

TOWN OF MOUNT PLEASANT

MINUTES OF THE REGULAR
MEETING OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD MAY 13, 2025

PRESENT	SUPERVISOR	- CARL FULGENZI
	COUNCILPERSONS	- LAURIE SMALLEY
		- THOMAS SIALIANO
		- DANIELLE ZAINO
		- MARK SARACINO
	TOWN CLERK	- EMILY COSTANZA
	TOWN ATTORNEY	- DARIUS CHAFIZADEH

The Supervisor opened the meeting at 7:03 PM with a Salute to the Flag.

I. Supervisor's Report

Purchase Order 11-25-04: Furniture for Justice Court RESOLUTION 210-25
Office

Upon motion of Councilwoman Zaino, seconded by Councilman Saracino and
unanimously carried, it was,

RESOLVED: That authorization for Purchase Order No. 11-25-04 is granted
to WBMason, 59 Centre St., Brockton, MA 02301 for file cabinets and a chair
at a cost of \$6,633.59 to be paid with 2025 JCAP grant funding.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman
Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Approve a Local Law Amending Town RESOLUTION 211-25
Code Section 218-109, Dealing with the Town Zoning
Code Amendment Procedure and the Notices
Required Thereunder

LOCAL LAW NO. 05-2025

A LOCAL LAW TO AMEND TOWN CODE § 218-109 AMENDMENTS OF THE TOWN ZONING CODE AND THE REQUIRED NOTICES THEREUNDER

WHEREAS, Town Code § 218-109 provides the procedure for the
amendment of the Town's Zoning Code; and

WHEREAS, the Town Board seeks to provide additional notice to
neighboring property owners, where a zoning change is considered by the Town

Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Mount Pleasant hereby amends Town Code § 218-109 with ~~strike~~through language being removed and underlined language being added:

Chapter 218 Zoning

Article IX Amendments

§ 218-109. Amendments.

A. Amendment procedure.

(1) The Town Board may, from time to time, on its own motion, on petition or on recommendation of the Planning Board, amend, supplement or repeal the regulations and provisions of this chapter, after public notice and hearing in the manner provided by Town Law.

(2) Every such proposed amendment or change, whether initiated by the Town Board or by petition, may be referred to the Planning Board for report thereon before the public hearing provided for in Subsection A(1) above. In recommending the adoption of any such proposed amendment, the Planning Board shall state its reasons for such recommendation, describing any condition that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the comprehensive plan of land use for the Town and would be in furtherance of the purposes set forth in Article I of this chapter. In recommending the rejection or revision of any proposed amendment, the Planning Board shall similarly state its reasons. Failure of the Planning Board to make a report on any proposed amendment within 45 days of the date of referral shall be deemed to be approval thereof, unless such proceedings have theretofore been terminated.

B. Suspension of zoning permits. Whenever the Town Board by resolution authorizes a public hearing on a proposed amendment to this chapter, and for a period of 60 days following the date of such resolution, no building shall be erected, enlarged or altered, and no permit shall be issued for the construction, enlargement or alteration of any building or for the occupancy of any land or building, in any manner that would be contrary to the chapter as it would be changed by the proposed amendment.

C. Posting of signs and mailings announcing proposed amendments.

(1) In any case where an amendment to the Zoning Map is proposed, signs, on forms provided by the Town Clerk, announcing the nature of the

proposed change and the date and location of the public hearing on the amendment, either before the Planning Board or Town Board, shall be posted on the property affected ~~if ordered by the Town Board~~.

(2) Such signs, ~~if ordered by the Town Board~~, shall be posted at intervals of not more than 200 feet along the frontage of the property proposed to be changed, for a period of at least ~~one week prior~~ 10 days immediately preceding any hearing date or any adjourned hearing date to the public hearing. A minimum of two signs shall be posted. The signs shall remain in place until the day after the hearing is closed and shall be removed no more than a week after the final vote of the applicable board. The cost of posting the signage shall be paid by the applicant. If final action is not taken upon an application on the date shown on the sign, the sign shall be updated to show the next date, time and place when the application will appear on the agenda of the relevant Board. The sign shall be updated no later than 10 days immediately before the date of the meeting when the application will next appear on the agenda of the relevant board.

(3) In the case of amendments proposed by petition, the petitioner, ~~if ordered by the Town Board~~, shall post the signs, and shall submit an affidavit at the time of public hearing that such signs have been posted. The color, material, size, content and wording of the sign shall be prescribed by, and from time to time may be changed by, resolution of the Town Board.

(4) All applicants submitting amendments proposed by petition shall, at least 10 days prior to attending a meeting of the Town Board or Planning Board relative to such application, shall send written notice by certified mail, return receipt requested, to all owners of property within a 500-foot radius of the perimeter of the property which is the subject of the application, all at the expense of the applicant. Property owners entitled to notice shall be those listed as owners on the records in the Mount Pleasant Tax Assessor's office as of the date of mailing. The written notice shall contain information equal to the notice published in the newspaper, and proof of mailing receipts, with a copy of the notice must be furnished to the Town prior to the public hearing.

BE IT FURTHER RESOLVED, if any clause, sentence, paragraph, subdivision, or portion of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be modified by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the

Town Clerk to file said Local Law in the Office of the Secretary of State; and

BE IT FURTHER RESOLVED, that this Local Law shall be effective immediately.

Motion By: Councilman Sialiano

Seconded By: Councilwoman Zaino

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Approve the Acceptance of Pleasant Ridge Townhome Community Hold Harmless Agreements for Deck Extensions as a Result of an Amended Site Plan RESOLUTION 212-25

Upon motion of Councilwoman Zaino, seconded by Councilman Saracino and unanimously carried, it was,

RESOLVED: That the Town accepts Hold Harmless Agreements with the Pleasant Ridge Townhome Community for deck extensions encroaching onto Town easements as a result of an amended site plan.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Approve a Spring High School Internship in the Building Department (Planning and Zoning), Salvatore Cermele RESOLUTION 213-25

Upon motion of Councilwoman Smalley, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That the Building Department is authorized to sponsor an Internship for Eastchester High School Senior, Salvatore Cermele, to assist with Planning and Zoning, effective May 14, 2025 and ending on May 25, 2025 for approximately 25 hours per week per school requirements.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Approve a Spring High School Internship in the Tax Receiver's Office, Adriana Escobedo RESOLUTION 214-25

Upon motion of Councilman Saracino, seconded by Councilwoman Zaino and unanimously carried, it was,

RESOLVED: That the Receiver of Taxes is authorized to sponsor an

Internship for Westlake High School Senior, Adriana Escobedo, effective May 14, 2025 until June 6, 2025 for up to 20 hours per week.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Hire Anthony Tothill on a Seasonal Basis (as part of a paid internship), under the Title of Intermediate Clerk, Effective June 2, 2025 RESOLUTION 215-25

Upon motion of Councilwoman Smalley, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That authorization is granted to hire Anthony Tothill to the title of Intermediate Clerk on a seasonal basis as part of a paid Internship, effective June 2, 2025 and ending on August 8, 2025 at an hourly rate of \$15.00 for an average of 35 hours per week.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Investment Report RESOLUTION
THE SUPERVISOR REPORTED THAT THE CURRENT RATE OF INTEREST IS 3.75%.

II. Business from the Floor

The Supervisor opened the meeting to Business from the Floor.

All speakers discussed the rezoning of 75 N Kensico Ave. and expressed fears about a 34-unit apartment building being built there. Many thanked the Town Board for passing the Local Law to amend Town Code Section 218-109 dealing with the Town Zoning Code amendment procedure and the notices required thereunder. Most asked the board to apply the law retroactively to the 75 N Kensico Ave. rezoning decision and to reopen the public hearing due to lack of public awareness. Residents who live in the immediate vicinity expressed concern about traffic, noise and light pollution, and the potential of a four-story building "towering" over their properties. There were a number of questions and apparent confusion relating to what the Town Board approved relating to the property and about the Planning Board process. The Town Attorney generally described the Planning Board process and what factors it considers. Some residents expressed concern that because the Town Board had rezoned the property, the Planning Board's powers to scale the project were limited.

There were also questions about why this property was left out of the Valhalla Hamlet Zone when it was originally created as part of the Master Plan. The Town Supervisor said he and the Town Planner believed it was inadvertently left out and should have been included in the original rezoning.

Speakers:

- Kurt Myers, Valhalla
- Marianne Resman, Valhalla
- Steven Kutny, Valhalla
- Domenick Vita, Hawthorne
- Kevin Sullivan, Valhalla
- Peter Lenz, Valhalla
- Russell Jonas, Valhalla
- Jim Russell, Hawthorne
- Michael Marvin, Valhalla
- Dr. Buchkova, Valhalla
- Amelia Scordo, Valhalla
- Alexandra Glickman, Valhalla
- Donna Babak, Valhalla
- Vel Pandzic, Valhalla

The Town Supervisor closed Business from the Floor.

III. Town Clerk

Town Clerk's Report

RESOLUTION

[TOWN CLERK'S REPORT](#)

IV. Council Reports

Councilman Sialiano

Comptroller's Memo

RESOLUTION 216-25

Upon motion of Councilman Sialiano, seconded by Councilman Saracino and unanimously carried, it was,

RESOLVED: That authorization is granted to the Comptroller for payment of the following claims:

[SEE ATTACHED MEMO](#)

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization for Final Lump Sum Payout for Highway Department Employee

RESOLUTION 217-25

Upon motion of Councilman Sialiano, seconded by Councilwoman Zaino and

unanimously carried, it was,

RESOLVED: That authorization is granted for the final lump sum payout for Highway Department employee, Steven Muscolino, as follows:

<u>Pay Type</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Amount</u>
Vacation	200.0	45.3253	\$9,065.06
Unused Sick	120.0	45.3253	\$5,439.04
Unused Sick	160.0	45.3253	\$7,252.05
Unused Sick	240.0	45.3253	\$10,878.07
			\$32,634.22

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Councilwoman Zaino

Councilman Saracino

Purchase Order 50-25-07: Cleaning of the Oil & Water Separator at the Highway Department Facility and Water Department Facility RESOLUTION 218-25

Upon motion of Councilman Saracino, seconded by Councilwoman Smalley and unanimously carried, it was,

RESOLVED: That authorization for Purchase Order No. 50-25-07 is granted to Safety-Kleen Systems Inc., PO Box 975201, Dallas, TX 75397 for the cleaning of the oil & water separators at the Highway Department Facility (\$5,771.08) and the Water Department Facility (\$1,414.16) for a total cost of \$7,185.24.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization for the Town Supervisor to Sign the 2024 to 2029 New York State Department of Transportation Agreement to Extend Municipal Snow and Ice Agreement with Map, 2022/23, 2023/24, 2024/25 Agreement Adjustment/Calculation Worksheets RESOLUTION 219-25

Upon motion of Councilman Saracino, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That the Town Supervisor is authorized to sign the corrected version of the Agreement to Extend the New York State Department of

Transportation (NYSDOT) Municipal Snow and Ice Agreement for years 2024-2029, with the approved Map and 2022/23, 2023/24, and 2024/25 Agreement Adjustment/Calculation Worksheets.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Execute a Hold Harmless Agreement with the Homeowner at 18 Pamela Lane in Valhalla to Permit Encroachment into Town Right-Of-Way RESOLUTION 220-25

Upon motion of Councilman Saracino, seconded by Councilwoman Zaino and unanimously carried, it was,

RESOLVED: That the Highway Superintendent is authorized to execute a Hold Harmless Agreement with the homeowner at 18 Pamela Lane, Valhalla, to permit encroachment onto the Town right-of-way.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Deposit Bond for Curb Cut Permit No. 1513 RESOLUTION 221-25

Upon motion of Councilman Saracino, seconded by Councilwoman Zaino and unanimously carried, it was,

WHEREAS, Curb Cut Permit No. 1513 has been issued to homeowner Charles Alfano for work being performed at 15 Greenwood Lane, Valhalla; and

WHEREAS, a check covering the bond amount of \$720.00 for said Curb Cut Permit has been forwarded to the Office of the Comptroller; be it

RESOLVED that the Comptroller is authorized to deposit said check in the Escrow Account, where it shall remain until the work being performed under the bond has been completed and the road restored to the satisfaction of the Highway Superintendent.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Promote James Maxwell to Motor Equipment Operator I (MEO I) at the Highway Department, Effective May 14, 2025, Salary Per Teamsters Contract RESOLUTION 222-25

Upon motion of Councilman Saracino, seconded by Councilman Sialiano and

unanimously carried, it was,

RESOLVED: That following a recent retirement, authorization is granted to promote James Maxwell from Motor Equipment Operator II (MEO II) to Motor Equipment Operator I (MEO I) at the Highway Department at a salary per the current union agreement, effective Wednesday, May 14, 2025.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Hire Roberto Juarez as a Full-Time Road Maintainer for the Highway Department, Effective May 14, 2025, Salary Per Teamsters Contract RESOLUTION 223-25

Upon motion of Councilman Saracino, seconded by Councilwoman Smalley and unanimously carried, it was,

RESOLVED: That authorization is granted to hire Roberto Juarez of Katonah as a full-time Road Maintainer for the Highway Department at a salary based on the current union agreement, effective Wednesday, May 14, 2025, pending a pre-employment physical exam and drug test.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Hire William Scaplehorn as a Seasonal Employee in the Highway Department, Effective May 19, 2025 RESOLUTION 224-25

Upon motion of Councilman Saracino, seconded by Councilwoman Zaino and unanimously carried, it was,

RESOLVED: That authorization is granted to hire William Scaplehorn of Thornwood as a Seasonal employee in the Highway Department at a rate of \$21.00 per hour, effective Monday, May 19, 2025.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Hire Paul Scopino as a Seasonal Employee in the Highway Department, Effective May 19, 2025 RESOLUTION 225-25

Upon motion of Councilman Saracino, seconded by Councilwoman Smalley and unanimously carried, it was,

RESOLVED: That authorization is granted to hire Paul Scopino of Pleasantville as a Seasonal employee in the Highway Department at a rate of

\$21.00 per hour, effective Monday, May 19, 2025.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Hire Michael Clifford as a Seasonal Employee in the Highway Department, Effective May 20, 2025 RESOLUTION 226-25

Upon motion of Councilman Saracino, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That authorization is granted to hire Michael Clifford of Carmel as a Seasonal employee in the Highway Department at a rate of \$21.00 per hour, effective Tuesday, May 20, 2025.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Councilwoman Smalley

Purchase Order 30-25-16: Glass Spheres For Road Painting RESOLUTION 227-25

Upon motion of Councilwoman Smalley, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That authorization for Purchase Order No. 30-25-16 is granted to Potters Industries, LLC, 3222 Phoenixville Pike, Suite 103, Malvern, PA 19355 for glass spheres with moisture-resistant coating for road markings as follows:

<u>Description</u>	<u>Quantity (lbs.)</u>	<u>Unit Price (lb.)</u>	<u>Amount</u>
Lot III, Type I Glass Spheres with Moisture-Resistant Coating + Freight	10,000	*\$0.485	\$4,850.00

**price per NYS Contract PC69552*

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Purchase Order 30-25-17: Traffic Paint for Town of Mount Pleasant, Village of Pleasantville and Village of Sleepy Hollow RESOLUTION 228-25

Upon motion of Councilwoman Smalley, seconded by Councilwoman Zaino and unanimously carried, it was,

RESOLVED: That authorization for Purchase Order No. 30-25-17 is granted to The Sherwin-Williams Company, 101 Prospect Avenue, Cleveland, OH 44115 for Sherwin-Williams Hotline Waterborne traffic paint and freight for the Town of Mount Pleasant, Village of Pleasantville, and Village of Sleepy Hollow, per the existing Shared Services Agreement, as follows:

<u>Description</u>	<u>Qty (5 gal. ea.)</u>	<u>Price Per Gal.</u>	<u>Amount</u>
OGS LOT II #TM2317 (Yellow)	225	*\$12.93	\$14,546.25
OGS LOT I #TM2174 (White)	130	*\$10.18	\$6,617.00
PO Total:			\$21,163.25
<i>Reimbursement, Village of Pleasantville:</i>			\$3,095.00
<i>Reimbursement, Village of Sleepy Hollow:</i>			\$4,553.25
Final Cost to Town:			\$13,515.00

**price per NYS Contract #PC69554*

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

V. Town Attorney

Authorization to Approve May 2025 Tax Certiorari Settlements RESOLUTION 229-25

Upon motion of Councilwoman Zaino, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED that the Town Attorney is hereby authorized for settlement of Tax Certiorari for NYIP Owner IV LLC, 1 Skyline Drive, Mount Pleasant (111.20-1-81) for the years 2021, 2022, 2023, 2024 in the amount of \$5,000.00. The School District does not oppose the settlement; and be it further

RESOLVED that the Town Attorney is hereby authorized for settlement of Tax Certiorari for Diane and Donald Carey, 8 Carey Court, Pleasantville (99.15-1-12) for the years 2020, 2021, 2022, 2023, 2024 in the amount of \$2,000.00. The School District does not oppose the settlement.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

VI. Schedule of Meetings

Work Session: Tuesday, May 20, 2025, at 7:00 PM RESOLUTION

Business Session: Tuesday, May 27, 2025, at 7:00 PM

RESOLUTION

VII. Adjourn

Upon motion of Councilman Sialiano, seconded by Councilwoman Smalley and unanimously carried, it was,

RESOLVED: That the meeting is adjourned at 9:08 PM.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman Sialiano, Councilwoman Smalley, Councilman Saracino

Respectfully Submitted,

A handwritten signature in cursive script, reading "Emily Costanza".

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT
[MIN_SIGNATURES]

