

TOWN OF MOUNT PLEASANT

MINUTES OF THE REGULAR
MEETING OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD JULY 9, 2024

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 7:00 PM with a Salute to the Flag.

I. Public Hearings

Public Hearing to Extend the Kensico Water District to Include Two (2) lots: Section 106.18, Block 3 and Lots 78 and 80 RESOLUTION 288-24

The Supervisor opened the public hearing. The Town Clerk read the public notice aloud. The Town Attorney gave a brief description of the extension.

There were no speakers from the floor.

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

RESOLVED: That the Public Hearing is closed.

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

Public Hearing to Amend Town Code Chapter 104, Article IV Explosives, Ammunition and Blasting Agents RESOLUTION 289-24

The Town Supervisor opened the public hearing. The Town Clerk read the public notice aloud. The Town Supervisor said this public hearing will remain open until the next Business Session, August 13, 2024.

Ira Promisel of Pleasantville introduced himself as a retired NYS Trooper, former major and ordinance officer in the U.S. Military, and current professor of criminal justice and public administration. Mr. Promisel suggested a number of

amendments and clarifications to the proposed law. He stated that a number of his suggestions would help with enforcement and avoid potential infringement on the 2nd or 4th Amendments. He said he would share a marked up version of the proposed law with the Town Board.

Nancy Rogers of Sleepy Hollow Rd. stated that there is significant language in the proposed law about public safety and protecting property, but no language about protecting environmental aspects, particularly on blasting, such as steep slopes, protected species, waterways, etc. that are already in Town Code. She shared concern about the 500ft radius and about the responsibility being placed on the Building Inspector.

The Town Supervisor responded that blasters have to meet strict requirements to have their blasting license and 500ft is a standard baseline. He stated that the Building Inspector brought this up because it was not adequate with the blasting that is going to be occurring.

Domenick Vita of Hawthorne said a lot of his points were already stated. Asked why this has been brought up at this time and why doesn't the existing code cover it adequately?

The Town Supervisor said the code needed to be updated to today's standards, so we are adjusting the code because of recent incidents and future projects.

Councilwoman Zaino reiterated that the public hearing will remain open.

Maureen Petry of Sleepy Hollow Rd. said there doesn't seem to be anything to protect adjacent properties' underground infrastructure. Asked what is procedure for adjacent property owners should damage occur?

There were no additional speakers from the floor.

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

RESOLVED: That the public hearing will remain open for the Tuesday, August 13, 2024 business session at 7:00 PM.

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

Public Hearing to Create Chapter 105-1 through 105-3 RESOLUTION 290-24
Establishing Crane Regulations within the Town of Mount
Pleasant

The Town Supervisor opened the public hearing. The Town Clerk read the public notice aloud.

Domenick Vita of Hawthorne commended Town Board for addressing this after the recent tragic accident. Suggested that the Town have experts review the code.

There were no additional speakers from the floor.

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

RESOLVED: That the public hearing is closed.

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

II. Supervisor's Report

Authorization to Extend the Kensico Water District to RESOLUTION 291-24
Include Two (2) lots: Section 106.18, Block 3 and Lots 78
and 80

**RESOLUTION OF THE TOWN BOARD
OF THE TOWN OF MOUNT PLEASANT EXTENDING THE
KENSICO WATER DISTRICT PURSUANT
TO NEW YORK STATE TOWN LAW § 209**

WHEREAS, the Town of Mount Pleasant (hereinafter the "Town") Town Board has been petitioned by Belleview Avenue 1, LLC and Belleview Avenue 2, LLC requesting that their properties located on Belleview Avenue, Mount Pleasant, identified on the Town of Mount Pleasant Tax Map as Section 106.18, Block 3 and Lots 78 and 80 (the "Properties") be supplied with Town water; and

WHEREAS, the two (2) vacant Properties are not currently serviced by Town water, despite the fact that the properties are located near the Town's Kensico Water District (the "Water District"); and

WHEREAS, the Town Engineering Department reviewed plans for the larger development of Belleview Avenue to study the possible extension of the Water District to have municipal water available for the two (2) properties; and

WHEREAS, the Properties' owners proposed certain improvements to be undertaken to connect the Properties to the Kensico Water District including, but not limited to, the connection of the Properties to the existing water system, which would be wholly financed by the developer of the Kingsview subdivision and which will be bonded as a condition of any subdivision approval submitted by the developer of the Kingsview subdivision and/or borne by the petitioners herein including the cost of hook-up fees; and

WHEREAS, the Town estimates that there will be tapping fees in excess of \$2,000 with no additional cost to the current members of the Kensico Water District; and

WHEREAS, copies of the petition, map and plans describing the above have been made available for inspection by the public in the Town Clerk's Office; and

WHEREAS, the legal description of the parcels to be added and the boundaries of the Extension of the Kensico District are attached hereto as **Exhibit "1"**; and

WHEREAS, at the time of hook-up to the water main and use of municipal water for the Properties, each parcel will need to be annexed into the Water District, wherein the owners will be required to contribute to paying district taxes and water consumption rates (covering the operation and maintenance, personnel, equipment, fuel, electricity, materials, payroll benefits, water sampling, treatment, distribution, water supply purchase and other miscellaneous items); and

WHEREAS, the average parcel's annual taxes to the Kensico Water District, in addition to the above-mentioned extension costs, would be approximately \$489.72 per annum; and

WHEREAS, the above proposed extension of the Kensico Water District does not require approval of the New York State Comptroller because the annual capital, maintenance and operational costs do not exceed the \$1,083.00 threshold set in 2024 by the State. The estimated cost to the Water District for expansion is \$0.00. Similarly, the annual Kensico Water District fee for the average property is \$489.72 which also does not require approval of the State Comptroller; and

WHEREAS, in accordance with Town Law § 209-d the Town Board adopted an order and entered same into its minutes, reciting a description of the boundaries of the proposed district sufficient to identify the lands included therein, the improvements proposed, the maximum amount proposed to be expended for the improvement, the estimated cost of hook-up fees, and the cost of the extension to the typical property, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying the time when and place where said board will meet to hold a public hearing to hear all persons interested in the subject thereof; and

WHEREAS, the Town Board caused a copy of the above detailed order, which also notified the public of the public hearing to be held on July 9, 2024 to be published at least once in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set therein for the hearing and caused a copy thereof to be posted on the sign-board of the Town maintained by the Town Clerk, not less than ten nor more than twenty days before the day designated for the hearing; and

WHEREAS, the Town Board held a public hearing to discuss the extension of the Kensico Water District on July 9, 2024 at 7:00 P.M. in Town Hall; and

WHEREAS, the Town Board has determined that the notice of hearing was published and posted as required by law, and is otherwise sufficient; and

WHEREAS, the Town Board has determined that all property and property owners within the proposed extension of the Kensico Water District are benefited thereby; and

WHEREAS, the Town Board had determined that all the property and property owners benefited are included within the limits of the proposed extension of the Kensico Water

District; and

RESOLVED, by the Town Board of the Town of Mount Pleasant as follows, it is hereby determined:

(a) That the petition is signed, acknowledged or proved as required by law and is otherwise sufficient;

(b) That all the property and property owners within the proposed extension are benefited thereby;

(c) That all the property and property owners benefited are included within the limitation of the proposed extension; and

(d) That it is in the public interest to grant in whole the relief sought;

BE IT FURTHER RESOLVED that based on the foregoing, the Town Board approves the extension of the Kensico Water District to include the Properties identified in **Exhibit "1"** and authorizes the construction of the improvements related thereto by the Properties' owners or their agents, with such owners or their agents covering any such cost, as well as providing of the services detailed herein subject to all provisions of law; and

BE IT FURTHER RESOLVED that this resolution is subject to a permissive referendum in the manner provided for in Article Seven of New York State Town Law; and

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon adoption.

The question of the adoption of the foregoing Order was duly put to a vote, which resulted as follows:

Motion By: Councilwoman Zaino

Seconded By: Councilman Saracino

Vote:

Town Supervisor Fulgenzi	<u>Y</u>	N	A	Absent
Councilwoman Smalley	<u>Y</u>	N	A	Absent
Councilman Sialiano	<u>Y</u>	N	A	Absent
Councilwoman Zaino	<u>Y</u>	N	A	Absent
Councilman Saracino	<u>Y</u>	N	A	Absent

Schedule "1" – Description of Properties to Be Added to the Kensico Water District

The following described properties are proposed to be added to the Kensico Water District:

LIBER 6518 PAGE 258:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Mount Pleasant, County of Westchester and State of New York, with the buildings

and improvements thereon, if any, designated on a certain map entitled, "2nd Map of Sherman Park" filed in the Office of the Clerk of Westchester County (Division of Land Records) on July 7, 1891, Volume 9, Page 27 of Maps, as Lots Nos. 822, 817, 816, and 815.

LIBER 7277 PAGE 257:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Mount Pleasant, County of Westchester and State of New York, with the buildings and improvements thereon, if any, known and designated on a certain map entitled, "3rd Supplemental Map of Sherman Park" filed in the Office of the County Clerk of Westchester County (Division of Land Records) filed February 26, 1894 as Map Number 872, Lots 823, 824 and 825.

Town of Mount Pleasant Tax Lot 106.18-3-78 are filed map lots above described 822 through 825.

Town of Mount Pleasant Tax Lot 106.18-3-80 are filed map lots 815 through 817.

Authorization to Create Chapter 105-1 through 105-3 RESOLUTION 292-24
Establishing Crane Regulations within the Town of Mount
Pleasant

PROPOSED LOCAL LAW NO. 3-2024

**A LOCAL LAW TO AMEND TOWN CODE
CREATING CHAPTER 105, SECTION 105-1 THROUGH
SECTION 105-3 ESTABLISHING CRANE REGULATIONS
WITHIN THE TOWN OF MOUNT PLEASANT**

WHEREAS, the Town has seen in increased use of cranes on construction sites to lift materials, which raises safety issues on such job sites, as well as off of them; and

WHEREAS, the Town of Mount Pleasant wishes to protect the public welfare and safety by regulating the use of cranes within the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Mount Pleasant hereby amends Town Code to create Chapter 105, Article I, Sections 105-1 to 105-3 as follows with underlined language being added:

§ 105-1 Crane Permits and Records.

Any person or entity seeking to use a crane on private property within the Town of Mount Pleasant shall obtain a building permit for same, subject to the requirements of the Town Code Chapter 68 and as further detailed herein.

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At the time of application for a building permit to erect a crane on private property, the applicant shall submit the name(s) and qualifications of the qualified person(s) as defined by OSHA and ASME (hereinafter "Qualified Person(s)"), as well as the New York State registered professional engineer ("RPE") responsible for preparation of erection drawings and

repair/adjustment to the crane during operation. After these individuals have been approved by the Building Inspector, they constitute the only parties authorized to perform the functions of the Qualified Person and RPE for the duration of the crane operation.

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Prior to initial crane assembly within the Town of Mount Pleasant, all cranes shall undergo an annual/comprehensive inspection in accordance with OSHA 1926.1412(f) and ASME B30.5 5-2.1.3. The inspection report shall be reviewed and approved by the RPE, and a signed and sealed copy shall be provided to the Town of Mount Pleasant along with an executive summary regarding the subject crane.

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During operations, the applicant shall notify the Building Inspector in writing 24 hours prior to initial assembly, the relocation of mobile cranes, climbing or jumping of tower cranes and disassembly. The RPE shall be present on site at all times during these operations.

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Copies of all inspection reports shall be maintained on the project site, available for review by Town personnel. Copies shall be maintained with the below information for the duration of the project and turned over to the Town at the completion of construction:

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1. Daily (OSHA) and frequent (ASME) inspection reports shall be dated and signed by the Qualified Person.

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1. Monthly (OSHA) or periodic (ASME) inspection reports shall be dated, signed by the Qualified Person and reviewed and approved by the RPE.

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1. Annual/comprehensive (OSHA) inspections shall be dated, signed by the Qualified Person and reviewed and approved by the RPE. The RPE shall forward an executive summary to the Building Inspector at the completion of each twelve-month period of crane operations.

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1. Inspections required based on modified equipment repairs shall be performed by the RPE, and reports shall be signed and sealed and shall be forwarded to the Building Inspector.

§ 105-2 Safeguarding pedestrian and other traffic.

1. The applicant shall erect and maintain suitable protective barricades and fences around the obstruction or area occupied and at all times provide a safe, adequate and unobstructed sidewalk passageway, not less than four (4) feet in clear width for use by pedestrians.
2. When materials are to be moved over the sidewalk by means of crane, the applicant shall provide a safe and adequate sidewalk shed and when so ordered by the Building Inspector, shall provide a safe, adequate and unobstructed temporary sidewalk around the obstruction or area occupied.

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- 3. Temporary sidewalks, when so ordered, shall, wherever practicable be built to the same level as the existing sidewalk and in such a manner as not to interfere with the free flow of water in the street or gutter.
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- 4. The applicant shall also make adequate provision for the safe passage of vehicular traffic by day and by night. Where the free flow of traffic is interfered with the applicant shall designate competent persons to direct and expedite traffic by means of lights or flags.

§ 105-3 Insurance Requirements for Building Permits Issued for the Use of Cranes.

- 1. Before any building permit is issued for the use of a crane, the applicant shall submit proof of insurance by supplying a certificate of insurance, issued by an insurance company authorized to do business in the State of New York, stating that the applicant has insurance coverage in effect for workers' compensation, liability and property damage occurring onsite or to nearby properties, and a specific endorsement stating that coverage includes liability arising from erection of the use of a crane. Insurance coverage shall be not less than \$3,000,000 for general liability, including bodily injury to any one person and, subject to the same limit for each person, not less than \$10,000,000 for any occurrence, plus insurance for property damage occurring onsite or to nearby properties of not less than \$2,000,000. The insurance certificate shall name the Town and any of its Agents, Designees and/or Representatives as an additional insured. In addition, the certificate shall contain a statement that the policy or policies covering the insured will not be canceled, terminated or modified by the insurance company unless 30 calendar days' notice is given to the Town and such change or modification is mutually agreed to.
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- 2. The applicant shall also furnish a notarized statement agreeing to indemnify and hold the Town and any of its Agents, Designees and/or Representatives harmless from any and all claims, actions and proceedings brought by any person, firm or corporation for any injury to any persons or property resulting, directly or indirectly, from the applicant erecting and/or using a crane on the property, moreover, stating the applicant will defend and indemnify the Town against any action brought by any third parties as a result of operating under a Town permit issued under this chapter.
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- 3. No permit shall be issued unless and until the applicant has complied with these insurance requirements and provided an agreement indemnifying and holding the Town harmless for any and all damage and injury.

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BE IT FURTHER RESOLVED, if any clause, sentence, paragraph, subdivision, or part 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 resolution shall be effective immediately.

The question of the adoption of the foregoing proposed Local Law was duly put to a vote, which resulted as follows:

Motion By: Councilman Saracino

Seconded By: Councilwoman Smalley

Vote:

Town Supervisor Fulgenzi	<u>Y</u>	N	A	Absent
Councilwoman Smalley	<u>Y</u>	N	A	Absent
Councilman Sialiano	<u>Y</u>	N	A	Absent
Councilwoman Zaino	<u>Y</u>	N	A	Absent
Councilman Saracino	<u>Y</u>	N	A	Absent

Call for a Public Hearing to Amend Chapter 60 Filming RESOLUTION 293-24

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

RESOLVED: That the Town Clerk is authorized to advertise Notice of Public Hearing to consider amending Chapter 60 Filming on Tuesday, August 13, 2024 at 7:00 PM at the Town Hall, 1 Town Hall Plaza, Valhalla, NY 10595.

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

Call for a Public Hearing to Amend Chapter 153 Peddling and Soliciting RESOLUTION 294-24

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

RESOLVED: That the Town Clerk is authorized to advertise Notice of Public Hearing to consider amending Chapter 153 Peddling and Soliciting on Tuesday, August 13, 2024 at 7:00 PM at the Town Hall, 1 Town Hall Plaza, Valhalla, NY 10595.

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

Purchase Order 135-24-04: Programming to Correct Two (2) Parcels' Tax History RESOLUTION 295-24

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

RESOLVED: That authorization for Purchase Order No. 135-24-04 is granted to Catalis, 3025 Winward Pl., Suite 200, Alpharetta, GA 30005 for programming and coding necessary to correct tax history for two (2) parcels which had been switched at \$240.00 per hour for a total cost of \$960.00.

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

Purchase Order 144-24-02: Elwood Avenue Streetscape RESOLUTION 296-24
to Include Sidewalks, Lighting, and Decorative
Improvements, etc.

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

RESOLVED: That authorization for Purchase Order No. 144-24-02 is granted to Peter J. Landi, Inc., 13 Bradhurst Avenue, Hawthorne, NY 10532 for the Elwood Avenue Streetscape Project to include sidewalks, lighting, decorative improvements, based on the 2021-2025 material and infrastructure bid at a total cost of \$1,333,560.00.

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

Purchase Order 830-24-11: Professional Engineer RESOLUTION 297-24
Services (Construction Inspection & Field Office Work)
for Old Farm Water District Phase 3 Asbestos Water
Main Replacement

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

RESOLVED: That authorization for Purchase Order No. 830-24-11 is granted to Manganaro Consulting Engineers, 303 S Broadway, Suite 223, Tarrytown, NY 10591 for engineering inspection and field office support services for the last phase of water main work to replace the remaining asbestos water main located within the Old Farm Water District at a cost of \$667,000.00. This project was previously awarded to Aquaworks and these services are required for Health Department certification.

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

Authorization to Approve a Street Closing Permit for RESOLUTION 298-24
Myrtle Avenue from Main Street to Bradford Street

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

RESOLVED: That a Street Closing Permit is granted to the following applicant:

Megan Blanchard - Myrtle Avenue, Hawthorne

Closing: Myrtle Avenue from Main Street to Bradford Street for a block party on August 11, 2024 from 10:00 AM to 9:00 PM (no rain date).

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

Authorization is Sought to Ratify and Authorize Signature RESOLUTION 299-24
of a Memorandum of Agreement between the Town of
Mount Pleasant and the Police Benevolent Association
(PBA)

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

RESOLVED: That the Town Board authorizes the ratification and signature of a Memorandum of Agreement (MOA) between the Town of Mount Pleasant and the Police Benevolent Association (PBA). In exchange for compliance with the Town's body worn camera use policy, the MOA adjusts the longevity increases paid to PBA members on January 1, 2025 as follows:

<u>Prior to January 1, 2025:</u>	<u>Starting January 1, 2025:</u>
\$2,200 at 10 years of service	\$3,000 at 8 years of service
\$3,575 at 15 years of service	\$5,000 at 13 years of service

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

Authorization to Waive the Statutory Thirty (30) Day RESOLUTION 300-24
Waiting Period for On-Premise Liquor License for Ansiga
Corp. d/b/a Thornwood Pizza & Pasta, 808 Commerce
St., Thornwood

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

WHEREAS, Ansiga Corp. d/b/a Thornwood Pizza & Pasta, a restaurant located at 808 Commerce Street, Thornwood, NY 10594 in the Town of Mount Pleasant intends to file a Class Change Application for an On-Premises Liquor License with the New York State Liquor Authority; and

WHEREAS, pursuant to Alcohol Beverage Control Law Sec. 64(2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; be it

RESOLVED that the Town Board of the Town of Mount Pleasant hereby waives the thirty (30) day notice period in regard to Ansiga Corp., allowing an earlier submission of the liquor license application.

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

Authorization to Close Town Hall and Town Offices on RESOLUTION 301-24
September 6, 2024, for Records Management Day

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

RESOLVED: That authorization is granted to close Town Hall and Town Offices on September 6, 2024 for Records Management Day.

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 4.85%.

III. Business from the Floor

The Supervisor opened Business from the Floor.

Carlo Valente of Hawthorne expressed concern as a fireman about the frequent fires that occur at battery storage facilities. He said these types of fires cannot be extinguished, sometimes for days or weeks, and give off toxic gases. He said the current battery storage facility in Hawthorne is near a church, residences, ball fields, train station, and parkway, and that there are two others proposed in similar areas in town. Mr. Valente said the reason ConEd wants these is because of legislation from Albany that is requiring electric power. He said he strongly suggests a moratorium on this.

The Town Supervisor said any proposed facilities were supposed to go to the Fire Departments.

Mr. Valente said in that meeting, when the Fire Department posed questions, the developer gave wrong answers or said they would get back to them.

Councilwoman Smalley asked if the other fire departments are aware.

Mr. Valente said the fire departments were only made aware after it was built and given instructions to not put the fire out. He said when you have an electric car fire, you have to wait for it to burn. He also said it shouldn't be on us as a town to bear the responsibility.

The Town Supervisor asked if Mr. Valente had any information about why the fires start.

Mr. Valente shared statistics from the Electric Power Research Institute with the Town Board. He added that when an electric drill or bicycle catches on fire, the fire department has to call County Hazmat. He said those fumes go into air and get blown with the wind.

Domenick Vita of Hawthorne asked that the Town Board continue updating the Town Code.

There were no other speakers from the floor.

IV. Town Clerk

Town Clerk's Report

RESOLUTION

[TOWN CLERK'S REPORT](#)

V. Council Reports

Councilman Sialiano

Purchase Order 30-24-21: Defibrillators

RESOLUTION 302-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-21 is granted to Common Cents EMS Supply, 304 Boston Post Road, Old Saybrook, CT 06475 for two (2) automated external defibrillators at \$1,679.30 each for a total cost of \$3,358.60.

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

Authorization to Hire Traffic Safety Seasonal
Maintenance Laborer Effective July 11, 2024

RESOLUTION 303-24

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

RESOLVED: That authorization is granted to hire Ronan Forde of Yorktown Heights to the title of Seasonal Maintenance Laborer in the Traffic & Safety Department at a rate of \$20.00 per hour, effective July 11, 2024.

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

Councilwoman Zaino

Authorization to Hire Sullivan Clemen as a Seasonal Employee at the Highway Department, Effective July 10, 2024 RESOLUTION 304-24

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

RESOLVED: That authorization is granted to hire Sullivan Clemen of Cortlandt Manor as a Seasonal Employee in the Highway Department at a rate of \$20.00 per hour, effective July 10, 2024.

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

Authorization to Hire Michael Conley as a Seasonal Employee at the Highway Department, Effective July 10, 2024 RESOLUTION 305-24

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

RESOLVED: That authorization is granted to hire Michael Conley of Valhalla as a Seasonal Employee in the Highway Department at a rate of \$20.00 per hour, effective July 10, 2024.

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

Authorization to Hire Joseph Morrone as a Seasonal Employee at the Highway Department, Effective July 22, 2024 RESOLUTION 306-24

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

RESOLVED: That authorization is granted to hire Joseph Morrone of Pleasantville as a Seasonal Employee in the Highway Department at a rate of \$21.00 per hour, effective July 22, 2024.

VOTE - AYES - Town Supervisor Fulgenzi, Councilwoman Zaino, Councilman

Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Promote Jonathan Schubin to Motor Equipment Operator (MEO II) at the Highway Department, Effective July 10, 2024, Salary Per Teamsters Contract RESOLUTION 307-24

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

RESOLVED: That authorization is granted to promote Jonathan Schubin from Road Maintainer to Motor Equipment Operator (MEO II) in the Highway Department, effective July 10, 2024, at a salary per the current Teamsters agreement.

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

Authorization to Promote Christopher Zumpano to Motor Equipment Operator (MEO II) at the Highway Department, Effective July 10, 2024, Salary Per Teamsters Contract RESOLUTION 308-24

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

RESOLVED: That authorization is granted to promote Christopher Zumpano from Road Maintainer to Motor Equipment Operator (MEO II) in the Highway Department, effective July 10, 2024, at a salary per the current Teamsters agreement.

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

Councilman Saracino

Comptroller's Memo RESOLUTION 309-24

Upon motion of Councilman Saracino, seconded by Councilman Sialiano 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 Recreation Employee RESOLUTION 310-24

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

RESOLVED: That authorization is granted for the lump sum payout to Recreation Department employee, Elaine Donnelly, as follows:

<u>Pay Type</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Amount</u>
Vacation	12.5	55.1090	\$688.86
Comp Time	2.0	55.1090	\$110.22
Sick	4.5	55.1090	\$247.99
			\$1,047.07

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

Authorization to Approve Invoices for Baker Hostetler through March 31, 2024 RESOLUTION 311-24

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

RESOLVED: That the Comptroller is authorized to issue payment of invoices to Baker & Hostetler LLP, P.O. Box 70189, Cleveland, OH 44190-0189 for legal services rendered through March 31, 2024 in the amount of \$308,098.33.

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

Councilwoman Smalley

Purchase Order 70-24-47: Ornamental Fence for Carroll Park Swing Set Retaining Wall RESOLUTION 312-24

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

RESOLVED: That authorization for Purchase Order No. 70-24-47 is granted to Security Fence Systems, 3524 Rombouts Avenue, Bronx, NY 10475 for the installation of a new 4ft. ornamental fence on top of the existing retaining wall at Carroll Park playground in the amount of \$13,375.00.

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

VI. Town Attorney

VII. Schedule of Meetings

Work Session: Tuesday, August 6, 2024, at 7:00 PM

RESOLUTION

Business Session: Tuesday, August 13, 2024, at 7:00 PM

RESOLUTION

VIII Adjourn

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

RESOLVED: That the meeting is adjourned at 8:14 PM.

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

Respectfully Submitted,



EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

