

Minutes of the **Regular Meeting** of the Board of Trustees of the Village/Town of Mount Kisco held on **Monday, April 3, at 8:00 pm** in the Frank J. DiMicco Board Room, Village Hall, and 104 Main Street, Mount Kisco, New York.

Present: Mayor J. Michael Cindrigh  
Trustee Peter Grunthal  
Deputy Mayor Anthony Markus  
Trustee Karen Schleimer

Also Present: Edward W. Brancati, Village Manager  
Whitney Singleton, Village Attorney

Absent: Trustee Jean Farber

### **Regular Village Board Meeting**

Mayor Cindrigh opened the Village Board Meeting and led everyone in the Pledge of Allegiance. Mayor Cindrigh asked everyone to please remain standing for a moment of silence, so that we may reflect on why we are here and ask for guidance in the decisions that we make here this evening so that they may benefit all of the people of our community. Mayor Cindrigh stated that he attended the Community Prayer Breakfast on Sunday at St. Francis of Assisi Church and the Firemen memorialized the Fire Fighters that passed away during this year. He asked that we keep the families of all of the Fire Fighters we have lost in your prayers.

### **Public Hearing – Proposed 2017-2018 Budget**

Mayor Cindrigh noted that the Board was in receipt of the proper affidavits of service and the proper affidavits of public notice regarding the public hearing to discuss the proposed 2017-2018 proposed budget.

Village Manager Brancati stated that this proposed budget tax increase stays under the tax cap and meets all of the needs of Village for our ongoing operations and capital needs.

Village Manager Brancati presented the proposed budget as follows:

There is a slight increase in the General Fund of 3.1% in this proposed budget compared to the current year budget. The Library Fund is relatively flat, it went up .005%. The Water Fund is down which is predominately due to some debt that we retired and the Sewer Fund is staying flat.

The Tax impact for what is being proposed for a single-family home with an approximate market value of \$400,000, and an assessed value on the Village roll of \$36,000, will see a tax bill increase of \$34.37 for a total Village Tax Bill of \$3,575.00.

The 2% Tax Cap Legislation still applies the limit set by the New York State Comptroller based on the Village's annual growth or the rate of inflation whichever is less. So the Village Tax Cap for this fiscal year is .17% up slightly from .12% in FYE 2016-17. Again, the Tax Levy Calculation applies to all property taxes that support local government operations including those levied for special improvement districts.

The Tax Levy Limit of \$15,101,917 is the amount that we could tax without breaking the cap. What we are proposing is significantly less \$14,689,625. The difference is \$412,292 which is the amount that we are staying under the cap for this year.

General Fund Budget Summary. Appropriations are up slightly (+3.10%) which are partially offset by an increase in non-real property tax revenues. Fund Balance, Tax Stabilization, Debt Service, and Special Assessment looks like a large percentage increase, however, there is funding set aside which off-sets the police contract amount that we have with Westchester County. The important take away here is that we are seeing savings every year from the true-up with our Police Contract, last year we saved \$588,000 versus the contracted amount. The Tax Levy stays flat (.97%) in the tentative budget, that increase is predominately because we had a drop in the tax roll, which has little to do with the economy in the Village. This is due to the fact that the Village went through a tax foreclosure process this year. As a result, we realized much larger revenue this year in interest and penalties from people coming in and settling up their taxes, more than we ever had in the past, but it also meant that the Village ended up with a number of properties that had to be removed from the tax roll. The Village Tax Rate increase is (+.9708%).

General Fund – Gross Appropriations are comprised as follows:

|   |             |     |
|---|-------------|-----|
| Town Functions                            | \$691,086   | 3%  |
| Employee Benefits                         | \$3,408,362 | 16% |
| Debt Service and Interfund Transfers      | \$631,977   | 3%  |
| Transfer to Library                       | \$1,774,020 | 8%  |
| Home and Community Services               | \$516,779   | 2%  |
| General Government Support                | \$687,562   | 3%  |
| General Government Expenses & Contingency | \$690,552   | 3%  |
| Public Works & Buildings                  | \$2,572,720 | 12% |

|                      |             |     |
|----------------------|-------------|-----|
| Health               | \$377,317   | 2%  |
| Parks and Recreation | \$1,222,993 | 6%  |
| Senior Nutrition     | \$320,829   | 2%  |
| Public Safety        | \$8,760,021 | 40% |

General Fund Appropriations – Average Tax Bill:

|   |            |
|---|------------|
| Town Functions                            | \$108.32   |
| Employee Benefits                         | \$624.55   |
| Debt Service and Interfund Transfers      | \$66.50    |
| Transfer to Library                       | \$294.94   |
| Home and Community Services               | \$85.80    |
| General Government Support                | \$110.83   |
| General Government Expenses & Contingency | \$111.90   |
| Public Works & Buildings                  | \$429.72   |
| Health                                    | \$62.56    |
| Parks and Recreation                      | \$194.48   |
| Senior Nutrition                          | \$48.62    |
| Public Safety                             | \$1,436.79 |

For the second year in a row the Water and Sewer Rates will stay flat as there will not be any increase. Both Funds are doing well, we are continuing to make improvements to the system without any type of rate increase. The average annual Water Bill is \$918.00 which is based on the annual average usage of 12,000 cubic feet. The breakdown of the average water bill is as follows:

|                               |          |
|-------------------------------|----------|
| Employee Benefits             | \$92.98  |
| Transmission and Distribution | \$88.06  |
| Purification and Filtration   | \$155.22 |
| Unallocated Items             | \$94.28  |
| Water Administration          | \$121.44 |
| Source of Supply              | \$28.15  |
| Debt Service                  | \$337.87 |

The Sewer Fund is staying flat again this year. The Average Annual Sewer Bill is \$210.56 and breaks down as follows:

|                     |          |
|---------------------|----------|
| Debt Service        | \$18.42  |
| Employee Benefits   | \$42.31  |
| Sewer Pump Stations | \$29.59  |
| Unallocated Items   | \$15.88  |
| Sanitary Sewer      | \$130.40 |

In the Capital Fund, here are the projects that the Village Board has been looking at undertaking in the upcoming year. We are not looking to borrow funds to make all of the improvements, we are looking to undertake some of these projects out of the Capital Fund and some portion of these projects would be done with bonding.

|   |              |
|---|--------------|
| DPW Addition                              | \$2,250,000  |
| Paving & Sidewalk Projects                | \$1,015,000  |
| Master Plan Update                        | \$250,000    |
| Police Department Alterations             | \$200,000    |
| Fire Department Equipment                 | \$100,000    |
| Fire Department Building Improvements     | \$10,200,000 |
| Vehicle Replacement                       | \$425,000    |
| Leonard Park & Senior Center Improvements | \$100,000    |

Capital Fund improvements in the Water Fund are spread across three (3) projects, which are all long term projects. The first one is the replacement of our 115 year-old water main that runs along Byram Lake Road, the replacement of a section of water main that runs under North Bedford Road, and the replacement of the water main running from the Hillside Pump Station to the water tank at the top of Kisco Mountain, which have a combined estimated cost of \$19,200,000. The other two (2) items are to replace a vehicle in the Water Department along with upgrading and installing radio meters on the accounts that don't have them.

Capital Fund improvements for the Sewer Fund includes some sewer relining work that we need to do in order to be in compliance with the DEC and that cost is estimated to be \$200,000. The two (2) other upgrades that we need to do are upgrades to the Saw Mill Pump Station and some of the lines connecting to the pump station that would cost approximately \$1,700,000. We are currently exploring the possibility with Westchester County and some of our municipal partners to enter into a joint venture project to actually get this done at no cost to the Village. So that is something that we will continue to work on.

In looking at Village Annual Debt Service Obligations through the next eight (8) years the Water Fund will continue at its current level until 2020/21 and then drop significantly in 2021/22. The Library Fund is pretty stable with regards to debt payments across all years. The General Fund Debt service will drop next year and remain relatively flat until 2024.

The 2017/2018 Tax Burden Distribution on a \$400,000 Market Value home breaks down as follows:

|                  |         |     |
|------------------|---------|-----|
| Village and Town | \$3,575 | 33% |
| County           | \$1,474 | 14% |
| School           | \$5,745 | 53% |

The Tax Rebate in the State of New York has changed this year. The Property Tax Freeze Credit program that has been in effect for the past three (3) years has been replaced with the Property Tax Relief Credit. Under the old program you would get a rebate check equal to the amount of the tax increase for that year. Under the new Tax Relief program, homeowners that have an income of \$275,000 or less, have paid school property taxes, and are residents of a school district that complies with the property tax cap, will receive a credit that is a percentage of a homeowner's STAR benefit, with lower incomes receiving a higher percentage. This new program will be in place through 2019.

In closing the budget can be viewed online at [www.mountkisco.org](http://www.mountkisco.org) and the final budget must be adopted on or before May 1, 2017.

Mayor Cindrach stated that this was a public hearing and that we are looking for comments from the public at this time.

Mr. Ralph Vigliotti (23 Meadowbrook Lane) stated that he thought that the budget looked good, however, under the Capital Fund he was hoping to see some money set aside for parking in the Village and the planting of sizable trees in town.

Mayor Cindrach replied that we are hoping to increase the parking in the South Moger Avenue and North Moger Avenue lot by having a developer partner with the Village and pay for part of that parking which would be in the form of a structure. The East Hyatt parking lot that was acquired years ago is no longer adequate. We have substantial capital reserves to purchase additional parking if the opportunity were to present itself.

Village Manager Brancati replied that the Village has set aside monies for a landscape plan which includes sidewalk improvements and planting of trees on South Moger Avenue, Kirby Plaza and East Main Street up to the Mount Kisco Diner. We will continue to work to find additional parking, nothing is set in stone. We understand the need and the desire for the parking and adjustments can be made if something makes sense. We also submitted a grant that requires a 50/50 match from the New York State Department of Environmental Conservation for a street tree inventory and management plan.

The following motion was offered by Mayor Cindrach and seconded by Deputy Mayor Markus to leave the public hearing on the budget open for written comments only until Monday, April 10<sup>th</sup>; all in favor.

Motion Adopted

|                           |     |
|---------------------------|-----|
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**Presentation by Lumen Lighting Solutions on LED Street Light Conversion.**

Heather Cuffel, Project Manager - Administration and Robert Craig Project Manager - Technical, from Lumen Light Solutions provided the Village Board with an update on the LED Street Light Retrofit project. Mr. Craig stated that he had met with Village Manager Brancati and DPW Foreman Joe Luppino to review every street light in the Village on March 23, 2017. Through the review they examined the current status and wattage of every street light to determine its appropriate replacement wattage so that there is a consistent and reasoned lighting plan throughout the Village. The review also incorporated various concerns about over lit or under lit areas as expressed by law enforcement personnel, first responders, residents, and businesses. Robert and Heather shared with the Board the differences between the current lighting in the Village and the new plan that maintained and ensured lower wattage throughout residential areas with increasing wattage on more heavily traveled roads, major intersections or intersections with heavy pedestrian activity, commercial areas, parking lots, and throughout downtown. Lumen will provide the Village Board with greater detailed maps of the lighting plan throughout the Village, which also

indicates those street lights that have already been converted to LED as part of regular Village maintenance of street lights.

**1) Communications:**

a. Letter from the Mount Kisco 5K re: Race request.

The following motion was offered by Trustee Grunthal and seconded by Trustee Schleimer; authorizing the Mount Kisco Run, LLC to hold their race on Sunday, September 17, 2017; subject to the Village Manager reviewing the bills from the Westchester County Department of Public Safety prior to sending them to Mount Kisco Run, LLC so that we can incorporate any other charges that may be needed; all in favor.

Motion Adopted

|                           |     |
|---------------------------|-----|
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

b. Letter from the Italian American Club re: Columbus Day Celebrations.

The following motion was offered by Mayor Cindrach and seconded by Deputy Mayor Markus; authorizing the Italian American Club to hold their car show and parade on October 8<sup>th</sup> subject to the following provision that if the rain date is needed that the cancellation of the parade be noticed in enough time to properly notice the Police Officers of the cancellation, so that overtime costs are not incurred; all in favor.

Motion Adopted

|                           |     |
|---------------------------|-----|
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

c. Letter from St. Francis of Assisi Parish re: Outdoor procession of the Virgin Mary of Mount Carmel.

The following motion was offered by Mayor Cindrach and seconded by Trustee Grunthal to approve the Outdoor procession of the Virgin Mary of Mount Carmel to be held on Saturday, July 15, 2017 at 4:00 pm;

Motion Adopted

|                           |     |
|---------------------------|-----|
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**2) Petitions: NONE.**

**3) Board, Committee and Commission Reports:**

Mayor Cindrach read the announcement from the Beautification Committee regarding their annual Spring Clean-up.

The Spring Clean-up time is here! Once again, the Beautification Committee is asking civic organizations to volunteer to pick up litter in the Village. Please select your area before April 24<sup>th</sup> and contact Cece Yozzo at 666-5396. The Village has insurance which covers volunteers. Please arrange with your group to complete the clean-up by May 29<sup>th</sup> so that the Village will be litter free by the annual Memorial Day Parade to be held on May 30<sup>th</sup>.

**4) Village Manager's Reports:**

a. Closings for Good Friday Observances.

Village Manager Brancati announced that the Department of Public Works will be open on Friday, April 14, 2017, Good Friday. Therefore there is no change to this week's collection schedule. The Mount Kisco Public Library is open on Friday, April 14<sup>th</sup>. Village Hall Offices, the Justice Court, and the Police Clerk's Office will all be closed on Friday, April 14<sup>th</sup> in observance of Good Friday.

b. RFP Comprehensive Development Plan.

Village Manager Brancati announced that the request for proposals has been advertised on the Metro New York Chapter of the American Planning Association's website and is also available on the Village's website. We have a pre-proposal meeting scheduled for Tuesday, April 18, 2017 at 10:00 am. All proposals must be received by Friday, May 26, 2017.

c. Request for an Executive Session to discuss real estate matters.

The following motion was offered by Mayor Cindrach and seconded by Deputy Mayor Markus to discuss real estate matters, all in favor.

Motion Adopted

|                           |     |
|---------------------------|-----|
| Mayor J. Michael Cindrich | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**5) Board Reports –**

Trustee Grunthal reported that the Economic Development Council met a few days ago and they set priorities for the many ideas that they discussed before and will be presenting some of them to the Village Board very soon.

Trustee Schleimer announced that on Wednesday, April 5<sup>th</sup> the Seder will be held at 11:00 am at the Fox Senior Center, it's a beautiful event. The last day for the AARP Tax event at the Fox Senior Center will be held on Friday, April 7<sup>th</sup>. On Thursday, April 20<sup>th</sup> from 9:00 am to 12:00 noon the mobile shredder will be available at the Fox Senior Center.

Deputy Mayor Markus stated that the Finance Committee will be meeting this week and that he will have a report after that meeting.

Mayor Cindrich reminded Village Manager Brancati that the cost assessment of any damage the Village may have incurred during the March 13, 2017 Nor'easter must be submitted by Friday, April 7<sup>th</sup> in order to seek reimbursement.

Village Manager Brancati replied that we are in the process of obtaining all of our costs for fuel, equipment, labor, salt, and Police. We will be putting that together comprehensively and will make sure that it is submitted by the Friday deadline.

Mayor Cindrich stated that he spoke several times with the Westchester County Department of Planning regarding the RFP, to make a determination on different techniques on zoning and what is trending. I would like to find out what other communities have spent recently on their Comprehensive Development Plans, to see if some savings could be had from the proposed budget.

Mayor Cindrich outlined an idea that he had, on how to protect our Mount Kisco Elementary School Children, especially those who walk to school, walk to the bus stop, or simply walk in the business district. After a number of suggestions we are calling it "Helping Hands" and it will give children a safe place if they are in fear or suffer some anxiety while they are walking to school. We will be able to identify those business with the helping hands decal on the window or door.

Mayor Cindrich stated that he did meet with three (3) neighborhood groups to discuss their concerns and subsequently met with the Westchester County Department of Public Safety to discuss the issues raised at the meeting. The Village Manager has been in some of these meetings with me along with representatives from the County Government. The last meeting I had with them was very productive. So we are trying to meet the needs of the public in this area.

Mayor Cindrich stated that he was invited to the Village of Tuckahoe to discuss and tour a recently built transit oriented development. There is retail space on the ground floor and rental apartments on the upper floors. What was unique about it was that it went up relatively fast and it was modular. The development has helped out businesses and was rented out immediately.

Mayor Cindrich stated that he attended the Mount Kisco Fire Department Community Breakfast, it was the 61<sup>st</sup> time that they held this event. I was proud to be able to participate in this event, it's a great tribute that our Fire Fighters come together for this event.

Mayor Cindrich stated that he met with the Commissioner of one of the largest city's regarding recycling and trash collection. As you know, I have been advocating for smaller trucks, a municipal transfer station in the Village, and Westchester County transitioning to single stream recycling. These items should be a priority for us and we should petition the County to start looking at this. I think it would save us a significant amount of money as would the transfer station and the smaller vehicles.

There is a recent report in the media that really didn't tell the whole story and it was in the budget letter and I would like to clarify it with regards to what we are saving from the contractual savings that we have with the Westchester County Department of Public Safety which was grossly understated. The estimates that were published in the paper is what we are saving in addition to the anticipated savings that we garnered through the contract. We saved in the first year over a million dollars as compared to what police services would have cost us in the first year of the contract and in the second year it was closer to \$1.3 million. That number will continue to grow in large part due to the professional management and

the way we are training our Police Officers. I just want to make sure that's clarified. There was also something cited about the Hearth Project (270 Kisco Avenue Project) and a public outcry against the project. I did not attend the Planning Board meetings, but I read the SEQRA documents and the minutes from the Public Hearings and I don't remember any public outcry against this project. So I want to be clear on that subject. I plan on talking to the newspaper reporter regarding his sources.

**6) Old Business:**

a. Appointment to the Economic Development Council.

The following motion was offered by Trustee Grunthal and seconded by Trustee Schleimer to appoint Judith Sage to the Economic Development Council for a term expiring 12/2018; all in favor.

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

b. Resolution authorizing the Village Manager to sign the Easement Agreement re: 461 Lexington Ave. LLC

The following motion was offered by Deputy Mayor Markus and seconded by Trustee Schleimer authorizing the Village Manager to sign the Easement Agreement with 461 Lexington Avenue, LLC subject to the following change noted by Trustee Schleimer to Page 4, Para 5-at the end add "and all future owners of 461 Lexington Avenue, Mount Kisco, New York."

|                           |         |
|---------------------------|---------|
| <u>Motion Adopted</u>     |         |
| Mayor J. Michael Cindrach | Abstain |
| Trustee Grunthal          | Aye     |
| Deputy Mayor Markus       | Aye     |
| Trustee Schleimer         | Aye     |

c. Appointment to the Beautification Committee.

The following motion was offered by Mayor Cindrach and seconded by Trustee Grunthal to appoint Angela Loffa to the Beautification Committee; all in favor.

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**7) New Business:**

a. Resolution authorizing the Village Manager to sign the Byram Lake Reservoir Water Monitoring Agreement for 2017 Professional Services.

The following motion was offered by Trustee Grunthal and seconded by Deputy Mayor Markus authorizing the Village Manager to sign the Byram Lake Reservoir Water Monitoring Agreement with the Chazen Companies – Option #2 for 2017; all in favor.

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

b. Resolution authorizing the Mayor to sign the contract with Westchester County re: Vacuum Truck (C-PL-17-440).

The following motion was offered by Deputy Mayor Markus and seconded by Trustee Grunthal authorizing the Mayor to sign the contract with Westchester County to fund a portion of the eligible cost associated with the purchase of one (1) Vacuum Truck (\$175,000.00), all in favor.

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrach | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

c. Resolution authorizing the Village Manager to sign the Acculynk Agreement for online debit and credit card payments.

The following motion was offered by Deputy Mayor Markus and seconded by Trustee Grunthal authorizing the Village Manager to sign the Acculynk Agreement subject to the termination fee NOT exceeding \$500.

|                           |         |
|---------------------------|---------|
| <u>Motion Adopted</u>     |         |
| Mayor J. Michael Cindrach | Abstain |
| Trustee Grunthal          | Aye     |

|                     |     |
|---------------------|-----|
| Deputy Mayor Markus | Aye |
| Trustee Schleimer   | Aye |

d. Resolution authorizing the Village Manager to sign agreement with CIT-e-Net, LLC re: online ACH electronic check payments.

The Village Board of Trustees tabled this item for four (4) weeks and asked for comments from the public to see if they would like to have this online check payment option.

e. Resolution authorizing the Village Manager to sign the agreement with Westchester County for Communication purposes.

The following motion was offered by Mayor Cindrich and seconded by Deputy Mayor Markus authorizing the Village Manager to sign the agreement with Westchester County to install radio communications and other equipment at the site pursuant to the terms of the Police Services Agreement in order to make radio communications in the Village and the surrounding area more seamless; subject to document verification by the Village Attorney; all in favor.

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrich | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**8) Bills -**

The following motion was offered by Trustee Schleimer and seconded by Deputy Mayor Markus to pay the bills as presented to the Board dated March 30, 2017 for the months of February and March, 2017 with the exception of one bill as previously discussed; all in favor.

|              |    |               |
|--------------|----|---------------|
| General Fund | \$ | 83,443.57     |
| Water Fund   |    | 51,114.11     |
| Sewer Fund   |    | 2,106.89      |
| Capital Fund |    | 2,490.99      |
| Trust Fund   |    | <u>908.08</u> |
| TOTAL        | \$ | 140,063.64    |

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrich | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**9) Approval of Minutes -**

Village Board Meeting Minutes of March 27, 2017

The following motion was offered by Trustee Schleimer and seconded by Deputy Mayor Markus approving the minutes of the Village Board Meeting Minutes of March 27, 2017, all in favor:

|                           |     |
|---------------------------|-----|
| <u>Motion Adopted</u>     |     |
| Mayor J. Michael Cindrich | Aye |
| Trustee Grunthal          | Aye |
| Deputy Mayor Markus       | Aye |
| Trustee Schleimer         | Aye |

**10) Non-Local Business:** None.

**11) Public Comment:** None.

Meeting closed at 10:30 pm.

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Edward W. Brancati  
Village Manager