kevin McBride, THA Board member, admitted that there were issues in the past but there has been incredible progress made in the last year to correct the problems saying that the THA board members are all volunteers who never received the essential training and who devote many hours. He added that the 504 compliance has been met, Section 8 has been returned to Tuckahoe, JUMA is paying back THA and THA is an out of trouble agency.

Trustee Gorman said that HUD did offer advice when it did not approve the Director residing in Florida but went against their advice and appealed the decision. Also, THA, instead of terminating the services of the attorney who lived out of state, they allowed him to reside in Massachusetts; that was also wrong.

Mayor Fitzpatrick said that the Sanford Garden residents have lost their confidence in the THA Board.

Geraldine Crumpton, 31 Midland Pl., said the residents did not trust the THA board and inquired about what rights she has as a resident to make sure this Board is removed.

Trudy Gunther, Commissioner elected by the people who live in housing, who attends all of the meetings had asked if any money was allocated to JUMA and their response was 'No money.' She has now found out through the audit report that \$57,697 was allocated to JUMA. They have agreed to pay back the money in monthly installments. She asked who gave JUMA representatives permission to pay the money back in monthly installments.

Mr. Andrew Seney, 28 Jefferson Pl., said that while people to the back of the JUMA project are against it, he who resides to the front does not want in his front yard.

Peter Costas, resident, noted that these issues, including the misuse of funds for the Atlantic City trips were investigated and uncovered back a few years ago.

James Murray of 25 Washington St., thanked Mayor Fitzpatrick and the Board for Resolution #14 for the street name change to "Eli Strand Jr. Way"

Ed Harris, thanked all involved in the street name change including Ms. Ciamarra, Village Clerk.

## **RESOLUTIONS -**

**1. Mayor Fitzpatrick offered a Resolution** authorizing Supt. of Public Works and one DPW employee to attend the Cornell University Cooperative Extension training program in urban tree planning and management for five days, Nov. 5, 6, 7 and Nov. 18 & 19.

**Trustee Ecklund motioned to adopt Resolution #1, seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.**

**2. Mayor Fitzpatrick offered a Resolution** to ratify board action authorizing the Village Clerk to issue a Limited Cabaret License to Joe's Quarry Inn for Sunday, July 3<sup>rd</sup>. The band will play from 6pm to 11pm.

**Trustee Ecklund motioned to adopt Resolution #2, seconded by Trustee Gorman.** Mayor Fitzpatrick noted that the loud music and firework display jeopardizes future cabaret licenses. **Upon roll call was carried with a vote of 5 – 0.**

**3. Mayor Fitzpatrick offered a Resolution** to ratify board action authorizing the Mayor to sign an agreement between the Village of Tuckahoe and Webcasting.com, Inc. of Ossining, New York for webcasting services for one year beginning June 9, 2008 for a total fee of \$4,125.

**Trustee Gorman motioned to adopt Resolution #3, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**4. Mayor Fitzpatrick offered a Resolution** accepting \$4,125 donation from the Generoso Pope Foundation to fund the webcasting services.

**Trustee Gorman motioned to adopt Resolution #4, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**5. Mayor Fitzpatrick offered a Resolution** approving payment of vouchers in the amount of \$ 552,632.71 consisting of abstract #1 for \$203,267, abstract #2 for \$298,829.10 and abstract #4 for \$50,536.61. The largest invoices paid were for: \$131,525 for Workers Compensation insurance; \$218,997.96 Liability and Auto Insurance annual premium; \$49,938.24 principal and interest on two bond notes; \$18,936.05 for 2008 Chevrolet Impala – police car.

**Trustee Gorman motioned to adopt Resolution #5, seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**6. Mayor Fitzpatrick offered a Resolution** accepting the following donations for Tuckahoe Summertime Extravaganza Event scheduled for July 26<sup>th</sup>, rain date, July 27<sup>th</sup>: \$15,000 Generoso Pope Foundation; \$500 Medi-Ray; \$300 Empire General Contracting; \$250 Ben Romeo; \$150 Mickey Spillane; \$100 Peter Landi; \$1000 Mirado Properties; \$150 Harpos; \$1,500 Hudson Valley Bank; \$100 Buckhurst Fish Jacquemart Inc.; \$200 Tuckahoe Paint & Glass; \$100 Epsteins; \$100 Village Realty and to further accept a donation of \$3,000 from the Generoso Pope Foundation to fund entertainment for Tuckahoe Day event scheduled for September 14<sup>th</sup>.

**Trustee Gorman motioned to adopt Resolution #6, seconded by Trustee Ecklund and upon roll call was carried with a vote of 5 – 0.**

**7. Mayor Fitzpatrick offered a Resolution** authorizing the Mayor to sign the Intermunicipal Agreement between the Town of Eastchester, Village of Bronxville, Eastchester Union Free School District, Tuckahoe Union Free School District and Village of Tuckahoe for shared services with respect to street resurfacing.

**Trustee Ecklund motioned to adopt Resolution #7, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**8. Mayor Fitzpatrick offered a Resolution** approving certiorari settlement in the amount of \$5,571.00 for years 2004 through 2007 for 200 Marbledale Road Realty Corp., 200 Marbledale Rd. – Section 39, Block 3, Lot 3.

**Trustee Ecklund motioned to adopt Resolution #8, was seconded by Trustee Gorman and upon roll call motion was carried with a vote of 5 – 0.**

**9. Mayor Fitzpatrick offered a Resolution** approving certiorari settlement in the amount of \$6,389.42 for years 003 through 2007 for Bernard and Renee Osten, 133 Marbledale Rd. – Section 67, Block 3, Lot 10-G.

**Trustee Ecklund motioned to adopt Resolution #9, seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**10. Mayor Fitzpatrick offered a Resolution** approving certiorari settlement in the amount of \$7,180.81 for years 2004 and 2005 for John Gentile, 36 Midland Place – Section 29, Block 4, Lot 23.

**Trustee Ecklund motioned to adopt Resolution #10, seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.**

**11. Mayor Fitzpatrick offered a Resolution** authorizing the Mayor to execute an agreement between the Village of Tuckahoe and the County of Westchester concerning the Fisher Avenue Sidewalk Improvement Project.

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 July 14, 2008.

WHEREAS, pursuant to an agreement with the County of Westchester, the Village has or will be granted a grant from the United States Department of Housing and Urban Development; and

WHEREAS, pursuant to said grant, the Village is required to enter into an agreement with the County of Westchester for, among other things, the receipt of the grant monies; and

WHEREAS, legislation has been requested authorizing the Mayor to enter into an agreement with the County of Westchester concerning the Fisher Avenue Sidewalk Improvement Project.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby authorizes the Mayor to execute an agreement with the County of Westchester concerning the Fisher Avenue Sidewalk Improvement Project.

Section 2. That this resolution shall take effect immediately.

**Trustee Ecklund motioned to adopt Resolution #11, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.**

**12. Mayor Fitzpatrick offered a Resolution** authorizing the advertisement to receive sealed proposals for the Fisher Avenue Sidewalk Improvement Project.  
**Trustee Ecklund motioned to adopt Resolution #12, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.**

**13. Mayor Fitzpatrick offered a Resolution** to ratify board action approving request of the Oak Avenue residents to close Oak Avenue for their first annual block party on July 12, 2008 from 2pm to 8pm and to waive insurance requirement.

**Trustee Gorman motioned to adopt Resolution #13, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.**

**14. Mayor Fitzpatrick offered a Resolution** authorizing the ceremonial renaming of Rogers Street located in the Village of Tuckahoe to Eli Strand Jr. Way and to close the street for dedication and the use of the park.

**Trustee Gorman motioned to adopt Resolution #14, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

**15. Mayor Fitzpatrick offered a Resolution** authorizing the Building Inspector/Facilities Manager to cover and/or remove the crosses engraved in the stone of the Village Hall building located near and about the entrance of Village Hall. **Trustee Gorman motioned to adopt Resolution #15, was seconded by Trustee Coleman.** Trustee Coleman asked about an alternative to the installation of the new plaques. She asked if the stone could be removed and preserved. Frank DiMarco noted that he could not guarantee the removal of the stone without damaging it. It was determined that the plaques would be the right decision. **Upon roll call was carried with a vote of 5 – 0.**

**16. Mayor Fitzpatrick offered a Resolution ADOPTING THE EMERGENCY TENANT PROTECTION ACT OF 1974**

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 July 14, 2008.

WHEREAS, on January 14, 2008, February 11, 2008, March 3, 2008, April 28, 2008, May 19, 2008 and June 9, 2008 the Village Board of Trustees (the "Village Board") conducted public hearings on the enactment of the Emergency Tenant Protection Act of 1974 (the "ETPA"); and

WHEREAS, said public hearings were held on not less than ten (10) days public notice; and

WHEREAS, public comment was received in favor of and in opposition to the Village's adoption of the ETPA; and

WHEREAS, the Village Board has conducted a survey of all buildings in the Village consisting of six (6) or more residential units which come within the purview of the ETPA; and

WHEREAS, the Village Board concludes that based on said survey the vacancy rate in the Village for the housing accommodations that come within the purview of the ETPA is less than five (5%) percent; and

WHEREAS, the Village Board finds that a housing emergency exists within the Village of Tuckahoe under the terms and provisions of the ETPA.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby declares a housing emergency in the Village of Tuckahoe based on a finding of a vacancy rate of less than five (5%) percent for the housing accommodations that come within the purview of the ETPA.

Section 2. The Village Board does hereby adopt the New York State Emergency Tenant Protection Act of 1974, which Act shall be applicable to buildings containing six (6) or more housing units which come within the purview of the ETPA.

Section 3. That this resolution shall take effect on July 15, 2008.

**Trustee Gorman motioned to adopt Resolution #16, was seconded by Trustee Marcoccia.** Trustee Gorman noted that she researched this ETPA and spoke with many towns that do and do not have ETPA. She determined that ETPA would be a way to keep affordable rates in Tuckahoe, protects residents, landlords must provide cause for removal and would provide economic diversity to the Village.

Trustee Ecklund felt there is a lack of outcry from the residents making it evident that there is no immediate need for ETPA. He thanked Trustee Gorman for all her research.

Trustee Marcoccia felt that adopting the ETPA at this time would not be appropriate.

Trustee Coleman asked if a relative, not specifically named on the lease, could attain the lease upon the death of the tenant. John Cavallaro, Village Attorney, noted that a person not named on the lease could not inherit the benefit of the lease.

Mayor Fitzpatrick said he would vote no at this time adding that by adopting ETPA would be putting another layer of government into the village checking the vacancy rate. It is a delicate balance and he will keep on top of this to prevent the potential of price gauging. **Upon roll call motion was denied with a vote of 3 – 2, with Trustee Ecklund, Trustee Marcoccia and Mayor Fitzpatrick voting ‘Nay.’**

**17. Mayor Fitzpatrick offered a Resolution** REQUESTING THE RESIGNATION OF THE APPOINTED MEMBERS OF THE TUCKAHOE HOUSING AUTHORITY

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 July 14, 2008.

WHEREAS, the Tuckahoe Housing Authority consists of a seven (7) member board with five (5) of the members of said Board having been appointed by the current Mayor of the Village of Tuckahoe or former Mayors and the remaining two (2) members of the Board being elected by the tenant association; and

WHEREAS, the Tuckahoe Housing Authority has recently undergone an audit by the United States Department of Housing and Urban Development; and

WHEREAS, said audit has an issue date of June 19, 2008; and

WHEREAS, the audit, in summary and among other things, found that, "[t]he complaint allegations were valid ... The Authority did not adequately administer its low-rent program and non-profit entity activities in accordance with regulations. Specifically, weaknesses existed in the Authority's financial and management controls. The Authority executed a contract for executive director services in violation of its annual contributions contract, paid retirement benefits and legal costs that were inadequately supported, incurred unnecessary costs for board meetings, did not have proper documentation for the allocation of costs among its programs, and did not administer an admissions policy in accordance with HUD regulations. These weaknesses occurred because Authority staff was unfamiliar with HUD regulations. As a result, the Authority incurred ineligible costs of \$64,314 and unsupported and unnecessary costs of \$198,243. In addition, the Authority encountered delays in the construction of a senior citizens complex on land approved for disposal by HUD in 1999 for that purpose..."; and

WHEREAS, based on the findings of the audit the Mayor of the Village of Tuckahoe seeks a resolution requesting the resignation of the appointed members of the Tuckahoe Housing Authority; and

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board of the Village of Tuckahoe requests the resignation of the appointed members of the Tuckahoe Housing Authority based on the findings of the audit report, having an issue date of June 19, 2008, and issued by the United States Department of Housing and Urban Development.

Section 2. This resolution shall take effect immediately.

**Trustee Gorman motioned to adopt Resolution #17, was seconded by Trustee Coleman.** Mayor Fitzpatrick noted the importance of restoring trust for THA and sending a message that the money could have been used better. Trustee Ecklund added that this Board of Trustees has no bearing on the THA Board, but if this Board recommends that the THA Board resign, the Mayor has the duty to appoint and terminate their duty. John Cavallaro, Village Attorney, added that under Public Housing Law, the appointment is made by the Mayor. Trustee Ecklund noted that Mr. Zuckerman said it best when he said that the residents have a lack of confidence in the present Board. He noted that future THA Board members should seek proper training and sound advice. Trustee Marcoccia noted that this is a highly charged and heated issue with a lot of moving parts. He would like to see the tenants, the THA and the Village Board all work together as a community. Trustee Coleman noted that it was disheartening to know that the residents were living in a state of peril and are seeking our help. She asked which commissioners were appointed during the 2000 – 2006 years. Mayor Fitzpatrick noted that 3 of the 5 were appointed during this time. He added that this was not political as he will ask for the resignation of all the members including the most recent appointee by him. **Upon roll call the motion was carried with a vote of 4 -1 with Trustee Marcoccia voting ‘Nay.’**

#### **18. Mayor Fitzpatrick offered a Resolution** CREATING A YOUTH ADVISORY COMMITTEE

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 July 14, 2008.

WHEREAS, many issues arise in the Village and the community as a whole that may be of interest to youth or may affect youth in the community; and

WHEREAS, it is beneficial for the Village, the community and for its youth to practice and develop the citizenship skills of youth in the community by working with local government on such issues; and

WHEREAS, planning, coordinating and supplementing the activities of the youth in the Village with that of certain agencies devoted to the welfare and protection of youth will increase the civic responsibility of the Village's youth; and

WHEREAS, the Village can directly benefit from the advice and efforts of youth in the community on certain issues confronting the Village of Tuckahoe; now, therefore, be it

RESOLVED by the Village Board of the Village of Tuckahoe that:

1. There shall be a Youth Advisory Committee that will work in conjunction with the Village's Recreation officials to manage and coordinate back to school events and periodic children and/or youth-oriented programs. The Committee will attempt to coordinate with local businesses, residents and outside sources for funding of events which shall include grants with the assistance of the Village's grant writer and the Village's resources if available.

2. The Youth Advisory Committee will also be permitted to make recommendations to their Village Board liaison on Village Board agenda items or other matters affecting youth in the community, to seek and recommend ways to interest and involve youth in local government and to assist in the assessment and evaluation of youth and community programs throughout the Village.

3. The Mayor, subject to the approval of the Village Board of Trustees, shall make appointments to the Youth Advisory Committee. The Mayor shall have the authority to remove appointees from the Youth Advisory Committee. All efforts will be taken to ensure that a diverse range and balance of students serves on the Committee with respect to schools represented, grade, gender, ethnicity, and any other pertinent factors.

4. The term of office for each member shall be one school year, commencing on September 1 of a given year and ending on June 30 of the consecutive year. Members of the Youth Advisory Committee may be re-appointed. The Youth Advisory Committee shall select its own Chairperson and Vice-Chairperson.

**Trustee Gorman motioned to adopt Resolution #18, was seconded by Trustee Coleman.** Trustee Coleman noted that she was passionate about the youth to have an active role in the Village. **Upon roll call was carried with a vote of 5 – 0.**

**19. Mayor Fitzpatrick offered a Resolution** to conduct a public hearing for the establishment of an administrative fee under Section 6-39(e) of the Code of the Village of Tuckahoe, entitled "Building Permits," "Fees"

**Trustee Ecklund motioned to adopt Resolution #19, was seconded by Trustee Gorman.** Mayor Fitzpatrick stated that there is a \$1000 fine for residents if the Building Inspector discovers a project without the proper paper work filed. Some projects are not even worth \$1000, and the residents pay a fine more than what the project was worth. The Board needs to hold a public hearing to discuss alternatives. **Upon roll call was carried with a vote of 5 – 0.**

**20. Mayor Fitzpatrick offered a Resolution** authorizing the Mayor to sign a letter and forward such a letter to Metro North requesting that 21 commuter parking spaces at the Lake Avenue parking lot be converted to metered parking spaces.

**Trustee Ecklund motioned to adopt Resolution #20, was seconded by Trustee Coleman.** Mayor Fitzpatrick stated that Metro North has an agreement with the Village that the Village must offer a minimum of 165 commuter parking spaces. Presently, the Village offers approximately 400 parking spaces for commuters. If the Village converts 21 spaces to meter parking spaces, there will be a loss of revenue to the Village. There needs to be a conversation regarding the loss of the commuter fees and possibly to put the restored building back on the payroll. The building is a non-taxable business as it is owned by Metro North. The Village will provide Fire, Police and garbage services and Metro North or tenant is responsible for and must pay for these services. It was agreed that John Cavallaro, Village Attorney, will compose a letter addressing these concerns to the applicant and Metro North. **Upon roll call was carried with a vote of 5 – 0.**

**21. Mayor Fitzpatrick offered a Resolution** to accept a grant from the Generoso Pope foundation in the amount of \$6485 for the purchase of a segway.

**Trustee Gorman motioned to adopt Resolution #21, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

#### **APPOINTMENTS –**

**1. Mayor Fitzpatrick offered the appointment of Allison Chilson of 201 Dante Avenue as a member of the Library Board for a term to expire April 1, 2013.**

**Trustee Gorman motioned to approve this appointment, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.**

#### **APPROVAL OF MINUTES –**

**Trustee Marcoccia motioned to approve the minutes of the Regular Meeting - June 9, 2008 was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.**

**Trustee Coleman motioned to approve the minutes of the Special meeting – June 19, 2008, was seconded by Trustee Gorman and upon roll call was carried with a vote of 4 – 0, with Trustee Marcoccia abstaining due to his absence.**

#### **VILLAGE ATTORNEY**

No Report

#### **BUILDING DEPARTMENT**

No Report

#### **POLICE DEPARTMENT**

No Report

#### **DEPARTMENT OF PUBLIC WORKS**

No Report

## VILLAGE CLERK

No Report

## CORRESPONDENCE

Ms. Ciamarra, Village Clerk, stated that two petitions were received dealing with resolutions on the agenda.

## BOARD OF TRUSTEES MEMBER REPORTS:

- **TRUSTEE ECKLOND** announced that the CDGB 2008 project of replacing the sidewalks on Fisher Ave. and Marbledale Rd. will have a contract as of August 11, 2008. The project of redesigning the intersection at Marbledale Rd. and Fisher Ave. will be delayed 3 weeks as the granite curb has to be custom made. Regarding the DPW building, a cost proposal should be completed by next week. Trustee Ecklond noted that there is a \$700,000 grant available which could possibly be used for the placing of the utilities lines underground along Columbus Ave. between Lincoln and Dante. He will continue to speak with Con Ed and the consultants. The DPW contract negotiations expired on May 31, 2008 and there have been discussions on an ongoing basis. He noted that there should be scooter and motorcycle parking spaces available at the parking lots throughout the Village, as with the rising costs of gasoline, residents may opt for this alternative.
- **TRUSTEE GORMAN** announced that the Building Dept. sent a letter to all local restaurants on grease disposal with follow-up inspections on a regular basis. The newly formed Sign and Awning Review Board is ready to accept applications. Tuckahoe Senior Citizens annual fund raiser will be Sept. 20. National Night Out, sponsored by the Tuckahoe Police Dept. – Aug. 5. Regarding Camp Bucca, the temperature at times reaches 120 degrees and the troops requested freeze pops. Residents may donate the freeze pops and they will be mailed out. Tuckahoe Extravaganza – July 26, 2008 4:00pm – Fireworks at 9:30pm.
- **TRUSTEE COLEMAN** congratulated and wished much success to the Tuckahoe, Bronxville and Eastchester High School graduates. Save the date October 4, 2008 for the Chamber of Commerce Historical Tour of Tuckahoe with a site seeing bus tour and lunch. The ECPA has a multicultural team reading every Wed. from 6:00pm – 7:00pm. Please join.
- **TRUSTEE MARCOCCIA** announced that the speed bumps for Oakland Ave and Oak Ave. have been ordered. The temporary speed bumps will slow speed to 15 mph.
- **MAYOR FITZPATRICK** stated that the residents of those areas need to meet to decide the placement of the speed bumps.

## **SECOND OPPORTUNITY TO ADDRESS THE BOARD**

Thomas Logan expressed concern over the whereabouts of the computers the ex Executive Director took possession of which has the residents SS# and bank account information. Mayor Fitzpatrick stated that this issue is being investigated by the HUD.

Ms. Hook, Jefferson Place, requested that the two trees planted in the middle of Jefferson Park be removed.

Mayor Fitzpatrick stated that the trees were planted due to complaints received. The trees were placed there to prevent the killing of the grass due to volleyball games but he will re-examine the area.

Lovely Philips, High St., asked the Board to consider the Sanford Gardens residents passion concerning the Housing Authority issue and was in favor of the community moving forward now.

There being no further business, the Board unanimously voted to adjourn the meeting at 10:24 P.M.

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Susan Ciamarra, Village Clerk

