

May 14, 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.

SPECIAL PRESENTATION(S) – By Village Assessor, Richard O'Donnell and John Burkhardt, Village Certiorari Attorney.

Mr. Burkhardt, said he has been defending tax certioraris for the Village for many years. He outlined the process saying that before negotiations start, the property is analyzed and appraised by market value with a recent sale price being the best indicator to come up with an assessed value. This process could take months or years. Further, he said that only one judge presides over the five counties. The cost of trial is quite expensive with appraiser fees, transcripts, lawyers and litigation expenses. Once the case is tried, refunds with interest is due to the property owner; however, if the refund is issued in a timely manner, no interest is due. He commented that tax certioraris are never going to go away.

Mayor Fitzpatrick added that any building over 3 family is considered commercial property. Individual home owners may file a tax grievance, but most complaints come from commercial properties. Also, when a building is converted to condominiums the Village takes a hit.

Mr. Burkhardt added that the income approach has been favorable towards the property owner. Commercial properties are everything except one and two family homes. Residential grievances are filed in small claims court.

Mr. O'Donnell, Village Assessor, discussed various ways to assess commercial property - the sale price or the market rent. The income approach is more favorable to the property owner.

OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Peter Costa, resident of Crawford Drive, asked the Board review the extensive noise study done while he was on the board.

Mayor Fitzpatrick noted that the Board was not changing the DBA at this time; the resolution on the agenda is only for construction and demolition.

Margaret Coleman, 15 Wallace St., voiced her concern regarding Resolution #15 dealing with health insurance benefits; she suggested a new policy be in place that is amicable and fair to everyone.

John Cavallaro, Village Attorney, indicated that the resolution be incorporated as part of personnel guidelines.

RESOLUTIONS -

**1. Mayor Fitzpatrick called for a Resolution to adopt:
LOCAL LAW #4 – 2007 - A LOCAL LAW AMENDING SECTION 15-41 OF THE VILLAGE CODE OF
THE VILLAGE OF TUCKAHOE, ENTITLED “SPECIFIC PROHIBITIONS WITHIN ARTICLE II
ENTITLED “NOISE AND OTHER ENUMERATED NUISANCES”**

At a regular meeting of the Village Board of the Village of Tuckahoe, New York (the "Village") held at Village Hall, 65 Main Street, Tuckahoe, New York on March 26, 2007

WHEREAS, the Department of Buildings has requested legislation amending Section 15-41 of the Village Code of the Village of Tuckahoe, entitled “Specific Prohibitions;” and

WHEREAS, notice of said public hearing was duly advertised in the Journal News, the official newspaper of said Village, on the 17th day of April 2007; and

WHEREAS, said public hearing was duly held on the 30th day of April 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 15-41, entitled “Specific Prohibitions” of the Village Code of the Village of Tuckahoe, is hereby amended and supplemented as follows:

§ 15-41. Specific prohibitions.

(a) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this article. Any enumeration herein shall not be deemed to be exclusive.

(1) Noise from a burglar alarm or other alarm system of any building, motor vehicle or boat that is continual and exceeds 15 minutes.

(2) The operation of air-conditioning or air-handling devices, including heat pumps, that produce a sound pressure level greater than 55 dBA at a property line of a residential property is prohibited, except when said operation produces a less than five dBA increase in the background sound level. In order to determine the difference between ambient and background sound levels, sound level measurements may be taken on the property of the sound-emitting use.

(3) The sounding of any horn on any motor vehicle, motorcycle, bus or other vehicle except as a warning or danger signal.

(4) The creation, by means of any such horn listed above in (3) of any unreasonably loud or harsh

sound or the sounding of any such device for an unnecessary and unreasonable period of time.

(5) The operation of any amplified electronic equipment or sound reproduction system such as a stereo, radio or tape player, television, tape deck or similar device or use of any musical instrument in such manner or with such volume as to be heard 60 feet from its source or over any real property boundary or line.

(6) The keeping of any animal or bird which makes a noise disturbance that exceeds 15 minutes.

(7) The use of any motor vehicle, motorcycle or vehicle so out of repair, so loaded, so equipped or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise or squealing or excessive noise of the tires.

(8) The blowing of any stationary whistle, siren or other warning device except to give notice of the time to begin or stop work or as a warning of danger, not including the use of whistles, horns or other signals customarily used at sports activities.

(9) The construction or demolition of any building or upon any property is prohibited during the following times: Monday through Friday from 7:00 p.m. to 7:00 a.m.; Saturday 12:01 a.m. to 9:00 a.m.; Saturday 5:00 p.m. to midnight; Sunday all day; Monday 12:01 a.m. to Monday 7:00 a.m.; and legal holidays all day. The aforementioned time limits shall not apply when such work is conducted in the interior of a building and no noise or other evidence of such work is evident or may be detected outside of the building or by other tenants or occupants of the building. Exceptions may be made in case of emergency work in the interest of public safety.

(10) The creation of any noise disturbance on any street adjacent to any school, institution of learning or court or church while the same is in session or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution, provided that conspicuous signs are displayed in such streets indicating the presence of a school, hospital, court or church.

(11) The creation of loud, excessive and continual noise in connection with loading or unloading any vehicle or the opening and/or destruction of bales, boxes, crates and containers.

(12) The shouting and crying of peddlers, hawkers and vendors that disturbs the peace and quiet of the neighborhood.

(13) The operation within the limits of the village of a motor vehicle or motorcycle that is not equipped with a suitable and effective muffler attached to the engine and in use.

(b) Exceptions may be granted to these regulations in cases of urgent necessity in the interest of public safety and then only after prior notice to and approval by the Police Department or Village Board or, if the necessity relates to construction or demolition requiring a building permit, approval by the Building Inspector. Additionally, in order to protect the health, safety and welfare of the residents of the village,

vehicles and equipment owned or employed by the village for the purpose of street repair and cleaning and the removal of snow and refuse shall be exempt from these regulations.

Section 15-41(i) Building Permit Requirement

(1) Notwithstanding and in addition to the provisions of Section 15-41(a)(9) above, the construction or demolition of any building or upon any property within the Village on a Saturday prior to 9:00 a.m. or after 5:00 p.m. shall require a building permit from the Building Inspector.

(2) Notwithstanding and in addition to the provisions of Section 15-41(a)(9) above, the construction or demolition of any building or upon any property within the Village on a Sunday or a Legal Holiday at any time shall require a building permit from the Building Inspector.

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 adopt Resolution #1, was seconded by Trustee Ecklund.

Discussion: Trustee Marcoccia noted that the current DBA was 55. He asked that the Board consider reducing this to 50DBA. The chart displays 50DBA as quiet and 60DBA as intrusive. He requested that new construction supply buffers to comply with a 50 DBA level.

John Cavallaro, Village Attorney, indicated that the existing Village Code accepts 55 DBA, ambient noise – 60 DBA, with 64 DBA still in compliance due to the 5 point margin flexibility.

Chief Costanzo stated that a change in the DBA could cause many enforcement issues. Air conditioning units are close to 55 DBA. He considers 55 DBA fair.

Mayor Fitzpatrick noted that he and members of the Board in the near future will taking decibel readings throughout the Village at various times. The Board will re-evaluate this.

John Cavallaro, Village Attorney, indicated that the Board would have to amend the chart in the code of Building Permit Requirements and the Building Inspector will have to review case by case saying that multi family dwellings use bigger a/c units which make more noise.

Trustee Ecklund asked if this ultimately falls in the jurisdiction of the Planning Board to oversee. John Cavallaro noted that the Planning Board defers to the Village Board and the Village Code.

Trustee Gorman noted that the noise level generated by central vacuum systems should be reviewed in addition to the air-conditioning units, with regards to new construction.

Upon roll call, this resolution was carried with a vote of 5 – 0.

2. **Mayor Fitzpatrick called for a Resolution** to authorize payment of vouchers in the amount of \$280,365.14. Largest invoices: \$91,070.86 Health insurance premiums for May; \$27,190.53 Town taxes on Village owned properties; \$16,912.50 new police car 2007 Chevy Impala; \$11,688.16 NY Power Authority – electricity; \$9,094 electronic ticket writer.

Trustee Gorman motioned to adopt Resolution #2, was seconded by Trustee Marcoccia and upon roll call was approved with a vote of 5 – 0.

3. **Mayor Fitzpatrick called for a Resolution** to authorize the Supt. of Public Works to go out to bid for the purchase of a Road Asphalt Reclaiming Machine and a Vacuum type leaf loading machine. Both machines are eligible for 50% funding reimbursement under the auspices of the NYSDEC Municipal Waste Reduction and Recycling Grant Program.

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

4. Mayor Fitzpatrick called for a RESOLUTION TO SCHEDULE A PUBLIC HEARING ON AMENDING THE CODE OF THE VILLAGE OF TUCKAHOE, SECTION 22-24, ENTITLED “VEHICLES FOR HIRE - LICENSE FEES”

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 14, 2007.

WHEREAS, this Board of Trustees wishes to conduct a public hearing relating to an amendment to Section 22-24 of the Code of the Village of Tuckahoe, entitled, “License Fees.”

NOW, THEREFORE, BE IT RESOLVED

Section 1. That in accordance with the provisions of the Municipal Home Rule Law and/or the Village Law, a public hearing shall be held on or about the 11th day of June 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 certain section of the Code of the Village of Tuckahoe, to wit: Section 22-24, entitled “License Fees” shall be amended so as to increase the License Fees for Vehicles for Hire 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.

New matter underlined

Deleted matter in brackets []

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk in the manner provided by applicable law.

Section 3. That this resolution shall take effect immediately.

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

5. Mayor Fitzpatrick called for a RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER CONCERNING A TRAFFIC SAFETY GRANT (STEP)

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 14, 2007.

WHEREAS, the Chief of Police has requested legislation authorizing the Mayor to enter into an Inter-Municipal Agreement with the County of Westchester concerning traffic safety grant under the STEP program.

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 a traffic safety grant under the STEP program.

Section 2. That this resolution shall take effect immediately.

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

6. Mayor Fitzpatrick called for a Resolution authorizing a budget transfer of \$5,000 from Materials and Supplies 3120-404 to Equipment 3120-201.

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

7. Mayor Fitzpatrick called for a Resolution for a motion authorizing a budget transfer of \$8,000 from Personnel Service-Treasurer A1325-101 to Merit Compensation A1325-125.

Trustee Ecklund motioned to adopt Resolution #7, was seconded by Trustee Zocchi.

Discussion: Trustee Marcoccia questioned this budget transfer. Mayor Fitzpatrick indicated that the Deputy Treasurer had taken on the responsibilities of the Treasurer after his departure. A portion of this sum would allow the Board to compensate the Deputy Treasurer. The remaining funds will be then moved to the general fund.

Upon roll call, the motion was carried with a vote of 4 – 1 with Trustee Marcoccia voting 'Nay.'

8. Mayor Fitzpatrick called for a Resolution for a motion to authorize payment of \$1,000 (Village share) to the Town of Eastchester - for the Bronxville, Eastchester, Scarsdale, Tuckahoe Alcohol and Drug Enforcement (BESTADE) Task Force.

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

9. Mayor Fitzpatrick called for a Resolution for a motion to approve the following a tax certiorari settlement for the years 2004, 2005, 2006 for premises known as 70 Lime Kiln Road/Section 34, Block 4, Lot 12 and authorizing a refund in the amount of \$6,282.10

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

10. Mayor Fitzpatrick called for a Resolution for a motion to approve a tax certiorari settlement for the years 2004, 2005, 2006 for premises known as 77 Lime Kiln Rd./Section 34, Block 3, Lot 3 and authorizing a refund in the amount of \$17,022.15.

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

11. Mayor Fitzpatrick called for a Resolution for a motion to approve a tax certiorari settlement for the years 1996 to 2005 for premises known as 150 Lake Avenue/Section 33, Block 7, Lot 4 and authorizing a refund in the amount of \$7,720.76.

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

12. Mayor Fitzpatrick called for a Resolution for a motion to approve a certiorari settlement for the years 2000, 2001, 2002, 2003, 2004, 2005, 2006 for premises known as 140 Columbus Avenue/Section 34, Block 6, Lot 2 and authorizing a refund in the amount of \$35,156.81.

Trustee Gorman motioned to adopt Resolution #12, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

13. Mayor Fitzpatrick called for a Resolution for a motion to approve a certiorari settlement for the year 2006 for premises known as 60 Crescent Place/Section 39, Block 4, Lot 2 and authorizing a refund in the amount of \$12,105.50.

Trustee Ecklund 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 called for a Resolution for a motion to approve a certiorari settlement for the years 2003, 2004, 2005, 2006 for premises known as 4-10 Fisher Avenue/Section 42, Block 9, Lot 12 and authorizing a refund in the amount of \$6,477.21.

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

15. Mayor Fitzpatrick called for a Resolution REPEALING A PRIOR RESOLUTION CONCERNING AN ELECTION TO FORGO HEALTH INSURANCE

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 14, 2007.

WHEREAS, on March 26, 2007, the then Village Board adopted a certain resolution that provided for the following, "a Resolution to compensate Village Staff and Department Heads who decline Village health insurance benefits to the same amount as the Police Department (\$4,000.00 per year) for fiscal year 2006-2007 and forward" (hereinafter the "Resolution").

WHEREAS, this Village Board desires to repeal the Resolution for the Village's 2007-2008 fiscal year and all subsequent years finding that, among other things, it is in the best interests of the Village to minimize Village expenditures and avoid increased monetary remuneration above line item budgeted amounts.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby repeals the Resolution, as described above, in its entirety.

Section 2. That this resolution shall take effect immediately.

Trustee Gorman motioned to adopt Resolution #15, was seconded by Trustee Marcoccia.

Discussion: Trustee Ecklund noted that he was in favor of the original resolution which was to increase the buy out to be the same as offered to the Police Dept. The Resolution should be fair and should be a 'level playing field' for each department head.

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

16. Mayor Fitzpatrick called for a Resolution AMENDING THE SCHEDULE OF FINES FOR VARIOUS PARKING VIOLATIONS IN 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 May 14, 2007.

WHEREAS, Section 21-67(a) of the Village Code of the Village of Tuckahoe authorizes that "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;" and

WHEREAS, the Village Board of Trustees desires to amend the Schedule of Fines for the various parking violations in the Village of Tuckahoe as set forth on Schedule "A" attached hereto; and

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby amends and adopts the Schedule of Fines for various parking violations as set forth on Schedule "A" annexed hereto, made a part hereof and incorporated by reference herein.

Section 2. To the extent that this Resolution conflicts with the Schedule of Fines currently maintained by the Office of the Village Clerk or the Department of Police, this Resolution shall be controlling.

Section 3. That this resolution shall take effect immediately.

SCHEDULE "A"

TO A CERTAIN RESOLUTION OF THE VILLAGE OF BOARD OF TRUSTEES OF THE VILLAGE OF TUCKAHOE, DATED MAY 14, 2007, AND ENTITLED, "A RESOLUTION AMENDING THE SCHEDULE OF FINES FOR VARIOUS PARKING VIOLATIONS IN THE VILLAGE OF TUCKAHOE"

Former Amount	Current & Amended Amount	Violation Description
\$25	\$35	§21-69(1)(2)(3)(4)(5)(8) Stopping or parking in specified spaces

\$50	\$60	§21-69 (6) (7) Stopping or parking in specified spaces
\$25	\$35	§21-70. Parking near intersections prohibited
\$25	\$35	§21-71. No parking in front of driveways or vehicle entrances to buildings
\$25	\$35	§21-72. Parking prohibited on street where posted from December 15 – March 1.
\$25	\$35	§21-73. Parking prohibited on business streets from December 15- March 1.
\$25	\$35	§21-74. Two-hour limit on business streets between 8am and 7pm.
\$25	\$35	§21-75. Two-hour limit for commercial vehicles between 8am and 12 midnights
\$25	\$35	§21-76. Commercial Vehicles prohibited between 12 midnight and 7 am.
\$25	\$35	§21-78. Special parking restrictions in specific areas.
\$25	\$35	§21-80. Parking for purposes of making repairs
\$25	\$35	§21-81. Vehicles parked within the lines.
\$50	\$60	New York State Vehicle and Traffic Law 1203-(6) Handicap Parking
\$25	\$35	All other New York State Vehicle and Traffic Laws pertaining to parked vehicles

Trustee Gorman motioned to adopt Resolution #16, was seconded by Trustee Marcoccia.

Discussion: Mayor Fitzpatrick indicated that the proposed fines were presented by the Police Chief.

Chief Costanzo noted that during the budget discussions, he reviewed the current fine schedule with those of the surrounding municipalities and found the Village fell in the low end and by increasing these fines the Village would realize an additional \$10,000 in revenue. He said that 90% of violations received by the Village were meter violations which would not be increased.

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

APPOINTMENTS

Mayor Fitzpatrick called for a Resolution for a motion to appoint Virginia Crosby as a member of the Library Board to fill the unexpired term of Rosita McNamara to April 1, 2008.

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

APPROVAL OF MINUTES –

Trustee Ecklund motioned to approve the minutes of the Special Meeting of April 16, 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 the department's participation in the 'Buckle Up NY' seatbelt enforcement program.

Village Clerk

Susan Ciamarra, Village Clerk, reported that the first half tax bills would be mailed within the next ten days. New homeowners who do not escrow their taxes or a homeowner who has recently satisfied their mortgage and are now responsible for paying taxes who do not receive a tax bill, please call Village Hall at 961-3100, ext. 4. If for some reason a homeowner receives a tax bill that should have been called for by their bank, that bill should be sent to the responsible bank and not mailed back to the Village. The Crestwood Street Fair, sponsored by the Tuckahoe Beautification Committee, was a great success. The Tuckahoe Beautification Committee extends many, many thanks to all of the residents and merchants who contributed and participated in the event with special thanks to the Generoso Pope Foundation and David Pope for funding the entertainment provided by Johnny Rocks. She then announced that Village offices would be closed on Monday, May 28th in observance of the Memorial Day Holiday.

BOARD OF TRUSTEES MEMBER REPORTS:

- **TRUSTEE MARCOCCIA** thanked the Beautification Committee for a great job with the Crestwood Fair and the hanging plants. He reminded residents that as with Cablevision, Verizon customers will not be able to access the local channels for at least 6 months. As for Finance – the auditors will be conducting an audit within the next couple of months.
- **TRUSTEE ECKLOND** reported on the DPW closing May 28th in observance of Memorial Day Holiday. Sanitation will be picked up on Tuesday and bulk will be collected with the Thursday pick up. Circuit Ave. park update - playground to be delivered in June. Fisher Ave. Park – New basketball court will be completed soon.
Mayor Fitzpatrick said he had received numerous complaints regarding work being done in the park while children were playing in the playground. As a result, he has instructed the Dept. of Public Works that, in the future, when construction and/or repairs are contemplated, a notice be posted at the site noting that the playground will be closed for renovations/repairs. He apologized to the public for the inconvenience
- **TRUSTEE GORMAN** congratulated the Beautification Committee for a job well done. The Tuckahoe Housing Authority has changed their meeting to May 22, 2007 at 7:00pm. The Village's website now has the Village and zoning codes posted found at the Building Dept.'s link. The Zoning code can also be purchased at Village Hall.
- **TRUSTEE ZOCCHI** thanked all for coming and for those watching at home.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Rev. Frank Coleman, 15 Wallace St., asked if the 55 DBA could be grandfathered to those who are already residents and discuss the 50 DBA for new construction. Rev. Coleman noted that the website homepage has Tuckahoe misspelled in one spot.

He asked the Board members and residents to vote 'Yes' to the school budget. The referendum is for free money, but needs to be voted on.

Mayor Fitzpatrick encouraged all to go out and vote and noted that he plans to schedule and post a public meeting between the School Board and the Village Board.

Peter Costa, resident, requested an update regarding the Tuckahoe Housing Authority and the ADA issues; the latest status regarding the retired director who was rehired after the public integrity unit denied his waiver, and the legality of a Commissioner's residence.

Mayor Fitzpatrick said that the ADA compliance had not been resolved; as for the Director of THA, Mayor Fitzpatrick indicated that he heard that the waiver was denied but has not received anything in writing. He noted that it would be useful if HUD also sent information to the Village about issues dealing with the THA. As for the legality of a Commissioner's residence, Mayor Fitzpatrick noted that he has sent letters to all Chairpersons to report their residence; one in individuals has not responded. He noted that he is not speculating that this person is in violation, but will explore this issue further.

Mary Smith, 36 Avon Rd., voiced her concern that THA has rehired the ex director without the proper waiver. There is a possible violation here. The ex director is working under a contract that is null and void. He has access to private information after his waiver was denied. This is a serious matter. Ms. Smith indicated that she has contacted the Secretary of HUD and the regional manager regarding this issue.

Mayor Fitzpatrick noted that he is committed to making sure the proper things are being done at THA and is in the process of investigating several complaints.

Ms. Smith also noted that the attorney for the THA resides in Florida and Massachusetts.

Mr. Zuckerman, Bronx St., asked if this agenda had been posted since Friday. Trustee Gorman indicated that it was.

Margaret Coleman, resident, voiced her concern regarding the merit compensation for the Deputy Treasurer. She asked if taking on the added responsibilities was in the Deputy Treasurer's job description. She noted that when the Board starts to offer merit compensation, someone will always come forward and request compensation. She asked the Board to be mindful to be fiscally responsible.

Trustee Marcoccia also voiced his concern regarding the \$8000.00 amount.

Mayor Fitzpatrick noted that the Board will discuss merit pay and the distribution of that will not upset others.

Peter Costa, resident, inquired whether the position of Deputy Treasurer was under civil service to which the Village Clerk responded that it is an appointed position.

Ms. Debra Coppola, Director of the Library, thanked the Board for the appointment of Virginia Cosby to the Library Board. She also congratulated Josh Walchup on becoming an Eagle Scout and thanked him for all his hard work on the Library grounds.

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

Susan Ciamarra, Village Clerk