

**March 7, 2011**

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

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

**John Collins and Pat Murtagh of the Irish American Social Club addressed the board to discuss the upcoming St. Patrick's Day Parade followed by an Irish tune played by Daniel Hendry.**

### **PUBLIC HEARINGS**

**I. Public Hearing - Local Law AMENDING ARTICLE V OF CHAPTER 6, SECTION 6-69 THROUGH 6-80 OF THE VILLAGE CODE OF THE VILLAGE OF TUCKAHOE, ENTITLED "UNSAFE BUILDINGS"**

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

John Cavallaro recommended the hearing be closed with the repeal of CHAPTER 6, SECTION 6-69 THROUGH 6-80 to take place at a later date.

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

### **RESOLUTIONS –**

**1. Mayor Fitzpatrick offered a RESOLUTION** approving certiorari settlement for Ametek Realty Corp. with property located at 133 Marbledale Road, Tuckahoe, NY also known as Section 35, Block 1, Lot 1 for the years 2004 through 2009 in the amount of \$66,104.08.

**Trustee Ecklund made a motion to adopt resolution #1; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**2. Mayor Fitzpatrick offered a RESOLUTION –** approving the Westchester Italian Cultural Center request to hang two large banners on the front of the Generoso Pope Foundation until the end of the year – the first banner will read "WICC preserves, promotes and celebrates the rich heritage of classic and contemporary Italian Culture and the second banner will display the Westchester Italian Cultural Center's logo with a welcome greeting Benvenuti

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

**3. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Mayor to sign a one year lease renewal between the Village of Tuckahoe and Life Force Fitness Personal Training for the period February 1, 2011 to March 31, 2012.  
**Trustee Giordano made a motion to adopt resolution #3; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**4. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Mayor to sign a one year lease renewal between the Village of Tuckahoe and Steven L. Alfasi, Esq. for the period January 15, 2011 to January 14, 2012.  
**Trustee Gormanlond made a motion to adopt resolution #4; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**5. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Mayor to sign a one year lease renewal between the Village of Tuckahoe and Alex Diaz for the period December 1, 2010 to November 30, 2011.  
**Trustee Quigley made a motion to adopt resolution #5; motion was seconded by Trustee Giordano and upon roll call was carried by a vote 5-0.**

**6. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Mayor to sign a one year lease renewal between the Village of Tuckahoe and TKO- The Kirby Organization for the period April 1, 2011 to March 31, 2012.  
**Trustee Gorman made a motion to adopt resolution #6; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**7. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Mayor to sign an Agreement between Titan Armored Car & Courier, Inc. and the Village of Tuckahoe for a three (3) year period beginning February 9, 2011. Service is for bank deposits and change delivery to Hudson Valley Bank.  
**Trustee Ecklond made a motion to adopt resolution #7; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**8. Mayor Fitzpatrick offered a RESOLUTION** approving payment of vouchers in the amount of \$314,583.27 consisting of abstract #42 for \$92,542.82, abstract #43 for \$4,101.36, abstract #44 for \$148,893.75, and abstract #45 for \$69,045.34. The three largest invoices paid were: (1) \$110,222.80, for employee health insurance premiums for the month of March 2011, (2) \$18,213.31 for the purchase of rock salt and (3) \$13,996.25 for yard waste disposal costs by the Town of Eastchester for the period June 19, 2010 through December 31, 2010.  
**Trustee Ecklond made a motion to adopt resolution #8; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**9. Mayor Fitzpatrick offered a RESOLUTION** authorizing the Village of Tuckahoe to enter into an agreement with Ceridian to provide payroll services. **Trustee Ecklund made a motion to adopt resolution #9; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**10. Mayor Fitzpatrick offered a RESOLUTION** ACCEPTING AND APPROVING THE BID FOR THE DEPARTMENT OF PUBLIC WORKS YARD DRAINAGE 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 March 7, 2011.

WHEREAS, the Village Board had authorized the advertising of bids for the Department of Public Works Yard Drainage Improvement Project (the "Project"); and

WHEREAS, the Department of Public Works received eleven bids for the Project; and

WHEREAS, the Village Board of Trustees finds it in the best interest of the Village to accept and approve the bid of Cortese Construction, Inc., the low bidder.

NOW, THEREFORE, BE IT RESOLVED

Section 1. That **the sealed bid of Cortese Construction, Inc. for the Department of Public Works Yard Drainage Improvement Project be accepted** and approved as the lowest responsible bidder.

Section 2. That, the costs of said project shall not exceed \$56,573.00;

Section 3. That, this resolution shall take effect immediately **Trustee Ecklund made a motion to adopt resolution #10; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

**11. Mayor Fitzpatrick offered a RESOLUTION** authorizing the use of Trolley for the Irish Parade on Sunday, March 13<sup>th</sup>. Village to provide driver. **Trustee Ecklund made a motion to adopt resolution #11; motion was seconded by Trustee Quigley and upon roll call was carried by a vote 5-0.**

**12. Mayor Fitzpatrick offered a RESOLUTION** TRANSFERRING THE LICENSING OF DOGS TO THE TOWN OF EASTCHESTER

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 March 7, 2011;

WHEREAS, as of January 1, 2011, the State of New York will no longer be responsible for the licensing of dogs, and such licensing function shall be the responsibility of local government; and

WHEREAS, New York villages outside of the Counties of Westchester and Nassau are not required to accept applications for dog licenses; and

WHEREAS, pursuant to Article 7 of the Agriculture and Markets Law as amended by Chapter 59 of the Laws of 2010, the Village Board of Trustees (the "Village Board") may, by resolution, provide that applications for licenses for dogs harbored within the Village shall be made to the town in which the Village is situated; and

WHEREAS, the Village Board believes it is in the best interest of the Village of Tuckahoe for the Clerk of the Town of Eastchester to manage and administer the licensing of dogs harbored within the Village,

NOW, THEREFORE, BE IT RESOLVED

Section 1. That effective January 1, 2011, applications for licenses of dogs harbored within the Village shall no longer be made to the Village Clerk, but shall be made to the Clerk of the Town of Eastchester pursuant to Article 7 of the Agriculture and Markets Law, as amended.

Section 2. That this resolution shall take effect on January 1, 2011.

**Trustee Quigley made a motion to adopt resolution #12; motion was seconded by Trustee Ecklund and upon roll call was carried by a vote of 3-2. Mayor Fitzpatrick and Trustee Gorman opposed.**

**13. Mayor Fitzpatrick offered a RESOLUTION** approving revised Commercial Refuse & Rubbish Fee Schedule as of April 1, 2011 as follows:

**Village of Tuckahoe -Commercial Refuse and Rubbish Disposal Fees - Revised April 1, 2011**

The following schedule lists the class of commercial properties and how they will be billed for monthly Refuse and Rubbish disposal.

<u>CLASS</u>	<u>MONTHLY FEE</u>	<u>TYPE</u>
A	\$25.00	Barber shop, beauty or nail salon, Small professional offices (not in class B), travel agency, real estate, Insurance Agency, Instructional fitness classes

B	\$30.00	Stationary store, drug store, office supply radiology, doctor, dentist, lawyer office, medical or psychological institution, small retail store, Laundromat & cleaners
C	\$50.00	Liquor store, banks, day care, car wash, shops (no lunch or dinner served), ice cream parlor, occupied vacant lot (vehicle storage, et etc.) medium retail stores, gyms & courts, grocery store (no food served)
D	\$75.00	Auto body, bakery, delis, bars, gas station, auto repair shop, medium office, veterinarian & animal hospitals
E	\$100.00	Small restaurant, small, medium & large warehouse, manufacturing, large retail store, medium offices, cubicle type storage facility
F	\$150.00	Medium restaurants
G	\$200.00	Large restaurants & offices
H	\$250.00	Small assisted or senior living facility & hotels & nursing homes
I	\$500.00	Medium assisted or senior living facility, hotel & nursing home
J	\$750.00	Large Assisted living or senior living facility, Hotel or Nursing home
K		Sanitation survey by the Department of Public Works

Multiple establishments within a property can be surveyed and assessed for an estimated fee by the Superintendent of public Works. This would be a K classification.

A combination or multiple classes at one single establishment will be added accordingly. (Ex. Drug store Class B with retail Class C= \$30.00+\$50.00=\$80.00)

Definition of Class Size of Establishment (August 28, 2009) (Revised April 1, 2011)

	<u>RETAIL</u>	<u>RESTAURANTS</u>	<u>OFFICES,</u> <u>WAREHOUSE,</u>	<u>HOTELS</u>
	<u>ASSISTED &amp; SENIOR</u>		<u>MANUFACTURING</u>	<u>LIVING</u>
	<u>NURSING HOME</u>		<u>REPAIR FACILITY</u>	
SMALL	UP TO 1000 SF	1-4 TABLES	UP TO 1000SF	1-50 RESIDENCE
MEDIUM	1000-2000 SF	5-15 TABLES	1000-2000 SF	50-100 RESIDENCE
LARGE	2000 SF ON UP	16 TABLES ON UP	2000 SF ON UP	100-150 RESIDENCE

**No person, firm or corporation shall engage in the business of collecting garbage or refuse, including but not limited to recyclables, within the Village of Tuckahoe without being licensed with the County of Westchester to carry on such business**

**Those commercial establishments that wish to opt out of the Village's pickup program must submit the documents listed below to the Department of Public Works at 15 Marbledale Road, Tuckahoe, NY 10707**

- **Signed contract/agreement with private carter specifying:**
  - o **Names and locations of establishments**
  - o **Number of pickups weekly**
  - o **Terms of contract**

**Trustee Ecklund made a motion to adopt resolution #13; motion was seconded by Trustee Gorman and upon roll call was carried by a vote 5-0.**

Trustee Ecklund motioned to approve the minutes of the regular meeting of February 7, 2011; motion was seconded by Trustee Gorman and upon roll call was carried by a vote of 5-0.

Mayor Fitzpatrick inquired about the possibility of having the 2 hour parking restriction on Rogers Street lifted. A discussion followed with Chief Costanzo recommending that no change be made. Further, a resident had requested that Jefferson become a one way; Chief Costanzo said he was not in favor.

**Frank DiMarco** discussed the Yonkers Avenue project and said notices will be sent to all businesses in the area regarding traffic detour. Trustee Gorman noted that Frank will be honored on June 2<sup>nd</sup> by the Audubon Society.

Mayor Fitzpatrick discussed the issuance of a renewal Owner's license to Crestwood Taxi for the period January 1, 2011 through June 30, 2011. He said that Crestwood Taxi was sent a letter regarding drug testing; the owner had said that he was putting a program in place with Westchester County. Trustee Gorman mentioned that a senior was overcharged her taxi fare. Mayor Fitzpatrick said the matter would be kept open until the next Board meeting scheduled for April 11<sup>th</sup>.

**TRUSTEE ECKLOND** spoke about the Village Hall retaining wall in need of repair. The engineer is in the process of preparing an analysis report and the present handicap spot in the area to be repaired will be relocated.

**TRUSTEE GORMAN** announced upcoming Zoning, Planning and Sign & Awning meetings.

**TRUSTEE QUIGLEY** announced the Chamber's annual dinner set for March 31<sup>st</sup> at Leewood Country Club.

**TRUSTEE GIORDANO** announced the budget workshop scheduled for Thursday March 10th.

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

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Susan Ciamarra, Village Clerk