

Minutes of the **VILLAGE BOARD MEETING** of the Board of Trustees of the Village/Town of Mount Kisco held on Monday, January 14, 2019 at 7:00 p.m. in the Frank J. DiMicco Board Room, Village Hall, and 104 Main Street, Mount Kisco, New York.

Present: Mayor Gina Picinich
Deputy Mayor Jean Farber
Trustee Isidoro Albanese
Trustee Karen Schleimer
Trustee Peter Grunthal

Also Present: Edward Brancati, Village Manager
Kenneth Famulare, Assistant Village Manager
Whitney Singleton, Village Attorney

Mayor Picinich opened the Village Board Meeting and asked everyone to rise for the pledge of allegiance. She asked everyone to please remain standing for a moment as we start the New Year and as the weather changes we can reflect back on the fact that many of us may not have all we want, but certainly more than we need, and there are a lot of people in our community who don't. Please keep organizations such as the Interfaith Food Pantry and the Emergency Shelter Partnership in these times who assist those in need in our community.

Mayor Picinich also wanted to let the residents know that in an effort to conserve paper some of the board is using technology in lieu of paper packets. This is the first meeting we are using iPads and will use them in future meetings as well.

Swearing in of Library Trustee Amy Kelley

I, **Amy Kelley** having been appointed to the **Mount Kisco Library Board of Trustees** for the Village/Town of Mount Kisco, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New York, and that I am eligible to hold the office to which I have been appointed, and that I will faithfully discharge the duties thereof to the best of my ability.

1) **Communications:**

a. Letter from the Mount Kisco Arts Council re: request to use Fountain Park for the 2019 Free Outdoor Summer Concert Series.

The Mount Kisco Arts Council is looking to hold their concert series again this year at Fountain Park in front of the library. Concerts would be held on Wednesdays; June 12th and 26th, July 10th and 24th, August 7th and 21st, and September 4th and 18th with rain dates of September 25th and October 2nd. Concerts will begin at 6:30 p.m. and will end approximately at 7:45 p.m. The Arts Council is excited to announce new talent for these concerts this year.

A motion was made by Deputy Mayor Farber and was seconded by Trustee Schleimer to approve this request submitted by the Mount Kisco Arts Council; all in favor:

Motion Adopted

Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Aye
Trustee Peter Grunthal	Aye

Mayor Picinich wanted to make the public aware that there was a scheduled presentation in regards to the proposed cell towers that was originally on this agenda, but Homeland Towers was not ready to present their findings this evening. As a result, they will be on the next meeting agenda for January 28, 2019.

2) **Petitions:** None.

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

Mayor Picinich wanted to share information from the Finance Committee. Bond results of the bond anticipation note bid of \$10.5 million, with a term of one year, for water main replacement projects and the serial bond bid of \$12.5 million, with a term of fifteen years, for other capital projects which include the firehouses and the Department of Public Works (DPW) Garage were 2.08% and 2.81% respectively. We received information that Sterling Bank is closing their local branch here in Mount Kisco and so we are seeking to move our lockbox operations and other deposits to another bank. A request made by the Village Manager and Village Treasurer to increase deposit limits in other approved banks; after reviewing different ratings, is recommended with requested increases for TD Bank from \$7 million to \$12 million and Westchester Bank from \$4 million to \$7 million. The Village Treasurer will complete collateral agreements with M&T Bank with a maximum deposit limit of \$7 million at this time. We will discuss an increase to the limit for M&T Bank

in the future. The group would like to speak with Chase Investment, as we did with NYCLASS, to discuss their investment strategies before adding them to the Village Investment Policy and investing Village funds. The committee also discussed costs and various options for "automated" trucks. It was agreed that these trucks could not function in some areas of the Village, but we would like to pursue further where such trucks could be used. For the current time the group recommended to move forward with the purchase of one new rear load garbage truck. If the Village Manager can negotiate a substantial reduction in cost, the Finance Committee would recommend purchasing two new rear load garbage trucks.

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

a. Monthly Water Report – Byram Lake and Leonard Park - December 2018.

Byram Lake and Leonard Park wells had a total water production that was just short of 36 million gallons during the month of December 2018 for an average of 1.155 million gallons per day (MGD) which is down about 50,000 gallons from our November average and down approximately 100,000 gallons from our October average. The Lake was at 100% capacity at both the beginning and end of December 2018. The Leonard Park wells were off during the month.

b. Maplewood Drive Traffic Promulgation.

The Traffic Rules and Regulations Register is hereby amended as follows:
Maplewood Drive: The area currently designated as "NO PARKING, STANDING, OR STOPPING" on either side, from its westerly terminus at Lexington Avenue to a point 70 feet easterly thereof is to be abolished and replaced in its entirety with the following: NO PARKING, STANDING, OR STOPPING on either side, from its westerly terminus at Lexington Avenue to a point 55 feet easterly thereof.

c. Christmas Tree pick-up service.

The Village will provide a special Christmas tree pick-up service beginning Thursday, January 3rd through Thursday, January 31st for local residents. Please place your tree at the curb in order to facilitate pick-up. No other items will be picked up at curbside. Christmas trees will not be collected or removed by Village sanitation crews conducting regular household refuse collections. If you have any questions, please call the Highway Department at 914-666-8193, Monday – Friday- 7:00 a.m. – 3:30 p.m.

d. Retirement Announcement.



VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

January 2, 2019

Mayor Gina Picinich
Village/Town of Mount Kisco
104 Main Street
Mount Kisco NY 10549

Dear Mayor Picinich:

I have been grateful for the opportunity to serve the residents of Mount Kisco for the past 20 years, first in the Library, then the Building Department and finally in the Assessor's Office.

Meeting the challenges in the Assessor's Office has been energizing, and positive changes to process and procedure have resulted in a more efficient office.

It's not an easy decision to retire, but I believe the time is right. My last day will be March 31, 2019.

I want to thank the people who helped me along the way, and made it a pleasure to come to work each day.

Respectfully submitted,

Sharon Bullisan

c: E. Brancati, Manager
R Miller, Assessor

e. Announcement - Village Hall closed for Rev. Dr. Martin Luther King, Jr. Day

All Village/Town of Mount Kisco offices will be closed on Monday January 21, 2019 in observance of Rev. Dr. Martin Luther King, Jr. Day.

f. Announcement - Taxes Due

School taxes are due by Thursday, January 31, 2019 without penalty. You may pay your taxes in person at Village Hall from 8:30 a.m. to 4:30 p.m. If you have any questions, please call the Tax Receiver, Joann Cerretani, at (914) 864-0034. For additional information concerning tax bills and the payment schedule, please visit:

http://www.mountkisco.ny.gov/departments/receiver_of_taxes/tax_due_dates.php

5) **Board Reports:**

Trustee Albanese hoped that everyone was able to see the new community sign that was put up last week with the help of our DPW working in the cold. The sign was built by C&M Sign in Bedford Hills and New England Antique Lumber across the street. This is part of the beautification of Mount Kisco project that was started last year. There was discussion about putting in a metal sign, but we felt that the sign needed to be something more fitting. Trustee Albanese believes the sign looks absolutely beautiful. There are (5) five slots on the sign that can be used for community events; mostly Mount Kisco events with schools and churches getting first priority then non-profit organizations. The rules and regulations, along with an application, will be posted online, but some important things to remember are that reservations must be made at least a week in advance and signs can be posted for a maximum of 2 weeks. Your organization is responsible for installing and removing your sign (signs not removed will be discarded). Your organization will be assigned a slot/location (top is 1, 2, 3, 4, 5 is bottom). Mount Kisco based and Bedford Central School District groups will be given priority. Political and commercial signs are not allowed. Signs should be 16 inches x 96 inches. There is work being done to add a community sign along Route 172 this fall as well in an attempt to eliminate all the lawn signs. So thank you to all the people involved in the process and to the Village for providing the necessary funding.

Trustee Albanese also wanted to share a story. He was traveling into New York City for a meeting so he was leaving Mount Kisco a little early. He started his day by checking Wayz which told him he would arrive around 8:30 a.m. As he drove, the time of arrival just kept getting later and later. So now being very late to this meeting he got off the highway to see a traffic officer directing traffic in this very cold climate; seemingly just like a dance in the middle of cars zipping through. When I rolled down my window to say something to her, she said how are you today? So good to see you! Have a great day! Which left him speechless because people just don't do that. Some people wake up in the morning with the glass half-full mentality and have that enthusiasm. He would like to do the same with our boards and commissions this year by trying to bridge the gap in communications with the boards and the public. We have Facebook and email, but we would like to find new ways to connect with the public. If anyone has any suggestions please let us know.

Deputy Mayor Farber hoped everyone enjoyed their holidays. The Mount Kisco Recreation Department started the New Year with their Annual New Year's Day Walk/Run through Leonard Park that ends at the Tea House with hot chocolate, tea, coffee, and other treats. It was a great way to start the year. In some interesting news about the possibility of an innovative new sonata written exclusively for Mount Kisco I was asked to coordinate a meeting with Village Manager Ed Brancati, local artist Creighton Michael, and Artistic & Executive Director of Copland House Michael Boriskin where we discussed setting the Mount Kisco traffic signals to music. The timing of the traffic signals have a pattern that can be connected to music. So we are looking for a composer now to take a look at these data points and find the inspiration to compose a piece of music with elements of Hispanic, Italian, and Irish flavors to the music. More news to come. The Mount Kisco Arts Council has been the recipient of several recent awards; The Arts Alive grant from Westchester County just awarded \$1,000.00 to the Arts Council. The Rotary Club will also be presenting the Arts Council with \$6,000.00 at their next meeting. The Mount Kisco Arts Council is so grateful and appreciative of this wonderful support which allows them to continue to encourage arts and music within our Village. Also the Mount Kisco Library is currently going through some renovations which has left the second floor off limits for a short period of time.

Trustee Grunthal stated that after a meeting with the Arts Council and Rotary Club, the beneficiaries of their Pancake Breakfast will be the Mount Kisco Public Library for some help with some projects they would like to accomplish.

Trustee Schleimer wanted everyone to know that on Friday January 25th at the Westchester County Center there is a Senior Speakout. The Commissioner for Senior Programs and Services, May Carpenter, does a presentation twice a year with reports from different agencies and committees that serve seniors in different capacities such as Legal Services of the Hudson Valley. There is breakfast included; it's from 9 a.m. until noon. It is something worth attending. In April, the 2nd Annual Amateur Photography Show will be held in the Mount Kisco Public Library. The event is still in the planning stages, but we want to encourage amateur photographers to walk throughout Village and connect with the beauty around us. Please also be advised that there is a scam going on right now where someone is calling as a Social Security agent claiming that someone has compromised your information and that they are terminating your Social Security benefits and card. Please do not give any personal information to anyone over the phone. Trustee Schleimer is going to be working with the Attorney General's office to track this down and will keep everyone up to date with any additional information.

Mayor Picinich wanted to thank Gretchen Zierick for allowing her to visit Zierick Manufacturing right here in Mount Kisco. They make connectors which we find in our cars, refrigerators, and they are sold all over the world and are manufactured right here in Mount Kisco. They employ around 65 people here and have plants in Chicago and Ireland, but we are fortunate that they have continued to do their work right here in our community. I also wanted to remind everyone to stay up to date on what's going on in our Big Little Village by signing up for our e-newsletter and e-notify for current information as well as Facebook and Twitter.

6) **Old Business:**

a. Resolution to adopt the Guiding Principles for Certificates of Occupancy and Predate Letters issued in Contravention of State or Village Zoning Code.

Mayor Picinich stated that this policy was first introduced at a board meeting in November. This policy re-enforces our policies, Village Code, and the State Building and Fire Codes. It makes a statement that we will strongly enforce and ensure that everyone lives in a safe residence that is aligned with Fire Safety, NYS Building Code, and Village Code. There has been no feedback from the public at this time.

Trustee Schleimer stated the Village Board has been struggling to resolve this issue of certificates of occupancy that they believe may have been "erroneously issued." The Board has had no hesitation resolving and dealing with any instances where there are issues of life and safety. Those issues are beyond any discussion. All homes in Mount Kisco must be habitable and safe for all who live there. The issue has been how to deal with those instances where there is not a safety or health issue. While I do believe the current Guidelines provide a number of significant safeguards to make sure that every homeowner whose home may be subject to this review is given every level of scrutiny, I am less inclined to support the remedies that have been proposed since I believe that people who bought homes without prior knowledge will be subject to major financial loss for something that was not of their doing. The value of their homes will significantly decrease. They may well end up being under water on their mortgages. The financial loss could be significant. I cannot go along with a proposal that will so severely impact innocent purchasers and while I know that this will not re-occur in the future, I think the solution exceeds the damage caused by the problem. I would leave those homes where the purchaser has shown that they had no knowledge and did not participate in changes that resulted in unsupported additional dwelling units feeling that the homeowner would be subject to zoning restrictions in connection with alterations and extensions and not be able to expand pre-existing non-conforming uses and believe that the uses would dissipate over time.

Trustee Grunthal added that there is a substantial appeal process available to the homeowners. Mayor Picinich also wanted to make the public aware that the only instance where this policy varies from state code is that we are offering these homeowners a level of relief. We are allowing for a file review and a potential of relief to maintain that current situation until there is a change in title.

A motion was made by Trustee Albanese and was seconded by Deputy Mayor Farber to adopt the Guiding Principles as presented; all in favor:

Motion Adopted

Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Nay
Trustee Peter Grunthal	Aye

b. Resolution to Adopt the Findings Statement for the Final Generic Environmental Impact Statement (FGEIS) for the Comprehensive Plan Update and Zoning Code Amendments.

Trustee Schleimer read the following letter into the record:

January 14, 2019

Mayor Picinich and Trustees
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: FEIS

Dear Mayor Picinich and Trustees:

I am writing to urge you not to adopt SEQRA Findings tonight with respect to the proposed comprehensive plan update. I do not think you can honestly make the five required SEQRA findings:

- (1) that you have considered the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) that you have weighed and balanced relevant environmental impacts with social, economic and other considerations;
- (3) that you have provided a rationale for adopting the comprehensive plan in its current form;
- (4) that you have satisfied the requirements of SEQRA; and
- (5) that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

If you can, I think you are seriously misjudging what is in the best interests of the residents of the Village of Mount Kisco.

The purpose of SEQRA is to provide a thoughtful basis for governmental decisionmaking, based on the facts. The FGEIS fails in that regard for many reasons. Three make my point:

1. The New York State Department of Transportation has requested that you re-evaluate your traffic study because "the trip generation contained in the traffic study is overly optimistic." That is an understatement. Is it really possible that 388 new dwelling units in the "Downtown" area will generate only 53 trips? I know that you have reduced the number of new dwelling units by 15 percent. Does that mean that in your view there will be only 45 trips generated? You know what traffic is already like in Mount Kisco. You should not be moving forward to add to that traffic on the basis

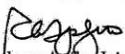
of an analysis that even the New York State Department of Transportation says is flawed.

2. The exclusive pedestrian crossing time at the intersection of Main Street and South Moger Avenue was established at the insistence of Mayor Dick Flynn to protect the seniors who wanted to walk to the shops on South Moger Avenue but had trouble safely negotiating that busy intersection. The New York State Department of Transportation says that you should not change that timing without conducting a traffic study. Your response is that a traffic study is not necessary because "the City of New York has good safety experience" with the signal timing you propose. Mount Kisco is not the City of New York and you should not want it to be. We all know what a pain in the neck it is to sit at that light, but it's the price of protecting our seniors. You should not endanger them so you can minimize the traffic impact of the 338 new residences you want to build.

3. The FGEIS claims that the 250 new dwelling units (excluding the assisted living facility) will result in only 24-27 new children in the school district. Really? One child for every 10 dwelling units? The "analysis" you use to get to that number relies on statistics from communities like Fleetwood, Pelham and Mamaroneck that are much closer to New York City than Mount Kisco. It is simply not realistic to assume that residences in Mount Kisco, even small residences, will be occupied by singles or couples without children to the same extent as homes in closer proximity to New York City. And then the FGEIS attempts to minimize the impact on Mount Kisco Elementary School by suggesting that the Board of Education will shift the lines to spread the increase. The Board of Education could have done that years ago, before it spent millions to expand Mount Kisco Elementary School, but it did not. Why would it do that now? Or is the purpose of all this to justify moving children from other areas of Mount Kisco out of the Mount Kisco Elementary School area?

For all of these reasons, you need to revise the proposed comprehensive plan before you can make the SEQRA findings. But even if you disagree with me about these issues, you should not be making this decision now. The FGEIS was accepted as complete only on December 17th, a week before Christmas, and you accepted comments only until January 11th. Critical community decisions should not be made while most of the community is focused on spending time with their families over the holidays.

Very truly yours,


Robert A. Spolzino

Simon Kates, a Village consultant with BFJ, wanted to speak generally in regards to the findings statement. The findings statement is a way to conclude the State Environmental Quality Review Act (SEQRA) process. It outlines every step that has been taking along the way from kicking off the comprehensive plan process more than a year ago to establishing the Village Board of the Village/Town of Mount Kisco to serve as the lead agency to do the Environmental Impact Statement and so on. It runs through each of the steps to make sure the Village complies with the State law. It is meant to be a conclusion of that compliance. The sequencing of the findings statement is important and has to be completed before you adopt the plan. First, you would accept the findings statement, once the findings have been adopted then you can adopt the plan, once the plan is adopted then you can adopt the zoning. Those three actions need to be completed in that sequence.

To respond to the letter which was just read. The questions are all fair and reasonable and were addressed in the FGEIS. He stands behind the findings. On Mr. Spolzino's first comment in regards to the New York State Department of Transportation (NYSDOT). There was a comment from NYSDOT in response to the draft Environmental Impact Statement that questioned the methodology for calculating the number of trips generated. The Principal of BFJ's transportation practice spoke with NYSDOT, talked through the methodology used, and NYSDOT ultimately agreed with the findings. What was behind that is that some of the trips that can potentially be generated are townhouse units on Lexington Avenue. Those are not transit oriented units and they result in more trips per day. The vast majority of the units that can be produced in the buildout with the plan and zoning are near the train station and near the downtown core with a majority of those right on top of the train station. We think it is reasonable to think of those units as transit-oriented units which produce relatively few "peak hour" trips. The numbers are "peak hour" trips not trips per day. The second is that the pedestrian walkways at the intersection of Main Street and South and North Moger Avenues are important. BFJ feels that as planners, it is critical for your downtown to ensure that it is walkable and that pedestrian areas exist. We are proposing for this area a leading pedestrian interval; meaning pedestrians can push a button at the intersection that will give the pedestrian time to get into the intersection for safe crossing. This technology is used in higher frequency areas such as New York City and have been working with a much higher trend of traffic with success. The last point on schooling. Mount Kisco is a place where it is desirable for people who want to travel into New York City. It is important to use real numbers when doing these calculations; the market here in Mount Kisco is that you have a growing population of empty nesters and we would like to attract young professionals. So the market analysis shows that not many children would be produced. The point on the school district is where we looked at the capacity of the elementary school in town and West Patent Elementary. We weren't proposing that the Board of Education should change the district lines, but there was a concern that if the district did change those lines that West Patent would get some of these kids; which they would. The FGEIS was accepted on December 17th and SEQRA provides that an action on findings should be made not less than 10 days, but no more than 30 days, after the FGEIS is accepted. So this is the right time for the board to act on these findings. It is not necessarily true that these decisions have all come around the holidays as this process has been going on for about a year and a half. There have been countless discussions on this project. These are decisions that were developed, were debated, were worked through and discussed at length with members of the public as well as work sessions with the board and other committees made up of members of the public. We do need to reflect at how extensive this process has been and that this decision making process was spread out during a long period of time.

Deputy Mayor Farber wanted to know if this was accepted tonight and they wanted to make a change to the plan would it be possible. Mr. Kates responded that yes, changes could still be made to the plan or zoning. He just wanted to add the caveat that if a change was to be made the public hearing would have to be opened again to allow for comments on the change. The point of having the plan is the implementation of the plan; the point of updating the zoning is so that people can develop these properties based on the zoning. You can always revise your zoning, you can always amend the plan. This is your decision, but it is wise to go through the whole process so that the people can know what the plan is. Trustee Albanese added that the properties looking to be developed are owned by the Village and so we as a board would be taking a close look as to what is being developed in those lots.

Trustee Schleimer stated in connection with the proposed resolution to adopt the findings statement for the Final Generic Environmental Impact Statement for the Comprehensive Plan update and Zoning Code Amendments, first I do want to thank everyone, the Committee, BFJ, and this Village Board and staff for the untold hours of labor and effort that went into creating and moving this plan along in connection with producing a vision of the future of Mount Kisco as a vibrant and thriving village. By adopting these findings this evening, the Village is saying that "[t]hrough adoption of the Plan, the Village intends to conserve natural areas, promote commercial vitality downtown, preserve neighborhoods, and address housing needs." It further states that the Village, as Lead Agency, has identified possible environmental impacts of adoption of the Proposed Action upon local land use, natural, economic, and social resources, as well as upon local infrastructure and transportation systems. It finally says that the Village Board, as "Lead Agency finds that the Village of Mount Kisco Comprehensive Plan and Zoning Code Amendments would not result in significant adverse impacts and would have in some instances beneficial impacts on the natural and man-made environments, and social and economic conditions in the Village of Mount Kisco." It further states that "...the Village of Mount Kisco Comprehensive Plan and Zoning Code Amendments... will have a beneficial impact ...and will enhance and protect the welfare of the residents of Mount Kisco... and are not anticipated to have a significant adverse impact..." Having been a part of the process and a part of the Village Board, as Lead Agency in connection with this review and having reviewed and presented comments and concerns with respect to the Final Generic Environmental Impact Statement, I feel that the following issues will affect the Village/Town of Mount Kisco and need further study or resolution before the adoption of these findings

and the proposed Comprehensive Plan and Zoning Code Amendments: traffic; air pollution resulting from traffic; decreased parking requirements resulting in insufficient parking; adequate fire and ambulance coverage resulting from aging or limited volunteers and a growing and aging population; proposed zoning changes to encourage more residential and senior residences; concrete objectives regarding the acquisition of open space and the continuation of the development of the trail system; the effects of other possible development not in the overlay zone; the Lexington Avenue corridor or Radio Circle; effects on existing public services and roads; failure to address problems and issues in existing residential areas and the North Bedford Road Corridor; loss of viewscapes; new developments due to recent zoning changes such as 333 North Bedford Rd. and Radio Circle; the availability of sufficient electricity; no concrete plan to provide housing to replace illegal multifamily housing for lower income residents; and the effects of increased commercial development in the downtown area in terms of services, traffic, and parking. For these reasons I cannot vote in favor of the adoption of these findings at this time.

Trustee Grunthal added that this letter was brought to us minutes before we sat down at this table tonight, and he believes that all three of the main points in the letter have been addressed over the many months; we have had endless meetings, substantial meetings to address these various points. This plan has been thought out very carefully, this is not a fly-by-night comprehensive plan that we are putting in here; this is something that has been thought through with many members of this community working hard backed up by the planners at BFJ. For many years, members of this board and prior boards were approached by the community to freshen up Mount Kisco, restore economic viability, and get more interesting stores and people here. This is what we are trying to do with this plan. There is always a risk in going forward, but there is a far greater risk in staying still. We need to take the bold step in moving forward.

Deputy Mayor Farber agreed with many things that Trustee Grunthal said and added that change can be really hard; this is a major change that we have been talking about for a very long time. There have been conversations on how we invigorate Mount Kisco and you can't keep doing the same thing over again. Change can be really frightening with some missteps along the way, but there will be some great gains too. This plan is going to be an evolving thing that doesn't happen overnight.

Trustee Albanese stated that he agreed with Trustee Grunthal and Deputy Mayor Farber. He has been to every meeting during this process, every work session, public meeting, private meeting, lives and works in town, and sees South Moger Avenue daily. Some people say that landlords have the rents at a high rate, but that's not really the problem. We know that retail is the problem; someone looking for commercial space is not going to come to Mount Kisco because it looks like it's a dying town. After 6-7 p.m. at night there are not many people out and only a handful of stores are open at that time. If we have some life in the town, the residents and small business owners would see change within the Village. Mount Kisco is not a city, but Mount Kisco has always been the hub and heartbeat of this area and to have more money and residents in our town is a positive. I want younger people to come into Mount Kisco and travel downtown for work and bring some life back to our village.

Mayor Picinich wanted to start out by thanking Mr. Spolzino; he is a trusted and valued member in our community and the concerns that he raised are issues that we have discussed extensively. We have discussed them with the community, in our work sessions, and again as Mr. Kates had explained, making the Department of Transportation understand the methodology to that process. Leading pedestrian intervals maintain safety for pedestrian crossings. All of these issues between traffic and pedestrian safety is a careful balance that we have to make sure we maintain in our community. Right now things are a little bit out of whack with the heavy traffic flows so looking at traffic calming and increasing pedestrian safety and bicycle access are key pieces in the comprehensive plan. To speak on school children; people keep talking about these examples that come from other places so I would like to provide a very real example. The closest thing that we have to transit-oriented development is Stewart Heights, the building has 103 units, and generates 6 school children. So if you multiply that by 2 that's 12 children. The number of children in those types of residences is based upon the size of the apartments and that directly correlates to the generation of school children. So there is an example of those numbers presented in our community. She also wanted to remind folks to look around them. If you've picked up the Journal News in the past six months you see what is happening all across Westchester and I encourage you to look outside of Westchester to communities that are on the train lines that go down through Jersey or up through Connecticut. This is happening everywhere. Change is going on around us and the competition is increasing for home buyers, for businesses, for shoppers, and we have a choice. We can always do nothing; which has generated vacancies in our downtown, doing nothing has caused our economy to falter. So we are making a bold choice to make changes with the understanding that we must maintain balance. The key here is this is a Village and a community that we all value and that any growth or development must be measured. She has every confidence that we have given this very long process careful thought and careful consideration and we will look to take Chapter 11 of our comprehensive plan, which focuses entirely on implementation and details our step-by-step implementation plan moving forward. She also reminded everyone that if they look at Chapter 11, it says things like further study, different

components like bicycle access or pedestrian access require further study. Find a grant for a housing study to take a look on how to find resources and solutions for those who are rent overburdened. So these are broad ideas that require more action, more study, and more due diligence.

A motion was made by Trustee Albanese and was seconded by Deputy Mayor Farber to adopt the following resolution;

RESOLUTION RE: TO ADOPT THE FINDINGS STATEMENT FOR THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS) FOR THE COMPREHENSIVE PLAN UPDATE AND ZONING CODE AMENDMENTS.

WHEREAS, the Town/Village of Mount Kisco is preparing a Comprehensive Plan pursuant to Section 7-722 of New York State Village Law and concurrent Zoning Changes; and

WHEREAS, the Mount Kisco Board of Trustees declared lead agency on April 16, 2018; and

WHEREAS, the Mount Kisco Board of Trustees held a scoping session; and

WHEREAS, the Mount Kisco Board of Trustees developed a Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, the Mount Kisco Board of Trustees held a comment period on the DGEIS from September 17, 2018 to October 26, 2018; and

WHEREAS, the FGEIS has now addressed all comments to the satisfaction of the Board; now therefore be it

WHEREAS, the Mount Kisco Board of Trustees accepted the FGEIS for distribution to the involved agencies and the public on December 17, 2018.

RESOLVED, the Mount Kisco Board of Trustees hereby adopts the Findings Statement for the FGEIS for the Comprehensive Plan Update and Zoning Code Amendments; all in favor:

<u>Motion Adopted</u>	
Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Nay
Trustee Peter Grunthal	Aye

Mayor Picinich added that the board had some extensive work session meetings before the holidays where we incorporated public feedback both into the plan and into the FEGIS and so those updated copies should be available on www.envisionmk.org and also under the "Quick Links" section on our website at www.mountkiscocony.gov.

7) **New Business:**

a. Resolution to adopt the Updated Employee Handbook.

Mayor Picinich stated that there were changes in State law with reference to sexual harassment and some other slight modifications. Mr. Brancati stated that the biggest change in the policy is the State legislation and regulations when it comes to sexual harassment; training being one of the biggest areas of change. So the changes in the handbook reflect the changes made in State law. Another change is that the allowance of leave for breast and prostate cancer screenings has been changed to leave for all types of cancer screening. There are also additional protections under disciplinary procedures that are provided to labor class employees. These changes were made in the handbook to reflect the changes in state law since the adoption of the handbook in September 2016. It has been reviewed by Labor counsel.

A motion was made by Deputy Mayor Farber and was seconded by Trustee Grunthal to adopt the updated employee handbook as presented; all in favor:

<u>Motion Adopted</u>	
Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Aye
Trustee Peter Grunthal	Aye

b. Resolution of the Village Board declaring certain Village property to be surplus property.

Mr. Brancati stated that this property is old computer towers and monitors that have been outdated.

A motion was made by Trustee Schleimer and was seconded by Trustee Grunthal to adopt the following resolution:

Whereas, it has been determined that the Village has no further use of certain item(s): and
Whereas, the Village Board may determine that these items are surplus property; and
Whereas, the fair market value, if any, is determined for the surplus property and its disposal will be for the common benefit; and
Whereas, at the time of sale of surplus item(s), money, if any, will be allocated back to the appropriate department; and
Whereas, the Village Manager or his designee will oversee the sale of these item(s) or other method of disposal.

Now, Therefore, Be It Resolved, that the Village Board of the Village/Town of Mount Kisco, New York surpluses the following item(s):

Various computer equipment that exceeded the period of useful life.

All in favor:

Motion Adopted

Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Aye
Trustee Peter Grunthal	Aye

c. Resolution authorizing the Village Manager to sign the North East Westchester Special Recreation Interagency agreement for 2019.

Mayor Picinich stated that this is a renewal of an agreement that has been ongoing for quite some time here in the Village of Mount Kisco. As per the agreement, there is a payment that we make for each participant.

A motion was made by Deputy Mayor Farber and was seconded by Trustee Schleimer to authorize the Village Manager to sign the North East Westchester Special Recreation Interagency agreement for 2019; all in favor:

Motion Adopted

Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Aye
Trustee Peter Grunthal	Aye

d. Board Resolution to amend the budget due to insurance recovery

Mayor Picinich stated that this is an insurance recovery on a claim and as a result we need to reflect that in the budget.

A motion was made by Trustee Grunthal and was seconded by Trustee Schleimer to adopt the following resolution

Resolved, the fiscal year 2018/2019 adopted budget are hereby adopted and modified as follows:

Budget – Operations

Increase Revenues:

001.0000.2680 Insurance Recoveries	<u>\$9,200.00</u>
Total	<u>\$9,200.00</u>

Increase Appropriations:

001.6772.0417 Expenses - Senior Center Outside Contracts	\$ 4,600.00
001.7610.0417 Expenses- Programs for the Aging Outside Contracts	<u>\$ 4,600.00</u>
Total	<u>\$ 9,200.00</u>

Net impact: \$0.00

All in favor:

Motion Adopted

Mayor Gina Picinich	Aye
Deputy Mayor Jean Farber	Aye
Trustee Isidoro Albanese	Aye
Trustee Karen Schleimer	Aye
Trustee Peter Grunthal	Aye

e. Board Resolution to Amend the Village Investment Policy

Village Treasurer Robert Wheeling stated that there are two times of the year where we have more money than average. We are in collection nine (9) months out of the year December and January being big ones with collection of the second half of Village taxes and the second half of school taxes. In December the Finance committee allowed us to move forward with bonding; the idea being to get lower rates before the Federal Open Market Committee increased interest rates in December and possibly more rate increases in 2019. We got some extremely good rates, once the bond proceeds were received, we maxed out our deposit limits with four (4) of our top interest paying banks. The recommendation from the Finance committee is to increase our deposit limits at TD Bank and Westchester Bank in order to take advantage of these great interest rates. Deputy Mayor Farber asked how long the Village keeps these balances since the bulk of that money is going to be turned over to the school district. Mr. Wheeling responded that most of the collection goes to the school

district in February, but a certain amount is withheld to account for any bad checks. The other issue is that our primary bank is closing and so we are also looking for another bank to take over that lockbox operation.

A motion was made by Trustee Grunthal and was seconded by Trustee Schleimer to adopt the following resolution;

Resolved, that the Village/Town of Mount Kisco Investment Policy be amended as follows: Article VII - Designation of Depositories Amend:

TD Bank increase to \$ 12 million from \$ 7 million
 Westchester Bank increase to \$ 7 million from \$ 4 million
 All in favor:

Motion Adopted
 Mayor Gina Picinich Aye
 Deputy Mayor Jean Farber Aye
 Trustee Isidoro Albanese Aye
 Trustee Karen Schleimer Aye
 Trustee Peter Grunthal Aye

8) **Bills:** General, Senior Nutrition, Water, Sewer, Library and Capital Project Funds for November and December of 2018.

General Fund	\$284,026.11
Water Fund	57,533.87
Sewer Fund	8,136.20
Library Fund	837.75
Capital Fund	77,244.48
Trust Fund	18,013.75
<u>LOSAP Fund</u>	<u>4,320.00</u>
Total	\$450,102.16

A motion was made by Deputy Mayor Farber and was seconded by Trustee Schleimer to pay the bills as submitted; all in favor:

Motion Adopted
 Mayor Gina Picinich Aye
 Deputy Mayor Jean Farber Aye
 Trustee Isidoro Albanese Aye
 Trustee Karen Schleimer Aye
 Trustee Peter Grunthal Aye

9) **Minutes:**

Regular Meeting Minutes – December 17, 2018

A motion was made by Trustee Schleimer and was seconded by Trustee Grunthal to adopt the regular meeting minutes of December 17, 2018 as submitted; all in favor:

Motion Adopted
 Mayor Gina Picinich Aye
 Deputy Mayor Jean Farber Aye
 Trustee Isidoro Albanese Aye
 Trustee Karen Schleimer Aye
 Trustee Peter Grunthal Aye

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

11) **Public Comment:**

Annie Whalen stated that she stood on the other side of this room when they wanted to build the library and said to them, you're not going to build this for ten million dollars; they had to change the plan because a big hurricane hit and all prices went up. Common sense; that is what you need, common sense, not these reports. She stated that she doesn't have all these degrees, but it is common sense. She asked if anyone has driven down Route 133 or gone up the hill in the morning? Change the light to add the pedestrian walk button and watch all the other traffic lights going down the street go out of sync. Coming down that hill in the morning, you might wait 2 – 3 lights to get across. Anyone can get a report to come out the way they want. She said that she didn't want to live in White Plains; she wanted to live in Mount Kisco which is a small town, that's the way she wants it to stay. She also suggested a left hand turn signal going east on Main Street to get onto North Moger Avenue.

There being no further business to come before the Board, Mayor Picinich closed the meeting at 8:40 p.m.

 Edward W. Brancati
 Village Manager

/lh