

June 9, 2008

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 Margaret Coleman

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

SPECIAL PRESENTATIONS

1. Presentation to members of the Bronxville Youth Council for their efforts with Camp Bucca. Mayor Fitzpatrick congratulated Michael McManus and Travis Spray for their assistance in collecting over \$26,000 for the purchase of phone cards for the service men and women stationed in Iraq. Mayor Fitzpatrick stated that not only will the troops appreciate the gift, but their families whom they will call, also appreciate this thoughtful gift.

Mike McManus thanked all those whom contributed to this worthy cause.

Ms. Eve Bucca said she was proud of the community and youth group adding that this gift was priceless to the troops. Trustee Gorman also thanked the entire Village for their effort as every month there are boxes being sent to Camp Bucca.

APPOINTMENT AND OATH

Mayor Fitzpatrick offered the appointment and swearing in of John Cuccinello to the position of Police Sergeant effective June 9, 2008 with a probationary period of twenty-six (26) weeks.

He noted that Officer Cuccinello has been with the force since 1992 and was active with the DARE program, crime prevention and the emergency response.

Sgt. Cuccinello thanked the Mayor Fitzpatrick, the Board members, Chief Costanzo and his family for their support.

Mayor Fitzpatrick offered the appointment and swearing in of Abelardo Bautista to the position of Detective Police Officer effective June 9, 2008. Mayor Fitzpatrick noted that Det. Bautista has been a Police Officer since 1994.

Det. Bautista thanked Chief Costanzo, Mayor Fitzpatrick, the Village Board members and his wife and family and added that it has been an honor to be a member of the Tuckahoe Police Dept.

County Legislature Vito Pinto stated how proud he was of these fine gentlemen and that it was a privilege to work with the Tuckahoe Police Dept. He thanked the officers for a fine job and stated that the Board made a 'wise choice.'

Each member of the Board offered their congratulations and wished them well. The Board agreed that each were very deserving of these promotions and thanked all the other qualified candidates. They acknowledged that it was a difficult decision.

SPECIAL PRESENTATIONS

2. Gramatan Village – Julie Dalton, Executive Director, stated that Gramatan Village is a membership organization serving the Greater Bronxville Communities. It currently provides services to elderly residents, 50+ years old, who reside in 10708, 10552, and 10707 zip codes. This organization offers services so an elderly person may continue to live in their home as an alternative to an assisted living facility. Services include home health care aides, counseling, home safety check, grocery shopping assistance, lawn care etc. The current membership fee is \$360.00 per year per individual. The office is located at

85 Pondfield Rd., Bronxville, M - F 9:30am – 4:30pm ph -337-1338

www.gramatanvillage.org

Mayor Fitzpatrick noted that the Village Hall will have the brochure. Residents may call the Village Clerk's office for more information.

PUBLIC HEARING I. Continuation of public hearing to receive public comments on the adoption of the **Emergency Tenant Protection Act of 1974 (ETPA)**

Trustee Ecklund motioned to open the public hearing, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.

No Public Comments

Mayor Fitzpatrick stated that the informal data analysis has gathered vacancy information on 16 buildings. As of now, there is a vacancy rate of 3% which falls below the 5% required by the ETPA.

Trustee Gorman motioned to close the public hearing was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

PUBLIC HEARING NO. II - Continuation of public hearing on **LOCAL LAW #5 OF 2008 – A local law supplementing Sections 21-115 through 21-118 of the Code of the Village of Tuckahoe concerning a Village Parking Lot to be designated as the Parkway Oval Parking Lot.**

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 May 19, 2008.

WHEREAS, the Mayor has requested legislation designating the parking area known as the Parkway Oval Parking Lot and for the issuance of permits for parking at said parking lot;" 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 May 2008; and

WHEREAS, said public hearing was duly held on the 19 day of May 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, 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.

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

Section 1. Sections 21-115 through 21-118 of the Village Code of the Village of Tuckahoe are hereby amended as follows:

§ 21-115. Parkway Oval Parking Lot

- (a) There shall be created a municipal, Village-owned parking lot known as the Parkway Oval Parking Lot located near and about Consulate Drive and Parkway Oval in the Village of Tuckahoe, New York
- (b) The Parkway Oval Parking Lot shall consist of approximately 25 parking spaces and shall be used for the purpose of parking motor vehicles of residents of the Village.

§ 21-116. Permit required; costs of permit

- (a) The driving or parking of a motor vehicle in the Parkway Oval Parking Lot shall be prohibited unless a Parkway Oval Parking Lot permit is affixed to such motor vehicle.
- (b) A Parkway Oval Parking Lot permit shall mean a license issued by the Village Clerk of the Village of Tuckahoe authorizing the parking of a specified vehicle in the Parkway Oval Parking Lot in accordance with reasonable priorities and conditions established by the Village.

- (c) The parking of any motor vehicle is prohibited in such parking area unless such vehicle is parked wholly within a space designated by the Village for the parking of a single motor vehicle.
- (d) Subject to availability and the capacity of the Parkway Oval Parking Lot, the Village Clerk or her designee shall issue a Parkway Oval Parking Lot permit to a Village resident who files an application and meets all of the requirements herein. The application and Parkway Oval Parking Lot permit shall be in such form as the Village Clerk determines. The Village Clerk may require any proof of residency which is determined to be necessary before issuing a Parkway Oval Parking Lot permit.
- (e) A Parkway Oval Parking Lot permit shall be obtainable, subject to availability, at the office of the Village Clerk.

§ 21-117. Permit size and placement; proof of residency; penalty

- (a) Parkway Oval Parking Lot permits shall be placed on the rear windshield and are not transferable.
- (b) Subject to availability and the capacity of the Parkway Oval Parking Lot, Village residents may be issued a Parkway Oval Parking Lot permit upon submission to the Village Clerk of at least the following proof: a valid vehicle registration showing place of residence and a signed affidavit or application form as prepared by the Village Clerk that said applicant does in fact reside at said residence in the Village.
- (c) For a motor vehicle to be eligible for a Parkway Oval Parking Lot permit, a Village resident must furnish proof of ownership either in the form of a registration for a personally owned vehicle, or a letter on company letterhead, for a vehicle owned by the resident's employer but utilized as a company car on a regular basis by the resident employee.
- (d) The fee for the Parkway Oval Parking Lot permit shall be six hundred (\$600.00) dollars, subject to amendment by resolution of the Board of Trustees with each permit being valid for the twelve-month (12) period commencing on June 1st and ending on May 31st, and said permit must be renewed annually. When the subject motor vehicle is sold or disposed of, it shall be the owner's responsibility to remove the Parkway Oval Parking Lot permit and provide proof of removal if applying for a new Parkway Oval Parking Lot permit.
- (e) There shall be no reduction in the costs of the permit, pro rata or otherwise, for permits issued after the beginning of or during the twelve-month (12) period covering the permit. There shall be no refunds for the costs of the permit, pro rata or otherwise, for permits returned to the Village after the beginning of or during the twelve-month (12) period covering the permit.

- (f) No Village resident shall give or sell a permit to another person or otherwise allow it to be placed on a vehicle other than the vehicle listed on the permit application. Any Village resident who violates the provisions of this subsection shall be liable for a fine of \$250.00, shall have such permit revoked and shall not be entitled to be issued a new permit for a period of one (1) year after such revocation.
- (g) Subject to availability and the capacity of the Parkway Oval Parking Lot, each household in the Village shall be permitted a maximum of one (1) Parkway Oval Parking Lot permit.
- (h) Vans and other vehicles with commercial license plates shall not be eligible for Parkway Oval Parking Lot permits.
- (i) The fees, if any, that are collected by the Village for Parkway Oval Parking Lot permits shall be credited to the general fund.
- (j) The Village may revoke a Parkway Oval Parking Lot permit of any area resident when it is found that a false or fraudulent application has been filed or it is found that the Parkway Oval Parking Lot permit was improperly or wrongfully issued. The Village Clerk shall provide notice of such revocation, and the effective date of such revocation shall be the date of such notice. Such notice shall provide that the Parkway Oval Parking Lot permit shall be removed from the vehicle or vehicles.

§ 21-118. Impoundment of illegally parked motor vehicles; redemption; revocation of permits for scofflaws; no permits to be issued

- (a) The provisions of Sections 21-113 and 21-114 set forth in this Article shall be deemed to apply to the Parkway Oval Parking Lot and Parkway Oval Parking Lot permits.

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 Gorman motioned to open the public hearing, was seconded by Trustee Ecklund and upon roll call was carried with a vote of 5 – 0.

No Public Comments

Trustee Gorman motioned to keep the public hearing open, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

PUBLIC HEARING #III

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 [14th] 30th 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 21st 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 5 – 0.

Mayor Fitzpatrick stated that the Board will not raise fines until the ability for residents to pay online or with a credit card has been established. At the present time, the court office will not accept a personal check as payment. Once these changes take affect, the increase in fines will begin. He added that the fine for a parking ticket at a meter will increase from \$15.00 to \$20.00, but the incentive to pay the ticket on the same day as the ticket was written, will reduce the fine to \$10.00, thus a savings of \$10.00.

Chief Costanzo added that the current increase is comparable to that of neighboring municipalities.

Trustee Ecklund motioned to keep the public hearing open, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

PUBLIC HEARING #IV

LOCAL LAW #7 OF 2008 – A LOCAL LAW IMPOSING A FEE FOR TRASH AND GARBAGE COLLECTION SERVICES TO BUSINESS ESTABLISHMENTS.

Trustee Ecklund motioned to open the public hearing, was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.

Mayor Fitzpatrick stated that the DPW is currently collecting quite a bit more trash from commercial properties than homeowners.

John Cavallaro, Village Attorney, noted that legally, the Village cannot treat commercial property owners different from residential property owners. As a result, the law must be written to charge a fee according to the amount of trash that is picked up. The amount decided upon would protect the homeowners. The business owner can switch to a private company if the fee were too much.

Trustee Ecklund stated that the average homeowner puts out 2 cans of trash twice a week. A business puts out 3 cans four times a week. Currently, the business owner gets more for their tax dollar.

John Cavallaro, Village Attorney, added that the alternative to charging for the amount of trash would be to charge for the frequency of trash collections.

Mayor Fitzpatrick noted that there needs to be additional discussion regarding this law.

No 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 5 – 0.

OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

No Public Comments

RESOLUTIONS -

1. Mayor Fitzpatrick offered a Resolution AUTHORIZING THE MAYOR TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER CONCERNING PERSONAL PROTECTIVE EQUIPMENT

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 Chief of Police has requested legislation authorizing the Mayor to enter into an Inter-Municipal Agreement with the County of Westchester concerning Personal Protective Equipment to better response to Weapons of Mass Destruction and other acts of terrorism.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby authorizes the Mayor to execute an inter-municipal agreement with the County of Westchester concerning Personal Protective Equipment to better response to Weapons of Mass Destruction and other acts of terrorism.

Section 2. That this resolution shall take effect immediately.

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

2. Mayor Fitzpatrick offered a Resolution authorizing and directing the Mayor to file an application for 50% matching funds in an amount not to exceed \$10,000 and upon approval of said request to enter into and execute a project Agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Tuckahoe for the project entitled “Trees for Tuckahoe”.

Trustee Ecklund motioned to adopt Resolution #2, seconded by Trustee Gorman. Trustee Ecklund noted that the DEC urban renewal grant calls for a 50% match from the Village. **Upon roll call was carried with a vote of 5 – 0.**

3. Mayor Fitzpatrick offered a Resolution authorizing the submission of an application with the Village of Tuckahoe as Lead Applicant Community and the Town of Eastchester as co-applicant to request grant funding from the 2008 Greenway Conservancy grants program for the renovation of the Sylvan Avenue and Park Avenue Project.

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

4. Mayor Fitzpatrick offered a Resolution approving payment of vouchers in the amount of \$344,653.67 consisting of abstract #46 for \$56,361.39; abstract #48 for \$178,244.92 and abstract #50 for \$110,047.36. The largest invoices paid were for: June 2008 health insurance premium \$92,868.36; tax certiorari settlement \$30,635.45; Union Park project \$20,825.42; payment on BAN \$39,050

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 authorizing the Police Department to hire Tristan L. Alexander as a summer seasonal employee at the hourly rate of \$10.

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 authorizing the Chief of Police to attend the NYS Association of Chief's of Police Training Conference from July 27 to 30.

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

7. Mayor Fitzpatrick offered a Resolution waiving residency requirement for John Pintos. John resides within the city of Yonkers.

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

8. Mayor Fitzpatrick offered a Resolution to award bid for the Marbledale Road/Fisher Avenue intersection improvements project to low bidder MVM Contracting of Pelham in the amount of \$46,395. A total of three bids were received ranging from \$46,395 to \$66,640.

Trustee Ecklund motioned to adopt Resolution #8, was seconded by Trustee Coleman.

Mayor Fitzpatrick noted that he received a letter stating that this contractor was involved in a \$260 million lawsuit. After some research into this allegation, it was determined that the lawsuit was untrue. The contractor will begin the work soon.

Upon roll call motion was carried with a vote of 5 – 0.

9. Mayor Fitzpatrick offered a Resolution authorizing the Village Clerk to issue a General Business License to Joseph Chiochi/dba Westchester Greenhouse and Farms for the purpose of holding a farmers market in Depot Square between the hours of 10:00 A.M. to 4:30 P.M. starting June 15th and to end of November 2008.

Trustee Gorman 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 authorizing the re-advertising of bids for the purchase of two (2) Segways for the Police Department.

Trustee Gorman motioned to adopt Resolution #10, seconded by Trustee Ecklund. Mayor Fitzpatrick noted that the reason for the re-bid is that the bid package written by John Cavallaro, Village Attorney, is so comprehensive, that it actually scares bidders away. **Upon roll call was carried with a vote of 5 – 0.**

11. Mayor Fitzpatrick offered a Resolution authorizing and supporting the Transportation Enhancement Program application:

WHEREAS, the Village of Tuckahoe herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Transportation Equity Act for the 21st Century and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users provided funding opportunities for activities intended to benefit the traveling public, to increase transportation choices and access, to enhance the built and natural environment and to provide a sense of place; and

WHEREAS, the activities of the Project herein benefit the traveling public, increase access to several public transportation modalities, enhance the built environment and further the Municipality's plans for the revitalization of the village; and

WHEREAS, the Municipality deems it to be in the public interest and benefit under these acts to authorize and direct John Fitzpatrick, as Mayor of the Village of Tuckahoe, New York, to file an application for funds to the New York State Department of Transportation, Transportation Enhancement Program.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees of the Village of Tuckahoe:

1. That John Fitzpatrick, as Mayor, is hereby authorized to file an application for funding in support of the construction of new sidewalks, the installation of new street lighting and related streetscape improvements along the west side of Columbus Avenue from the Crestwood Metro North Train Station to Circuit Avenue on Village land running parallel to the Metro North Tracks; and

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work upon execution of a contract with New York State Department of Transportation.

I, Susan Ciamarra, Clerk of the Village of Tuckahoe, New York, do hereby certify that the above resolution was adopted at regular meeting of the Village Board held on June 9, 2008, and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated:

Tuckahoe, New York

Susan Ciamarra, Village Clerk

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

12. Mayor Fitzpatrick offered A RESOLUTION SUPPORTING ASSEMBLY BILL NUMBER A11501 AND SENATE BILL NUMBER S8445

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, in 1998, the State Legislature enacted Section 1640-g of the New York State Vehicle and Traffic Law; and

WHEREAS, Section 1640-g authorized the Village Board of Trustees, by local law or ordinance, to provide for a residential parking permit system, and further fix and require the payment of fees applicable to parking within the area in which such parking system is in effect; and

WHEREAS, Section 1640-g limited the parking permit system area to the following described area:

- (a) the southerly corporate boundary between the village of Tuckahoe and the village of Bronxville to Midland Avenue;
- (b) Midland Avenue to its intersection with Winter Hill Road;
- (c) Winter Hill Road from its intersection with Midland Avenue to its intersection with Main Street;
- (d) Marbledale Road from its intersection with Main Street to a point where it intersects with the northerly corporate boundary between the village of Tuckahoe and the town of Eastchester;
- (e) the northerly corporate boundary between the village of Tuckahoe and the town of Eastchester to the westerly corporate boundary between the village of Tuckahoe and the city of Yonkers; and
- (f) the westerly corporate boundary between the village of Tuckahoe and the city of Yonkers to the southerly corporate boundary between the village of Tuckahoe and the village of Bronxville; and

WHEREAS, the Village Board of Trustees, after hearing public comment and having had due deliberation thereon, and having received comment from the Department of Police did determine to request from the Legislature that the parking permit system area be expanded to include:

- (a) Fisher Avenue to the easterly corporate boundary between the Village of Tuckahoe and the Town of Eastchester;
- (b) The easterly corporate boundary between the Village of Tuckahoe and the Town of Eastchester to the northerly corporate boundary between the Village of Tuckahoe and Town of Eastchester; and
- (c) An extension of the southerly corporate boundary to White Plains Road; and

WHEREAS, on July 31, 2006, the Village Board of Trustees adopted a resolution making a Home Rule Request to the State Legislature; and

WHEREAS, the Village's Home Rule Request is annexed hereto; and

WHEREAS, the Village's Home Rule Request is denominated as Assembly Bill No. A11501 and Senate Bill No. S8445; and

WHEREAS, the Village Board of Trustees supports Assembly Bill No. A11501 and Senate Bill No. S8445.

NOW, THEREFORE, BE IT RESOLVED

1. That the Village Board of Trustees of the Village of Tuckahoe approve and support Assembly Bill No. A11501 and Senate Bill No. S8445.
2. That this resolution shall take effect immediately.

Trustee Gorman motioned to adopt Resolution #12, was seconded by Trustee Ecklund. Mayor Fitzpatrick stated that in July 2006 a Resolution was written to petition the Senate and Assembly to amend the current law stating where commuters can park their vehicles. To date, nothing has happened. The current Village Board would need to pass this resolution supporting this petition in order for Governor Paterson to review it and possibly sign it. **Upon roll call was carried with a vote of 5 – 0.**

APPROVAL OF MINUTES

Motion by Trustee Ecklund to approve the minutes of the Regular Meeting - May 19, 2008 was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.

VILLAGE ATTORNEY

Mayor Fitzpatrick inquired of Village Attorney Cavallaro reason for Board to pass a resolution for the Police Chief to go to a training session when it is a line approved for training in the budget. And, why the need to have such a comprehensive Board of Trustees Meeting Agenda.

John Cavallaro, Village Attorney, noted that when expenditures of funds are involved, including a leave of absence, the Board should be conservative and control the line even though it is presently approved. Regarding the comprehensive agenda, he said the public should be able to read each law before the Board votes on it. Copies of the laws for the public to read could be available, while the agenda could be an outline.

BUILDING DEPARTMENT

Bill Williams, Building Inspector, reported that the one of the compressors at Village Hall needed to be replaced at a cost of \$8800. This was approved and purchased 3 days ago. The compressor on the second floor just went out and also needs to be replaced.

Bill Williams, Building Inspector, requested a Resolution to purchase a new compressor not to exceed \$8800. Trustee Ecklund motioned to approve this resolution, seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.

Trustee Marcoccia stated that the replacement of the community center doors with automatic doors needs to go out to bid again.

Trustee Marcoccia motioned to re-advertise the bid for the installation of automatic doors for the Community Center was seconded by Trustee Coleman and upon roll call was carried with a vote of 5 – 0.

POLICE DEPARTMENT

Chief Costanzo announced the annual bike safety event scheduled for June 14 from 11:00am – 12:30 pm. at the Parkway Oval. June 14 is also the Annual Cops for Kids softball and kickball event, sponsored by the Community Fund.

Trustee Marcoccia asked about the possibility of installing crosswalk signals that count down to inform the pedestrian the exact time remaining before the light changes.

Chief Costanzo noted that these are quite costly and could possibly be phased in over time. He will research the cost and report back.

Chief Costanzo stated that he was considering the possibility of using a hybrid vehicle for the department but voiced his concern regarding using one as a patrol car. Ford Motor Company will allow the department to use a hybrid as a trial for one month. The hybrid will use considerably less gas than the current Crown Victorias.

Trustee Coleman thanked the Chief for the traffic data on Columbus Ave. and was interested to learn that only one vehicle was speeding at a rate of 49mph at 2:00am.

DEPARTMENT OF PUBLIC WORKS

Frank DiMarco, DPW Superintendent, announced that the department is in the process of converting one truck to run on vegetable oil instead of diesel, which would result in a savings to the Village of approximately \$1200 per month. Mayor Fitzpatrick added that the Village just instituted a law whereas the restaurants in the Village must discard their vegetable oil in a large tub and the DPW could possibly use this discarded oil.

Mr. DiMarco also noted that the DPW is in the process of implementing a regular maintenance program to pressure wash the playground equipment, clean up broken glass and debris on a regular basis.

Mayor Fitzpatrick stated that the Village is recycling Tuckahoe marble in various places throughout the Village. The roundabout on Summit Ave. has a new sign made from recycled marble. Plans are also underway to redesign the small island at Sylvan Avenue utilizing Tuckahoe marble with a new sign. He had asked the Tuckahoe School to have the students work on the sign.

VILLAGE CLERK

No Report

BOARD OF TRUSTEES MEMBER REPORTS:

- **MAYOR FITZPATRICK** responded to Mr. Allison's request made last month regarding reformation of the property tax. He noted that Governor Paterson is reviewing the property tax cap. The Mayor thanked the Community Fund for their funding donations to the many organizations throughout the Village. Mayor Fitzpatrick stated that the 21st Century Local Government

Competitiveness Commission's Report is at Village Hall for residents to review. He added that the crosses at Village Hall with the words 'In God we trust' will be replaced with plaques. He asked John Cavallaro, Village Attorney, to write a resolution for next month to install the plaques. John Cavallaro noted that several months ago an attorney visiting Village Hall filed a complaint that the cross on the building's cornerstone favors one religion and should be removed, but the words 'In God we trust' may stay. Mayor Fitzpatrick asked John Cavallaro and Trustee Ecklund to examine the use of Direct TV at the Tuckahoe schools as the Village has a franchise agreement with cable. He asked each to investigate if this infringes on the franchise agreement.

- **TRUSTEE MARCOCCIA**
No Report
- **TRUSTEE ECKLOND** thanked the Board for approval of the Fisher Ave. and Marbledale intersection. He noted that the engineer will submit preliminary sketches and prices for the DPW complex soon. He added that the Chair of the Environmental Committee conducted an energy conservation survey of Village Hall and the results were very good. He will submit a full report.
- **TRUSTEE COLEMAN** thanked DPW for a job well done with cleaning up the parks. She noted that a resident voiced their concern regarding the safety of the light pole. Chief Costanzo agreed with the possibility of children trying to climb the pole. The light will be hooked up this week. He will research alternative ways to keep the children off the light pole.
- **TRUSTEE GORMAN** announced the schedule of the Planning Board and Zoning Board meetings. The THA will hold a meeting June 17 at 7:00pm at 4 Union Place. The Police Dept. National Night out will be August 5, 6:45 – 9:00pm.

MISCELLANEOUS BUSINESS –

Mayor Fitzpatrick announced that Village offices and DPW will be closed on Friday, July 4th in observance of the holiday. The next Village Board community meeting will be held on June 30th outdoors at Quarry Park at Fisher Avenue and Marbledale Road at 7:00pm. He then offered congratulations to all the graduating seniors in Tuckahoe.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Jeff Zuckerman 24 Bronx St. noted that the discussion on the property tax caps which is before legislature is an incredibly complex issue and said that the STAR rebate will be eliminated if this is approved.

Rev. Frank Coleman 15 Wallace St. congratulated the Bronxville Youth Council for a job well done. He noted that three members of his church are soldiers. He expressed concern over the garbage left behind by individuals who move and suggested perhaps DPW make a pick up even if it is on the wrong day.

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

Susan Ciamarra, Village Clerk

(Attachment #1)