

Minutes of the **VILLAGE BOARD MEETING** of the Board of Trustees of the Village/Town of Mount Kisco held on Monday, February 5, 2018 at 7:00 p.m. in the Frank J. DiMicco Board Room, Village Hall, 104 Main Street, Mount Kisco, New York.

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

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

Absent: Trustee Peter Grunthal

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 and asked that everyone that comes to this table does so with open hearts and open minds to serve the will of the people of Mount Kisco. Our thoughts are with the Corsi and Hall Families as they have lost people whom they loved very dearly.

1. Communications:

a. Email from Bryan Thompkins re: vacancy on the Leonard Park Committee.
The Village Board scheduled an informal interview with Mr. Thompkins for Monday, February 12, 2018.

b. Email from Daniel Guyder re: vacancy on the Leonard Park Committee.
The Village Board scheduled an informal interview with Mr. Guyder for Monday, February 12, 2018.

c. Letter from Barbara Schainman re: vacancy on the Leonard Park Committee.
The Village Board scheduled an informal interview with Ms. Schainman for Monday, February 12, 2018.

d. Letter from the Mount Kisco Volunteer Fire Department re: Annual Inspection and Parade request.
The following motion was offered by Deputy Mayor Farber and seconded by Trustee Albanese authorizing the Mount Kisco Volunteer Fire Department to hold their Annual Inspection and Parade on Friday, July 13, 2018, as detailed in their letter dated January 20, 2018.

<u>Motion Adopted</u>	
Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Aye
Trustee Schleimer	Aye

2. Petitions: None.

3. Board, Committee and Commission Reports: None.

4. Village Manager's Reports:

a. Water and Sewer Bill Payment due date.
Village Manager Brancati announced that the Water and Sewer Bills have been mailed out. Payment is due by Friday March 2, 2018. If you have any questions please call (914) 864-0029. To sign up for E-Z pay automatic debit on all future water/sewer bills please visit our website at www.mountkisco.ny.gov and click on the Water and Sewer Department Tab

Future water/sewer bills will be issued quarterly pursuant to the schedule below:

<u>Billing Date:</u>	<u>Due Date:</u>
February 1, 2018	March 1, 2018
May 1, 2018	May 31, 2018
August 1, 2018	August 31, 2018
November 1, 2018	November 30, 2018

b. Schedule Village Board of Trustees site visit re: Oakwood Cemetery – Solar Panels.
The Village Board of Trustees agreed to meet on Saturday, February 17, 2018 at 10:30 AM for a site visit at Oakwood Cemetery.

c. Introduction of the newly appointed Deputy Receiver of Taxes.
Village Manager Brancati introduced the newly appointed Deputy Receiver of Taxes Alyssa Forzano.

5. Board Reports:

Deputy Mayor Farber reported that it has been an extremely busy last couple of weeks. This past Wednesday, January 31st, Sustainable Westchester was awarded the Green Business Certificate award from the Westchester Business Council. The presentation was made right here in Town Hall. We are so very proud to be a member of Sustainable Westchester, which is located right here in our Village, and is a wonderful resource to help local businesses and property owners go GREEN.

The Bedford 2020 Climate Action Summit which was an all-day affair at Fox Lane High School this past Saturday was very interesting, over 700 people attended the event. Our Mayor Gina Picinich did a great job as one of the participants of the Elected Officials Seminar. Speakers included the CEO of the Natural Audubon Society and the Creator and the Executive Producer of the award winning series Year of Living Dangerously. Both were outstanding speakers and the electricity in the room through the entire series of lectures was really outstanding. I was very impressed by the passion and quality of discussions taking place throughout the entire day.

The Italian American Club met on Thursday, February 1st and so much is being planned for this year. In addition to the annual dinner dance and Columbus Day Parade, this year the Club has invited 25 folk dancers from Sicily to come to Mount Kisco for 10 days. The Club is planning a multi-cultural festival with an outdoor show right behind Village Hall to highlight the folk dancing. We have a date, Saturday, August 4th with a rain date of Sunday, August 5th. The Annual Car Show will also be moved to that time as well. An official letter from the Italian American Club Secretary will be forthcoming to the Board asking for permission to use the space behind Village Hall for the outdoor show. Additionally, an indoor folk dancing show for 400 people is being planned for Sunday, July 29th. I'll update the Board as things progress, but the entire Italian American Community is very excited about inviting these young people over to dance for us.

The Mount Kisco Arts Council meets this Thursday, February 8th. Meanwhile Board member Beth Vetare and I met with the Mount Kisco Economic Development Council at their last meeting, which was held on January 25th. We are trying to work with the business community to enhance the arts by reaching out to the local stores and businesses that might be interested in showcasing local artist's work in their stores and also perhaps see if they are interested in sponsoring one or more of our future musical events, which are being planned right here on the porch of Village Hall beginning in June, stay-tuned for that schedule.

The Mount Kisco Historical Society will be meeting this Wednesday, and I'll have a full report at our next meeting.

Finally, it was so great to meet so many of you over coffee this past Wednesday, January 31st at the Mount Kisco Diner. All of us were there along with the Chamber of Commerce who sponsored this morning event, which was from 8:00 am to 9:30 am and I hope that this will be the first of many opportunities to meet and greet you to discuss what's on your mind.

Trustee Albanese stated that as he walks through town and also in his restaurant he always get asked, "what's going on in Mount Kisco and what's going on with the Board." So I just want to mention a few things about a few committees and what they are doing. The first would be the Economic Development Council, which is a bunch of young professionals that are committed to marketing Mount Kisco as a prime place to live, and to do business. They are the ones that created our Facebook page and that's one place you should go to get the news about Mount Kisco. We also just started a Parking Task Force that will be dedicated to coming up with solutions about parking and to make it better. Between the Arts Council and the Leonard Park Committee, we have 12 concerts planned for this summer, which is incredible – good job! Last week, Mr. Fish was here at our Board Meeting talking about our Comprehensive Plan. The first public meeting is going to be on the 1st of March at the Mount Kisco Public Library and anybody in Mount Kisco that's wants to have their voice heard should go to that meeting. The Chamber of Commerce has been working hard in order to make Mount Kisco better and for the first time we are up to about 200 members. I guess you've heard about our Streetscape Plan, which is in motion, but I also want to tell you about two (2) other projects that we are working on. The first one, is "Adopt-an-Area," it's a program that gives businesses and residents the opportunity to take over an area and beautify it. Such as when you are coming into Mount Kisco from Bedford on North Bedford Road by Chief Kisco. This project is going to be headed by the Beautification Committee. I met with both Pat Reilly and Joan Stewart, Co-Chairs of the Beautification Committee who are both excited at the possibilities and there is so much that we can do here. I will be joining the Beautification Committee this week on the 7th for their meeting. The next thing is, I've been talking to Art Nelson, who lives locally here on High Street. He's been thinking about doing a dog park in Mount Kisco. I think it's an incredible idea, it's a way for people to get together and bring their dog's downtown. So they are looking for locations. This is still in the dream stage, so if it is something that the public wants, please let me know.

Trustee Schleimer announced the following items, as of today the flu vaccine will be available at Care Mount Medical in Building 90, you don't need an appointment. The vaccine is available at Rite-Aid located at 55-59 South Moger Avenue and you don't need an appointment either. The vaccine is also available at Open Door and does require an

appointment, their phone number is 914-666-3272, and they are open from 8:00 am to 5:00 pm. So for people who are at risk and people who did not yet have a flu vaccine shot they were available as of today.

New Medicare Cards are being mailed out starting in April of 2018. Old Medicare Cards will be replaced over the course of the year, until April, 2019. They are removing the Social Security numbers from the cards. So be on the lookout for the paperwork in the mail and please don't throw out anything from the U.S. Centers for Medicare and Medicaid Services (CMS) as it could be your new medicare card.

Northern Westchester Senior Law Day is being held at the Fox Senior Center on April 10th from 10:00 am to 12:00 pm. Historically, this event was being held in Jefferson Valley, so kudos to our seniors who managed to rope it in to have it locally here in the Village this year.

The League of Women Voters is doing a State of the Schools which includes the Bedford Central School District, and is scheduled for April 26th in the Katonah Library at 7:00 pm. They are showing a documentary "Equal Means Equal" on Wednesday, March 7th at 7:00 pm also at the Katonah Library. The League is also holding a Welcoming New Citizens program, I hear this is a tremendous thing to observe and be a part of, if it interests you and you want to find out more about volunteering, please contact me, I have the contact information if anyone is interested.

Mayor Gina Picinich thanked the Bethel Baptist Church for being so gracious and welcoming to her last Sunday morning. They are energized and inspiring and again they were very gracious. Thank you.

I want to make sure that everyone in the Village is aware that we are about to enter into our Budget Process. The cap for this year is 2%, we have no plans on exceeding the cap and will certainly be below the cap. I also want to make everyone aware of the fact that that cap exists, also for the school district at 2%. Just so everyone has the notion what's coming down the pipe line in reference to taxes as we move forward. We will be talking a lot more about the budget as we move forward. The budget needs to be adopted by May 1st. Our goal of course is to be under the cap, but to be sure that we are financing all that we need to finance and investing in the Village in appropriate and prudent ways.

I want to extend a thank you to Village Manager Brancati who applied for us to be recognized by NYSERDA as a Clean Energy Community and we did this by a variety of actions that we have taken over the years, including starting a clean energy fleet, the movement to all LED Street Lights, adopting the unified solar permit and also participating in the PACE Legislation and amending our Code to take advantage of recent changes in the law adopted by the New York State Legislature. The public hearing on those proposed amendments is scheduled for February 26, 2018. In doing these things and so many others this provides us an opportunity to apply for some additional funding. So thank you for doing that on behalf of our community Mr. Brancati. It's a wonderful thing to be designated as a Clean Energy Community.

Finally, this is the last call for folks interested in being on the Parking Task Force, we are about to get going on that, so anybody interested in getting on board, please make sure you send an email to Mr. Brancati.

6. Old Business:

a. Appointment to the Board of Ethics for a 3 year term.

The following motion was offered by Mayor Picinich and seconded by Trustee Schleimer to appoint Kathy Lynch to the Board of Ethics for a three (3) year term, all in favor.

Motion Adopted

Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Aye
Trustee Schleimer	Aye

b. Resolution declaring certain Village Property to be Surplus Property.

The following resolution was offered by Trustee Albanese and seconded by Deputy Mayor Farber.

Whereas, it has been determined that the Village has no further use of certain items(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 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 items(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 items(s):

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification Number (VIN)</u>
2002	Ford	Econoline Van	1FTNE24L02HA89807

Motion Adopted

Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Grunthal	Aye
Trustee Schleimer	Aye

b. Resolution authorizing the Village Manager to sign the Sustainable Westchester Clean Transportation Program Intermunicipal Agreement.

The following motion was offered by Deputy Mayor Farber and seconded by Trustee Schleimer to table this item. Sustainable Westchester is going to be sending a revised Intermunicipal Agreement to all of those that are interested in participating; all in favor.

Motion Adopted

Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Aye
Trustee Schleimer	Aye

d. Schedule a Public Hearing to Amend Section 54-14 of the Village Code.

Mayor Picinich stated that this section of our Code identifies penalties for offenses in violation of the piece of our code that deals with how people are to use our Conservation Areas within our Village. Some of these areas have been turned into walking trails, so there is a broad list of things that you can and cannot do in these areas. You cannot camp, picnic, litter, damage the environment as well as a long list of things that you cannot do here, including using the areas after dusk. There is no indication in the existing code as to the level of penalty for violations, so the amendment to this code would identify the specific level of penalty that would be assessed against someone who violates this chapter of the code. So first we want to open a public hearing as we do whenever we amend the code, and second, we need to have a conversation as to the level of penalty that we would like to assess for these violations.

The following motion was offered by Trustee Schleimer and seconded by Trustee Albanese to schedule a public hearing on Monday, February 26, 2018 at 7:30 pm to Amend Section 54-14 of the Village Code; all in favor.

Motion Adopted

Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Aye
Trustee Schleimer	Aye

Mayor Picinich stated that the Board had received an email from the Village Attorney with reference to the possibility of fines.

Deputy Mayor Farber asked what if a person was not capable of paying the fine, what happens then?

Village Attorney Singleton replied that under Section 1-17 of our Code which details different levels of penalty for violations of the Code and which provides for both a Fine and/or imprisonment. The Boards options are to prescribe some sort of proportionality to the nature of the violation that they deem this to be. If somebody has violated the conservation law one time, what do you think is an appropriate fine? If there is a repeat offender, would you like to see that escalated, and then the question becomes is it financially viable for you to prosecute these cases if the fine is too small. The first proposal is to have it escalate from a Class 3 to a Class 1 violation. So that the fines would go from not less than \$75.00 and not more than \$1,000.00 on the first offense, not less than \$250.00 and not more than \$500.00 for the second offense, and not less than \$1,000.00 and not more than \$5,000.00 for a third offense. A second option for the Board to consider would be to simply set the fine penalties as a Class II violation, mandating a fine between \$250.00 - \$500.00 and/or imprisonment.

Mayor Picinich stated that we need to declare as a community that we set a standard of behaviors that are appropriate and if you deviate from those behaviors that there is a penalty.

Trustee Schleimer suggested having a provision for a warning on a first offense. She asked if this would be applicable for a corporate violator because we have people who are violating and we have commercial interests that perhaps might be violating.

Village Attorney Singleton replied that it would be equally applicable against a corporation or a person.

Trustee Schleimer stated then we need to have a range that would cover a corporate violator. We need to somehow work it out, so that if we have a 14-year-old dropping trash it works and if we have some corporation dumping stuff in the stream that also works.

Village Attorney Singleton replied that if you look at the provisions here for both Class II and Class I violations there are separate penalties for corporate offenders.

Village Manager Brancati stated that Section 1-17 does make the distinction that each and every day that the violation continues will constitute a separate offense. He also

asked that the Board keep in mind as we think about the penalty, is that there is a cost associated with the Department of Public Works having to go in and clean-up that property, and it is not insignificant. We've done a massive clean-up of all of these areas, but periodically we have to go back and clean-up and even with a couple of guys for an hour, it's still time devoted to cleaning up the property rather than doing something else.

Deputy Mayor Farber stated that when the Mount Kisco Historical Society goes out and performs trail maintenance work they are constantly finding all sorts of human waste and other inappropriate things on the trails. So it really is a tremendously serious problem.

Village Manager Brancati stated our goal is not to have any violations, we don't want to collect money from anybody, we would prefer people to abide by Chapter 54 and not do any of these things.

Mayor Picinich stated that folks need to keep in mind that these are not new penalties, these are existing penalties currently in the Code to which we are referencing for this particular issue. We have this to protect our Conservation Regulations and we refer to the penalties sections in our code, which exists for all penalties, we just need to set the Class of Violation.

Trustee Albanese asked who will be enforcing this.

Village Manager Brancati replied the Police.

Mayor Picinich stated that the Board will not be voting on this right now. The public hearing schedule is for February 26, 2018, but that it was the general consensus of the Board of Trustees to start the penalties for violations of the Code governing Conservation Areas in the Village with a Class II Violation and escalate it to a Class I Violation.

Village Attorney Singleton stated that he will prepare a revision to the proposed local law so that it may be circulated and published for the public's consideration. He will also include a copy of the penalty section so that people will be familiar with what the impacts are and the public hearing is scheduled for Monday February 26, 2018 at 7:00 pm.

7. New Business: None.

8. Bills:

The following motion was offered by Deputy Mayor Farber and seconded by Trustee Albanese to pay the bills as presented to the Board dated February 1, 2018 for the months of December 2017 & January 2018; all in favor.

General Fund	\$131,230.63
Water Fund	\$ 73,010.38
Sewer Fund	\$ 7,744.72
Library Fund	\$ 13,221.08
Capital Fund	\$ 7,075.93
Trust Fund	\$ 2,423.50
	<u>\$234,706.24</u>

<u>Motion Adopted</u>	
Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Aye
Trustee Schleimer	Aye

9. Minutes:

The following motion was offered by Trustee Schleimer and seconded by Deputy Mayor Farber approving the Regular Meeting Minutes of January 22, 2018; as submitted.

<u>Motion Adopted</u>	
Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Albanese	Abstain (Absent from Meeting)
Trustee Schleimer	Aye

10. Non-Local Business: None.

11. Public Comment: None.

There being no further business to come before the Board, a motion to close the Regular Village Board meeting at 8:45 pm was made by Deputy Mayor Farber and seconded by Trustee Schleimer, all in favor.

<u>Motion Adopted</u>	
Mayor Picinich	Aye
Deputy Mayor Farber	Aye
Trustee Grunthal	Aye
Trustee Schleimer	Aye

Village Manager

/pm