

June 11, 2007

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

Present: Mayor John Fitzpatrick
Trustee Steve Ecklund
Trustee Luigi Marcoccia
Trustee Clare Gorman
Trustee Ernest Zocchi

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

PUBLIC HEARINGS

LOCAL LAW NO. 5 OF 2007

A LOCAL LAW AMENDING SECTION 22-24 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "LICENSE FEES" WITHIN CHAPTER 22 VEHICLES FOR HIRE, ARTICLE II PUBLIC CARRIAGES AND HACKS

Trustee Gorman motioned to open the public hearing was seconded by Trustee Ecklund and unanimously carried by the Board.

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 11, 2007.

WHEREAS, the Police Department has requested legislation amending Section 22-24 of the Village Code of the Village of Tuckahoe, entitled "License Fees" within Chapter 22 Vehicles for Hire, Article II Public Carriages and Hacks; and

WHEREAS, notice of said public hearing was duly advertised in the Hometown Report, the official newspaper of said Village, on the 25th day of May 2007; and

WHEREAS, said public hearing was duly held on the 11th day of June 2007, 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 22-24 of the Village Code of the Village of Tuckahoe entitled "License Fees" as contained within Chapter 22, Vehicles for Hire, Article II Public Carriages and Hacks, is hereby amended as follows:

The following fees shall be collected by the Village Clerk for each license issued, whether original or renewal:

- a. For each taxicab license issued, the sum of one hundred seventy five dollars (\$175) [one hundred fifty dollars (\$150)] for each six-month period.
- b. For each taxi driver's license, the sum of fifty dollars (\$50) [twenty dollars (\$20)] each year.
- c. For each taxicab owners license, the sum of one hundred dollars (\$100) [sixty-two dollars and fifty cents (\$62.50)] for each six-month period.

Section 2. The amended fees, as set forth in Section 1 herein, shall become effective on July 1, 2007.

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. This Local Law shall take effect immediately.

Section 5. 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 []~~

Mayor inquired whether any correspondence had been received to which the Village Clerk, Susan Ciamarra, replied that she had received an email on June 11, 2007 from the manager of Crestwood Taxi requesting the public hearing remain open until the next meeting to afford them an opportunity to speak on the topic.

Trustee Gorman motioned to hold the public hearing open was seconded by Trustee Ecklund and unanimously carried by the Board.

OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

No Public Comments

RESOLUTIONS -

- 1. Mayor Fitzpatrick motioned for a Resolution** authorizing the Supt. of Public Works to hire three and the Police Chief to hire two seasonal employees for the summer months not to exceed a 12 week period at an hourly rate of \$10.
Trustee Gorman motioned to adopt Resolution #1, was seconded by Trustee Zocchi and upon roll call was approved with a vote of 5 – 0.
- 2. Mayor Fitzpatrick motioned for a Resolution** authorizing the Village Clerk to issue a general business license to the Westchester Greenhouse for the purpose of setting up a farmers market on the Westerly side of Depot Square every Sunday from 10am to 4:30pm from mid-June to mid-November 30, 2007.
Trustee Marcoccia motioned to adopt Resolution #2, was seconded by Trustee Ecklund and upon roll call was approved with a vote of 5 – 0.
- 3. Mayor Fitzpatrick motioned for a Resolution** accepting the purchase bid of \$301.00 for the 1983 OSHKOSH dump truck and snow plow and sander from North White Auto Inc. of 43 Virginia Road, White Plains, NY. Only one bid was received.
Trustee Ecklund motioned to adopt Resolution #3 was seconded by Trustee Gorman.
Discussion: The members discussed the option to sell the truck as is or advertise for a bid for scrap metal. After costs of re-advertising were considered, the decision was to sell. Upon roll call, the motion was approved with a vote of 5 – 0.
- 4. Mayor Fitzpatrick motioned for a Resolution** authorizing the Mayor and/or Village Clerk to sign a new five year lease agreement between CBS, LLC and Village of Tuckahoe for a new copier (under State contract) due to the present lease having expired. The new lease will save the Village approximately \$300 per year. In addition, the company provided the Village with a new color laser printer at no cost.
Trustee Gorman motioned to adopt Resolution #4, was seconded by Trustee Ecklund and upon roll call was approved with a vote of 5 – 0.
- 5. Mayor Fitzpatrick motioned for a Resolution** ratifying Board action authorizing the Village Clerk to issue a Limited Cabaret License to Joe's Quarry Inn for Sunday, May 27, 2007 between the hours of 5pm and 10pm.
Trustee Gorman motioned to adopt Resolution #5, was seconded by Trustee Zocchi and upon roll call was approved with a vote of 5 – 0.

6. **Mayor Fitzpatrick motioned for a Resolution** authorizing the Village Clerk to issue a Limited Cabaret License to Joe's Quarry Inn for the following dates: Tuesday, July 3rd; Saturday, August 18th and Sunday, Sept. 2nd between the hours of 5pm and 10pm.

Trustee Ecklund motioned to adopt Resolution #6, was seconded by Trustee Zocchi.

Discussion: Mayor Fitzpatrick noted that since noise complaints had been received from the May 27th Limited Cabaret, perhaps this matter needs to be addressed . John Cavallaro advised the Board to approve the July 3rd date, and evaluate the music and noise level at the next meeting. If satisfied with the noise level, the Board will then approve the additional dates.

Mayor Fitzpatrick motioned for an Amended Resolution authorizing the Village Clerk to issue a Limited Cabaret License to Joe's Quarry Inn for the following date: Tuesday, July 3rd.

Trustee Ecklund motioned to adopt the Amended Resolution #6, was seconded by Trustee Zocchi and upon roll call was approved with a vote of 5 – 0.

7. **Mayor Fitzpatrick motioned for a Resolution** authorizing Stephen Porpora, Village Treasurer and John Fitzpatrick, Mayor Signatory power on all Village bank accounts.

Trustee Gorman motioned to adopt Resolution #7, was seconded by Trustee Zocchi. Upon roll call, the motion was approved with a vote of 5 – 0.

Discussion: Trustee Marcoccia asked if this was standard procedure. Mayor Fitzpatrick noted that the bank requires a resolution to authorize the Treasurer to sign checks. Trustee Marcoccia suggested a safeguard be put in place where the Treasurer could only sign checks within a certain amount with large amounts requiring a second signature. John Cavallaro, Village Attorney, suggested a second signature be required for amounts over \$50,000.00.

Mayor Fitzpatrick motioned for a BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUCKAHOE, WESTCHESTER COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE IMPROVEMENTS TO THE HEATING SYSTEM FOR THE VILLAGE HALL AND THE ACQUISITION OF ONE DUMP TRUCK/SNOWPLOW; ESTIMATING THAT THE TOTAL COST THEREOF IS \$258,000; APPROPRIATING SAID AMOUNT THEREFORE; AND AUTHORIZING THE ISSUANCE OF \$258,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustee of the Village of Tuckahoe (the "Board of Trustees") is considering the authorizing (i) improvements to the heating and cooling system for the Village Hall consisting of the acquisition of a direct digital automatic temperature control system and upgrades to the radiator valves, at a total estimated maximum cost of \$115,000 and (ii) the acquisition of one pickup

dump truck/snowplow for use by the Village's Department of Public Works at an estimated maximum cost of \$143,000 (collectively, the "Project"); and

WHEREAS, each of the foregoing described actions constitute an "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and therefore no further action under SEQRA with respect thereto needs be taken by the Board of Trustees; and

WHEREAS, the Board of Trustees now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds or bond anticipation notes to finance said appropriation.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF TUCKAHOE, WESTCHESTER COUNTY, NEW YORK (THE "VILLAGE") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Village is hereby authorized to issue \$115,000 principal amount of serial bonds pursuant to the provisions of the Local Finance law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of improvements to the heating and cooling system for the Village Hall consisting of the acquisition of a direct digital automatic temperature control system and upgrades to the radiator valves. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$115,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$115,000 in serial bonds of the Village authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.13. of Section 11.00 of the Law.

SECTION 2. The Village is hereby authorized to issue \$143,000 principal amount of serial bonds pursuant to the provisions of the Local Finance law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of acquiring one dump truck/snowplow for use by the Village's Department of Public Works. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$143,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$143,000 in serial bonds of the Village authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision a.29. of Section 11.00 of the Law.

SECTION 3. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to subdivision d.9. of Section 107.00 of the Law.

SECTION 4. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Sections 1 and 2 of this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 and 2 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 and 2 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Sections 1 and 2 of this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Further, pursuant to subdivision b. of Section 11.00 of

the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the Chief Financial Officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Village, for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

Trustee Gorman motioned to adopt Resolution #8, was seconded by Trustee Zocchi. The following vote was taken and recorded in the public session of said meeting:

| | |
|-------------------------|------------|
| Trustee Steven Ecklund | Voting Yes |
| Trustee Luigi Marcoccia | Voting Yes |
| Trustee Clare Gorman | Voting Yes |
| Trustee Ernest Zocchi | Voting Yes |
| Mayor John Fitzpatrick | Voting Yes |

9. Mayor Fitzpatrick motioned for a Resolution authorizing an increase in the annual parking permit fee as of July 1, 2007 as follows:

- Tuckahoe Residents \$ 750
- Eastchester/Bronxville Residents \$1100
- Non-Tuckahoe/Eastchester/Bronxville Residents \$1150
- Merchant \$ 700

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

10. Mayor Fitzpatrick motioned for a Resolution authorizing payment of vouchers in the amount of \$269,870.41; abstract #47 - \$72,937.93; abstract #49 - \$180,904.20 and abstract #50 - \$16,028.28. The largest invoices paid were: \$8,112 to Huff, Wilkes & Cavallaro for legal services for March and April; \$12,303.04 to NY Power Authority/electricity on Village owned properties; \$93,524.54 to NYS Employees' Health Insurance/health insurance premium for June; \$9,171.12 First Ameritas/dental ins. premium; \$7,175 Dept. of Environmental/transfer station tipping fees for April and \$8075. to State Comptroller/state portion of court fines collected.

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

11. Mayor Fitzpatrick motioned for a Resolution authorizing Chief Costanzo to attend the NYS Association of Chief's of Police Annual Training Conference from July 16 to 18 in Alexander Bay, New York.

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

12. Mayor Fitzpatrick motioned for a RESOLUTION SCHEDULING A PUBLIC HEARING ON THE VILLAGE OF TUCKAHOE ZONING ORDINANCE OF 2001 AND THE ZONING MAP OF THE VILLAGE OF TUCKAHOE

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 11, 2007.

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to the adoption and approval of the Official Zoning Map of the Village of Tuckahoe pursuant to and under 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 seq., and/or other applicable law a public hearing shall be held on or

about the 9th day of July 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 the Zoning Map of the Village of Tuckahoe, as amended, shall be approved and adopted as the Official Zoning Map of the Village of Tuckahoe.

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 applicable law.

Section 3. The foregoing proposed adoption and approval of the of Zoning Map, as amended, as the Official Zoning Map of the Village of Tuckahoe shall be deemed to refer to the applicable sections of the Zoning Ordinance as well as the applicable Schedules and Tables.

Section 4. That this resolution shall take effect immediately.

Trustee Gorman motioned to adopt Resolution #12, was seconded by Trustee Zocchi.

Discussion: John Cavallaro, Village Attorney, noted that this was a resolution to approve the new map that was amended due to Mirado Properties and the FCS rezoned as a Residential B zone. Upon roll call was approved with a vote of 5 – 0.

13. Mayor Fitzpatrick motioned for 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 June 11, 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., and/or other applicable law a public hearing shall be held on the 9th day of July 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 new and supplemental section of the Tuckahoe Zoning Ordinance, proposed to be Section 5-1.7. therein and to be entitled "Merged Lots," shall be enacted and, if enacted, said Section would require and mandate that nonconforming parcels of land having common ownership with an adjacent parcel, or any another parcel of land used for the development of an adjacent parcel having common ownership shall be deemed to be a single lot.

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 Gorman motioned to adopt Resolution #13, was seconded by Trustee Zocchi.

Discussion: Mayor Fitzpatrick noted that within the community there are several lots that are nonconforming. The home and garage are on two lots, he noted that these should be merged to diminish the amount of nonconforming lots, so that the goals of the zoning ordinance could be achieved. Upon roll call, the motion was carried with a vote of 5 – 0.

14. Mayor Fitzpatrick motioned for a RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRM OF HAROLD, SALANT, STRASSFIELD AND SPEILBERG FOR THE TUCKAHOE POLICE ORGANIZATION NEGOTIATIONS AND THE COLLECTIVE BARGAINING AGREEMENT

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 11, 2007.

WHEREAS, the Mayor and Village Board desire to retain Christopher Harold, Esq. of the law firm of Harold, Salant, Strassfield and Speilberg to conduct labor negotiations with the Tuckahoe Police Organization for the completion of the collective bargaining agreement between the Village of Tuckahoe and the Tuckahoe Police Organization.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Mayor is hereby authorized to negotiate and execute a retainer agreement with Christopher Harold, Esq. of the law firm of Harold, Salant, Strassfield and Speilberg to conduct labor negotiations with the Tuckahoe Police Organization for the negotiation, drafting and completion of the collective bargaining agreement between the Village of Tuckahoe and Tuckahoe Police Organization.

Section 2. That, the costs of said retainer shall not exceed \$10,500.00 per year.

Section 3. That, this resolution shall take effect immediately.

Trustee Gorman motioned to adopt Resolution #14, was seconded by Trustee Ecklund.

Discussion: Mayor Fitzpatrick indicated that the Police contract expired on May 31, 2007 and thought it was a good time to try a new firm. Chris Harold has experience in this area. Mr. Wirtz is out for this negotiation, but will still be on board for labor relations matters.

John Cavallaro, Village Attorney, added that Mr. Harold has 30 years experience in this field and he comes with a wealth of knowledge. Upon roll call, the motion was approved with a vote of 5 – 0.

15. Mayor Fitzpatrick motioned for a RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE CONCERNING A SEX OFFENDER RESIDENCY RESTRICTION LAW

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 11, 2007.

WHEREAS, the Village Board of Trustees has recommended that the Village conduct a public hearing in connection with a proposed local law that would amend and supplement the Village Code of the Village of Tuckahoe relating to a sex offender residency restriction law.

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of the Village Law and/or the Municipal Home Rule Law, a public hearing shall be held on the 9th day of July 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 the Village shall enact a local law relating to a residency restriction law that would prohibit Level 2 and Level 3 Sex Offenders from residing within one thousand (1,000') feet of certain parks and playgrounds located within the Village of Tuckahoe.

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk in accordance with the Municipal Home Rule Law and/or other applicable law.

Section 3. That this resolution shall take effect immediately.

Trustee Gorman motioned to adopt Resolution #15, was seconded by Trustee Zocchi and upon roll call was approved with a vote of 5 - 0.

16. Mayor Fitzpatrick motioned for a RESOLUTION ACCEPTING AND APPROVING THE BID FOR THE POLICE DEPARTMENT IN-CAR DIGITAL RECORDING SYSTEMS

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 11, 2007

WHEREAS, the Village Board had authorized the advertising of bids for three in-car digital video recording systems for the Tuckahoe Police Department; and

WHEREAS, the Police Department has received a bid from L3 Communications Mobile-Vision, Inc., the only bidder in response to the advertising for bids; and

WHEREAS, the Police Department has recommended the approval and acceptance of the bid from L3 Communications Mobile-Vision, Inc.

NOW, THEREFORE, BE IT RESOLVED

Section 1. That the sealed bid of L3 Communications Mobile-Vision, Inc. to furnish three in-car digital video recording systems for the Tuckahoe Police Department be accepted and approved as the lowest responsible bidder.

Section 2. That, the costs of said project shall not exceed \$27,974.00;

Section 3. That, this resolution shall take effect immediately

Trustee Ecklund motioned to adopt Resolution #16, was seconded by Trustee Zocchi and upon roll call was approved with a vote of 5 - 0.

17. Mayor Fitzpatrick motioned for a RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR A GRANTS RESEARCHER AND WRITER

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 11, 2007

WHEREAS, the Mayor and Village Board of Trustee desire to retain a grants researcher and writer, who will identify, research and apply for the grants for the Village of Tuckahoe and its various departments; and

WHEREAS, the Mayor and Village Board desire to retain the professional services of Sylvia A. Welch, Ph.D. as the Village's grants researcher and writer.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Mayor is hereby authorized to negotiate and execute a professional services contract with Sylvia A. Welch, Ph.D., grants researcher and writer.

Section 2. That, the costs of said professional services contract and remuneration to Sylvia A. Welch, Ph.D. under said contract shall not exceed \$4,000.00 per year.

Section 3. That, this resolution shall take effect immediately.

Trustee Ecklund motioned to adopt Resolution #17, was seconded by Trustee Gorman.

Discussion: Mayor Fitzpatrick added that Dr. Welch came highly recommended from another community that had received \$4,000,000 in grants over the last 12 years that she applied for. Upon roll call, the motion was approved with a vote of 5 - 0.

APPOINTMENTS

Mayor Fitzpatrick appointed Daniel Belles and Antonio Leo to the ad hoc Master Plan Committee. He noted that they will be an asset to the community.

LIAISON APPOINTMENTS – Mayor Fitzpatrick announced liaison appointments to the various departments as follows:

Mayor Fitzpatrick: Police, Village Clerk, Village Attorney, Court, Planning/Zoning

Trustee Ecklund: Capital Projects, Facilities, Schools, Emergency Response

Trustee Marcoccia: Fire Dept., Finance, Recreation, Cable/Utilities, Inter Governmental

Trustee Gorman: Housing Authority, Seniors, Library, Civic Assoc/Ad Hoc Committees

Trustee Zocchi: DPW, Building, Parking, Eastchester/Tuckahoe Chamber of Commerce

APPROVAL OF MINUTES –

Trustee Ecklund motioned to approve the minutes of the Regular Meeting of April 30, 2007, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.

Trustee Ecklund motioned to approve the minutes of the Regular Meeting of May 14, 2007, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.

REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

Police Department

Chief Costanzo reported on his department participation in the ‘Buckle Up NY’ seat belt enforcement program. During the Memorial Day weekend, the Police Dept. conducted sobriety checks at various locations. One DWI arrest was made, but the message got out that DWI will not be tolerated. Sat. June 16, 2007 is Safe Riders Day at Parkway Oval with bike safety and free helmets. The ‘Cops for Kids’ Annual Softball Tournament is also the same day at 1:30. This tournament builds bonds between Police Officers and the youth. He thanked Tracey Rutherford of the Community Fund for their funding support which helps make these events possible. June 25, 2007 is the 30th Annual Tuckahoe Police Organization golf outing at Lake Isle. Proceeds help fund DARE and scholarship programs.

Department of Public Works

Mr. Robert Mascianica, Superintendent of Public Works, reported on the recycling schedule indicating that pick up for electronic devices such as TV’s, computers, computer monitors etc. will be Tuesday mornings with other appliances such as refrigerators, microwaves etc. picked up Thursday mornings. He said it is important to place leaves in biodegradable bags or loose in the can and placed at curbside and are not be placed in plastics bags. All information is posted on Tuckahoe’s website. Also, he made mention that DPW personnel will soon be wearing uniforms that will separate them from the public.

Mayor Fitzpatrick asked the workers be encouraged to sweep major debris left after a pickup. DPW Superintendent reported on a recent survey which indicated that 40% of the garbage removal is commercial and 60% is residential. Mayor Fitzpatrick requested more research be done to certain method of collection utilized by other communities for commercial garbage.

Trustee Zocchi suggested using the local merchant, Mr. Britts, to possibly provide the uniform shirts for the DPW. Mayor Fitzpatrick noted that there is currently a contract with another supplier, but Mr. Britts may bid for future uniforms.

Mr. Mascianica indicated that the marble donated to the Village by a resident is securely placed on the DPW property.

Building Department

Bill Williams, Building Inspector, summarized the status of the generator from The Fountains. The generator, which took 16 – 18 weeks on order, will be delivered soon. Drawings to move the electric underground are almost finished. On the shingles issue, a notice of violation was sent. Regarding trucks making deliveries from Lake Avenue, this usually happens when a substitute driver or a new driver both of whom do not know the area or agreement between the Fountains and the Village. The Village cannot issue a violation as this agreement was a ‘gentleman’s agreement’ and not part of the site plan approval.

Mayor Fitzpatrick said the Fountains are currently in violation of the noise ordinance when the generator goes on. Bill Williams stated that he issues a violation when the generator goes on.

As for illegal apartments, Mayor Fitzpatrick said that residents may remain anonymous when filing a complaint.

On the temporary banners issue it was noted that applicants receiving approval for 30 days but wish to keep them up for longer than 30 days, should appeal to the Planning Board who will review materials, font, layout, etc. The Mayor said that the company marketing the condos at Rivervue should appeal to the Planning Board for a more permanent banner noting that any sign to be hung for more than 30 days is no longer considered temporary and would fall under the jurisdiction of the Planning Board.

CORRESPONDENCE

Ms. Ciamarra said the only correspondence was the email mentioned earlier from the Manager of the Crestwood Taxi service regarding proposed Local Law #5 of 2007.

BOARD OF TRUSTEES MEMBER REPORTS:

- **TRUSTEE MARCOCCIA** noted that he received a letter from Con Ed regarding residents signing up for e – bill, a fast payment option to pay the bill online. Con Ed will donate \$1.00 to help plant trees for each resident that signs up for this service. Trustee Marcoccia thanked the Fire Dept. for a job well done with the fierce fire at Nicole Interiors. He also thanked the Red Cross

for their fine service to the community. Trustee Marcoccia asked if seasonable help could possibly paint and sand the pedestrian bridge over the train tracks.

- **TRUSTEE GORMAN** attended the Library poetry contest and noted that participants did a great job; all poems were outstanding. The Library reading program begins July 10, 2007. Book Bingo for adults from June 1 - August 15, 2007. The Seniors had a successful raffle and collected \$1300. The Girl Scouts did a great job planting a garden at 4 Union St. Trustee Gorman thanked Councilwomen Sheila Marcotte and others for donating the flowers.
- **TRUSTEE ZOCCHI** reminded residents that bonds are actually mortgages to pay for items for the Village needs to purchase such as the new DPW truck.
- **TRUSTEE ECKLOND** announced a one mile walk in Tuckahoe, Sat. June 23, 2007, to benefit Young Women Against Breast Cancer. The walk will begin at Immaculate Conception Church and the donation fee is \$15.00. He reported that he is in contact with the Westchester County Planning Dept. involved with various capitol projects. Presently under review are sketches for the renovations of the Union Place park as well as being quite busy with the new projects projected for this summer. He felt the meeting between the Village Board and School Board dealing with tax certiorari was quite successful.
- **Mayor Fitzpatrick** announced the outdoor meeting scheduled at Garrett Park for June 25, 2007 at 7:00pm. The annual fireworks will be held on July 28, 2007. On the campaign promises, he is looking to address such issues as the Sex offenders Residency Restriction Law, and speed bumps which were also introduced by Trustee Marcoccia. He asked residents to consider volunteering for a new Environmental Committee which will be charged with specific issues. He would also like a committee of business owners to go along with the current Chamber of Commerce. Trustee Ecklond said an alternative to speed bumps would be to make Marbledale Rd. a one way street from Lincoln to Fisher or possibly even from Stewart to Fisher. Police Chief Costanzo felt studies would need to be done since there are pros and cons to speed bumps and one way streets. Using speed bumps usually just transplants the traffic problem from street A to street B. It's not a simple solution since many things need to be considered such as emergency vehicles, school buses etc.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Rev. Frank Coleman, 15 Wallace St., said that although speed bumps would not work on Wallace due the steep hill, he did want to make mention of the speeding problem on that street. He thanked Mayor Fitzpatrick and Chief Costanzo for rectifying the parking problem at the church. He thanked the residents for their support with the school budget and voiced his disappointment regarding complaints made to the school with his announcement of the school budget vote at the Village Board meeting.

Diane Ryan, 261 Marbledale Rd., lives next to the Fisher Ave. Park, voiced her concern with the teenagers hanging out in the park. Their language, trash and behavior were a disgrace. She said that parents leave with their children when the teenagers show up. Further, people utilize her driveway to turn around and the proposed privacy fence along the side of her property may not offer enough of a buffer to make a difference and is looking to gain some quality of life. As a resident, paying taxes, she would like to enjoy opening up her windows without being subjected to this behavior.

Mayor Fitzpatrick said upon her request, the bench was moved back. There are 'No Smoking' signs in the park, a proposed fence will be placed around the basketball courts and the survey votes of the basketball courts can be viewed in the Village clerk's office.

Trustee Ecklund said the behavior of teenagers is a Police Dept. issue and he is very critical of foul language.

Mayor Fitzpatrick noted that he will request the Police Dept. to have officers on bikes circulate around the area of the park.

Patti Gallo, 58 Underhill St., wondered why, if condos decrease tax revenue by 30%, the Zoning Board would suggest, after denying her application to subdivide her two family house, apply for condo status. And, further, why would the Village Board have a Zoning Code that prevents subdivisions, when condos would actually decrease tax revenue for the Village.

John Cavallaro, Village Attorney, noted that the Zoning Board is charged with dealing with variances and their charge is specific; they not look at the tax base increase.

Mayor Fitzpatrick indicated that he is not opposed to exploring this situation.

Steve Celestino, 2 Parkview Place, requested the once raised curbs along his street, now recessed and flush with the pavement, be raised. Also, parked vehicles from his driveway to the corner, hinder emergency vehicles from maneuvering easily, suggesting no parking be instituted for that section. Mayor Fitzpatrick noted that Trustee Zocchi and the DPW will look into it.

Ms. Tammy O'Bradovich of Lake Ave., voiced her concern with the delivery trucks for Rivervue continually use Lake Avenue as the entrance to the complex. She indicated that it was agreed, as part of their site plan approval, that Lake Avenue would not be utilized for making deliveries, adding that only DPW and emergency vehicles were to use this entrance.

Trustee Gorman indicated that she will address and review the agreement.

Ms. O'Bradovich requested DPW leave the empty cans on the sidewalk rather than the street. She thanked the Board for the upgraded website and for instituting work sessions.

Trustee Marcoccia said that the Village has been dealing with Rivervue on several issues over the last four years. The generator has been a constant problem; the enclosure for the generator should include evergreen trees to shield the noise.

Mr. Zuckerman of Bronx St. noted that the Tuckahoe Eastchester Lions Club will volunteer to paint the bridge, after the liability issue is settled.

Mr. Getinambi, business owner on Marbledale Rd., voiced his approval of speed bumps on Marbledale Rd. for safety issues.

There being no further business the Board unanimously voted to adjourn the meeting at 10:40 PM.

Susan Ciamarra, Village Clerk