

TOWN OF MOUNT PLEASANT

MINUTES OF THE REGULAR
MEETING OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD SEPTEMBER 10, 2024

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

The Supervisor opened the meeting at 7:00 PM with a Salute to the Flag.

*Mr. Feldman was present for the beginning of the meeting and departed at 7:27 PM during the second public hearing when Mr. Chafizadeh arrived.

I. Public Hearings

Public Hearing for a 6-month Moratorium for the RESOLUTION 348-24
Development of Battery Storage Facilities in the Town
of Mt. Pleasant

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

The following spoke in favor of the proposed local law and against allowing Battery Storage Facilities in the Town of Mount Pleasant. All expressed concern about dangers including uncontrollable fires and toxins.

- Michele Hertz (Sleepy Hollow Rd., Briarcliff Manor)
- Melinda Marshall (Sleepy Hollow Rd., Briarcliff Manor)
- Fran Corducci (Tuxedo Pl., Hawthorne)
- Carlo Valente (Hawthorne Fire Department)
- Roberto Gordillo (Hawthorne Fire Department)

There were no speakers against the proposed local law. However, the Town Board received comments via email from the following opposing the law:

- Snyder & Snyder, LLP on behalf of New Leaf Energy
-

- Wilfred Nieves (Choate Ln., Pleasantville)

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 162 RESOLUTION 349-24
Property Maintenance

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

- Rick Purcell (Todd Ln., Briarcliff Manor) - Said he was concerned that as written, the law mandates that residents maintain street signs and trees in the town's right-of-way, even if that is not the Town's intent.
- John Edward (Linda Ave., Thornwood) - Said that on the topic of neighborhood blight, certain abandoned properties have to be addressed. Shared photos of properties on Linda Ave.
- Catherine MacFarland (Burton Rd., Thornwood) - Said the terminology in the law is ambiguous and that she is currently trying to plant for pollinators on her lawn, which may look overgrown to someone else.

Upon motion of Councilwoman Zaino, seconded by Councilman Saracino 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 Establish a 6-month Moratorium for RESOLUTION 350-24
the Development of Battery Storage Facilities in the
Town of Mt. Pleasant

LOCAL LAW NO. 7-2024

**A LOCAL LAW TO ESTABLISH A TEMPORARY LAND USE
MORATORIUM PROHIBITING BATTERY ENERGY
STORAGE SYSTEM INSTALLATIONS WITHIN THE TOWN
OF MOUNT PLEASANT**

WHEREAS, the Governor of New York has convened an Inter-Agency Fire Safety Working Group (hereinafter “Working Group”) in the wake of battery energy storage system (BESS) fires in Jefferson, Orange, and Suffolk Counties during the summer of 2023 to study potential safety requirements; and

WHEREAS, the Working Group released draft recommendations on February 6, 2024 and continues to inspect BESS facilities and review best-practices for safety; and

WHEREAS, the Town Board wishes to temporarily prohibit the establishment or siting of all battery energy storage system facilities as experts conduct further review regarding the potential for additional safety requirements; and

WHEREAS, this Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Mount Pleasant under New York State Constitution Article IX, Section 2 (c) (ii)(6)(10); Municipal Home Rule Law § 10(2); Municipal Home Rule Law §10(3); Municipal Home Rule Law §10(4)(a)(b); Town Law §135; and Town Law Article 16 (Zoning & Planning) amongst others; and

WHEREAS, this Local Law is a land use regulation intended to address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive “incidental control” of a zoning law and land use law that is concerned with the broad area of land use planning and the physical use of land and property within the Town, including the physical externalities associated with certain land uses, such as potential negative impacts of such uses on a community; and

WHEREAS, at this time there is one pending special use permit application for the location, development or site plan approval of a battery energy storage system installation; and

WHEREAS, the Town Board finds that temporary moratorium legislation is both advisable and necessary for a reasonable and defined period of time in order to consider development and adoption of necessary zoning and land use changes to the Zoning Code of the Town of Mount Pleasant, thus protecting and furthering the public interest, health and safety; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Mount Pleasant hereby amends the Town Code to establish this local law:

SECTION 1. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

Battery Energy Storage System Installation(s) – Any installation of a rechargeable energy storage system having an aggregate energy capacity classified by the New York State Energy Research and Development Authority as Tier 1 or Tier 2, consisting of electrochemical storage batteries or similar technology, battery charges, controls, power condition systems, inverters, transformers, switchgears and associated electrical equipment designed to store electrical power received from a generating or transmission source and periodically discharging power from the

battery energy storage system into the power grid. The Moratorium shall not apply to devices meant to power electric motor vehicles and residential power generation.

SECTION 2. TEMPORARY MORATORIUM and PROHIBITION.

- A. Unless permitted pursuant to Section 3 hereafter, from and after the date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or other Town-level approval of any nature shall be accepted, processed, entertained, approved, approved conditionally, or issued by any board, employee, official or agent of the Town of Mount Pleasant, for the construction, establishment, use of operation of any land, body of water, building, or other structure located within the Town of Mount Pleasant, for any Battery Energy Storage System Installation, as defined above.
- B. Unless permitted pursuant to Section 3 hereafter, from the date of this Local Law, no person, entity or business shall use, cause, or permit to be used, any land, body of water, building, or other structure located within the Town of Mount Pleasant for any new (not already existing) Battery Energy Storage System Installation, as defined above.
- C. The prohibitions set forth above in Clauses A and B of this section are not intended, and shall not be construed, to prevent or prohibit the use and development of battery energy storage systems that are typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities and that are for personal or individual use.
- D. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is six (6) months after said effective date; (ii) the effective date of a Town Board resolution affirmatively stating the Town Board has determined that the need for this moratorium and prohibition no longer exists; or the conclusion of any extension hereof.
- E. This moratorium and prohibition shall apply to all real property within the Town of Mount Pleasant, and all land use applications for the siting or creation of a Battery Energy Storage System Installation facility within the Town of Mount Pleasant.
- F. Under no circumstances shall the failure of the Town Board of the Town of Mount Pleasant, the Zoning Board of Appeals of the Town of Mount Pleasant, the Planning Board of the Town of Mount Pleasant, or the Building Inspector for the Town of Mount Pleasant to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or any other Town level approval related to a Battery Energy Storage System Installation constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

SECTION 3. HARDSHIP VARIANCE RELIEF FROM APPLICABILITY OF MORATORIUM.

Applications for land use otherwise subject to this moratorium may be exempted from the provisions of this Local Law following a noticed public hearing before the Town Board. It is specifically intended that this moratorium shall supersede New York State law which would otherwise confer exclusive variance authority to the Town's Zoning Board of Appeals.

Following a written request for hardship variance relief, within sixty (60) days of receipt of such request, a noticed public hearing shall be held, at which hearing the Town Board may, but is not limited to consider:

- A. The proximity of applicant's premises or the subject of applicant's request for relief to natural resources, including but not limited to prime agricultural soils, wetland areas, conservation districts and other areas of environmental concern.
- B. The impact of the proposed application on the applicant's premises and upon the surrounding area.
- C. Compatibility of the proposed application with the existing land use and character of the area in general proximity to the subject of the application, and its effect upon aesthetic resources of the community.
- D. Compatibility of the proposed application with the recommendations of any administrative body charged with such review by the Town of Mount Pleasant.
- E. The written opinion of the Town of Mount Pleasant Planning Board and the Town of Mount Pleasant Building Inspector that such application may be jeopardized or made impractical by waiting until the moratorium is expired.
- F. Evidence specifying in detail the nature and level of any alleged hardship imposed on the property owner(s) as result of this moratorium.
- G. Such other considerations and issues as may be raised by the Town Board.

In making a determination concerning a proposed exemption or grant of relief from application of the moratorium, the Town Board may obtain and consider reports and information from any source it deems to be helpful with review of said application. A grant of relief from application of the moratorium shall include a determination of unreasonable hardship upon property owner (or if there are multiple property owners, a determination that each such owner shall suffer an unreasonable hardship) which is unique to the property owner(s), a finding that there are sufficient existing regulations to adequately govern the application for which a hardship waiver is being requested, and a finding that the grant or an exemption will be in harmony with, and will be consistent with an existing Town of Mount Pleasant Zoning Ordinance and the recommendation of the Comprehensive Plan as such may exist.

An application for relief from the prohibitions of the moratorium shall be accompanied by fee of \$500, together with an applicant's written undertaking in a form to be approved by the Town Attorney, to pay all of the expenses of the Town Board and any agent or consultant retained by the Town Board to evaluate and consider the merits of such application, including but not limited to any fees

incurred by the Town of services provided by the Town Attorney or other professionals.

SECTION 4. PENALTIES.

- A. Failure to comply with any of the provisions of this Local Law shall be an unclassified misdemeanor as contemplated by Article 10 and Section 80.05 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine of not more than One Thousand Five Hundred Dollars (\$1,500) or imprisonment for not more than 10 days, or both for the first offense. Any subsequent offense within a three-month period shall be punishable by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500) or imprisonment for a period of not more than 30 days, or both. Each day that a violation of this Local Law exists shall constitute a separate and distinct offense.
- B. Compliance with this Local Law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction, in an action brought on behalf of the Town by the Town Board.
- C. In the event the Town is required to take legal action to enforce this Local Law, the violator will be responsible for any and all costs incurred by the Town relative thereto, including attorney's fees, and such amount shall be determined and assessed by the court. If such expense is not paid in full within 30 days from the date it is determined and assessed by the Court, such expense shall be charged to the property(ies) within the Town on which the violation occurred, by including such expense in the next annual Town tax levy against such property, and such expense shall be lien upon such property until paid.

SECTION 5. CONFLICTS.

For and during the stated term of this legislation, unless the stated term thereof shall be extended, modified or abridged by the Town Board, this moratorium shall take precedence over and shall control over any contradictory local law, ordinance, regulation for Zoning Ordinance provision.

SECTION 6. EFFECTIVE DATE.

The effective date of this Local Law shall be immediately upon its adoption.

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 resolution shall be effective immediately.

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

Motion By: Councilwoman Smalley

Seconded By: Councilman Sialiano

Vote:

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

Authorization to Amend Town Code Chapter 162
Property Maintenance

RESOLUTION 351-24

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

Tabled.

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

Purchase Order 144-24-03: Engineering Software,
Annual Subscription

RESOLUTION 352-24

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

RESOLVED: That authorization for Purchase Order No. 144-24-03 is granted to DLT Solutions, LLC, 2411 Dulles Corner Park, Suite 800, Herndon, VA 20171 for software for all of Engineering and Water & Sewer Departments' design and infrastructure work, as follows:

<u>Program</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
MicroCAD Productivity Suite Software Pack	4	\$299.00	\$1,196.00
AutoCAD Government Single-User Annual Subscription Renewal	1	\$1,895.84	\$1,895.84
Architecture Engineering & Construction Single-User Annual Subscription Renewal	2	\$1,281.90	\$2,563.80
AutoCad Government Single-User Annual Subscription Renewal	1	\$707.26	\$707.26

\$6,362.90

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

Authorization to Obtain Bids for Cleaning of Town Hall RESOLUTION 353-24

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

RESOLVED: That the Town Clerk is authorized to advertise Notice to Bidders for cleaning services for the Town Hall building interior. Bids will be received by the Office of the Town Clerk, 1 Town Hall Plaza, Valhalla, NY 10595 until 11:00 AM on Friday, September 27, 2024.

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

Authorization to Hire LA BELLA APC, Third Party Traffic Consultant, for Planning Board RESOLUTION 354-24

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

RESOLVED: That the Town Board hereby authorizes the hiring of LaBella Associates, D.P.C., third-party traffic consultant, for the Planning Board. Third-party vendors are paid from the Planning Board applicant's established escrow accounts and therefore do not burden Town resources.

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

Authorization to Issue Refunds for 2018, 2019 and 2020 Tax Bills for 121 Columbus Avenue RESOLUTION 355-24

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

WHEREAS, due to an administrative error, the assessment on the property known as 121 Columbus Avenue had not been changed for the years 2018, 2019, and 2020 immediately following a certiorari settlement authorized on January 7, 2019; and

WHEREAS, the Assessor's Office has obtained permission from the Westchester County Tax Commission for the necessary adjustments; be it

RESOLVED that authorization is granted to issue refunds for the

Town/County and School tax bills for the years 2018, 2019, and 2020 for the above mentioned property.

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

Authorization to Enter into Agreements with Ambulance Districts within the Town of Mount Pleasant

RESOLUTION 356-24

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

RESOLVED: That the Town Board hereby authorizes the following Ambulance District Agreements dated January 1, 2024 with a maximum term until December 31, 2028:

<u>Ambulance District</u>	<u>Company</u>
Pleasantville	Pleasantville Ambulance Corps
Mount Pleasant West	Sleepy Hollow Ambulance Corps
Mount Pleasant West	Briarcliff Manor Ambulance
Valhalla	Valhalla Ambulance Corps

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

Authorization to Approve Two (2) Letters of Commitment for the Town of Mount Pleasant Library NYSED Public Library Construction Grant

RESOLUTION 357-24

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

RESOLVED: That two (2) letters of commitment from the Town of Mount Pleasant are approved, as required for the Mount Pleasant Public Library to apply for a NYSED Construction Grant.

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

IV. Town Clerk

Town Clerk's Report

RESOLUTION

[TOWN CLERK'S REPORT](#)

V. Council Reports

Councilman Sialiano

Purchase Order 30-24-30: Tablet Computers

RESOLUTION 358-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-30 is granted to Patrol PC, 344 John Dietsch Blvd., Unit 2, North Attleboro, MA 02763 for 14 tablet computers for a total cost of \$88,077.85 to be purchased with LETECH Grant funding.

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

Purchase Order 30-24-31: Thermal Camera

RESOLUTION 359-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-31 is granted to Zistos Corporation, 1736 Church Street, Holbrook, NY 11741 for one (1) thermal imaging camera at a cost of \$29,801.25 to be purchased with LETECH Grant funding.

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

Purchase Order 30-24-32: Thermal Binoculars

RESOLUTION 360-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-32 is granted to Sellmark Corporation, 2201 Heritage Parkway, Mansfield, TX 76063 for three (3) thermal binoculars at \$5,014.00 each for a total cost of \$16,301.77* to be purchased with LETECH Grant funding.

**9/19/24 - Actual cost is \$15,042.00; tax was accidentally included on invoice calculation.*

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

Purchase Order 30-24-33: ATS-5 Speed Trailer With ALPR RESOLUTION 361-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-33 is granted to All Traffic Solutions Inc., 3100 Research Dr., State College, PA 16801 for one (1) Speed Alert 24 radar message trailer with automatic license plate recognition (ALPR) to be purchased with LETECH Grant funding for a total cost of \$26,615.96*.

**Price per Sourcewell Contract 090122-ATS*

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

Purchase Order 30-24-34: LED Post Top Light Fixtures RESOLUTION 362-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-34 is granted to Lite Concepts Ltd., 8 Westchester Plaza, Elmsford, NY 10523 for 24 Cooper LED post top light fixtures at \$471.00 each, for a total cost of \$11,304.00 (\$10,000.00 of the cost to be paid with NYSERDA grant funds).

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

Purchase Order 30-24-35: Storage Garage RESOLUTION 363-24

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

RESOLVED: That authorization for Purchase Order No. 30-24-35 is granted to Acorn Farms Country Store LLC, 470 Mamaroneck Ave., Harrison, NY 10528 for one (1) 12' x 24' A-Frame Garage delivered fully assembled for a cost of \$10,591.00.

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

Authorization to Purchase up to \$4,000 in Radio Equipment from the Town of Harrison RESOLUTION 364-24

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

RESOLVED: That the Police Department is authorized to purchase with LETECH Grant funding up to \$4,000.00 in Kenwood NX-5200 portable police radios and associated equipment from the Town of Harrison, New York.

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

Authorization for Police Officer Brandon DeRubeis to Enroll in Master's Degree Program in Criminal Justice RESOLUTION 365-24

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

WHEREAS, the Collective Bargaining Agreement between the Town of Mount Pleasant and the Mount Pleasant Police Benevolent Association (PBA) authorizes tuition reimbursement for a police-related degree; be it

RESOLVED: That Police Officer Brandon DeRubeis is authorized to enroll in New Haven University's Master of Science in Criminal Justice (MSCJ) graduate program, which includes 12 classes and 36 graduate credits for a total cost of \$19,656.00 after the 50% discount for active sworn officers.

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

Authorization to Hire Traffic Safety Seasonal Maintenance Laborer Effective September 12, 2024 RESOLUTION 366-24

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

RESOLVED: That authorization is granted to hire Zachary Stone-DeGregorio of Valhalla as a Seasonal Maintenance Laborer in the Traffic and Safety Department at a rate of \$20.00 per hour, effective September 12, 2024.

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

Authorization to Offer Conditional Employment to Police Officer Candidate RESOLUTION 367-24

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

RESOLVED: That authorization is granted to offer conditional employment to a Police Officer Candidate to fill a vacancy created by a recent retirement.

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

Authorization to Hire a Part-Time Dispatcher Effective RESOLUTION 368-24
September 11, 2024

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

RESOLVED: That authorization is granted to hire Erik D. Hanson of Yorktown
Heights to the position of part-time civilian dispatcher at a rate of \$25.00 per
hour, effective September 11, 2024.

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

Authorization to Hire a Part-Time Clerical Worker RESOLUTION 369-24

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

RESOLVED: That authorization is granted to hire a part-time clerical worker
to fill a vacancy created by a recent retirement at an hourly rate of \$19.00 per
hour for 17.5 hours per week.

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

Councilwoman Zaino

Purchase Order 50-24-12: 2024 Milling & Paving RESOLUTION 370-24
Operations (Various Roads)

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

RESOLVED: That authorization for Purchase Order No. 54-24-12 is granted,
per the current Bituminous materials bid, to Montesano Bros., Inc., 76 Plain
Avenue, New Rochelle, NY 10801 for 2024 Milling and Paving Operations for
Various Roads as follows. The cost of this PO is expected to be reimbursed
via the 2024 NYS DOT CHIPS, PAVE NY, EWR, STR & POP
reimbursements. The total anticipated reimbursement to the Town is
approximately \$857,000.00.

	<u>Amount</u>	<u>Price Per Unit</u>	<u>Cost</u>
Anticipated Milling:	38,056 sq. yd.	\$3.16	\$120,256.96
Anticipated Tonnage:	1,675 tons	\$126.00	\$211,050.00
Anticipated Total:			\$331,306.96
<i>not including escalation fees</i>			

Note: the total cost on the final invoice(s) may vary up to 10% due to additional tonnage or escalation fees unknown at this time.

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

Purchase Order 50-24-13: Mobile Sign Boards RESOLUTION 371-24

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

RESOLVED: That authorization for Purchase Order No. 50-24-13 is granted to Solar Technology, Inc., 7620 Centronia Road, Allentown, PA 18106 for two (2) mobile sign boards at \$19,124.42 each, per GSA Contract #47QSMS24D0068, for a total cost of \$38,248.84. The cost of this PO is expected to be reimbursed via the 2024 NYS DOT CHIPS, PAVE NY, EWR, STR & POP reimbursements. The total anticipated reimbursement to the Town is approximately \$857,000.00.

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

Authorization to Deposit Bond for Street Opening RESOLUTION 372-24
Permit No. 6443

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

WHEREAS, Street Opening Permit No. 6443 has been issued to Precision Field Testing Inc. for work being performed at 135 Lake Shore Dr., Pleasantville, NY 10570; and

WHEREAS, a check covering the bond amount of \$8,600.00 for said Street Opening 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

Councilman Saracino

Comptroller's Memo RESOLUTION 373-24

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

Councilwoman Smalley

Purchase Order 70-24-52: Top Dressing Mix RESOLUTION 374-24

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

RESOLVED: That authorization for Purchase Order No. 70-24-52 is granted to Carriere Materials LLC, 95 Glen Ave., Port Chester, NY 10573 for four (4) loads of top dressing mix to be used on athletic fields and pool complex at a cost of \$63.00 per yard, per the Westchester County Contract, for a total cost of \$10,080.00.

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

Purchase Order 70-24-53: Wifi Service for Parks RESOLUTION 375-24
Garage

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

RESOLVED: That authorization for Purchase Order 70-24-53 is granted to Logically, PO Box 825692, Philadelphia, PA 19182 to install one (1) wireless access point (WiFi) on their network in the Parks Department Garage for a cost of \$1,693.25.

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

Purchase Order 70-24-54: Mad Science Programming, RESOLUTION 376-24
Great Ventures Camp 2024

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

RESOLVED: That authorization for Purchase Order No. 70-24-54 is granted to Mad Science of Westchester, 56 Lafayette Avenue, Suite 340, White Plains, NY 10603 for Mad Science Rocket Building Workshops for Great

Ventures Camp 2024 as follows:

<u>Participants</u>	<u>Price Per Participant</u>	<u>Total</u>
36	\$265.00	\$9,540
	<i>Volume Discount:</i>	<i>-\$954.00</i>
	TOTAL:	\$8,586.00

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

Purchase Order 70-24-55: Funtime Amusements for 2024 Fall Foliage Festival RESOLUTION 377-24

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

RESOLVED: That authorization for Purchase Order No. 70-24-55 is granted to Funtime Amusements, 250 E Main St., Jefferson Valley, NY 10535 for multiple rides and attractions with supervisors and generators for the 2024 Fall Foliage Festival on October 26, 2024 for a total cost of \$4,585.00.

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

Purchase Order 70-24-56: Replace Drive Shaft Pool UV System RESOLUTION 378-24

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

RESOLVED: That authorization for Purchase Order No. 70-24-56 is granted to If It's Water Inc., 2090 Bondsville Road, Downingtown, PA 19335 to replace the drive shaft and carriage in the pool's UV system to remain compliant with the Westchester County Department of Health at a cost of \$1,882.00.

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

Authorization to Approve 2024/2025 Fall and Winter Instructor Rates RESOLUTION 379-24

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

RESOLVED: That the Recreation Instructor rates for Fall and Winter 2024-2025 programs are approved as proposed.

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

Sialiano, Councilwoman Smalley, Councilman Saracino

VI. Town Attorney

VII. Schedule of Meetings

Work Session: Tuesday, September 17, 2024, at 7:00 PM RESOLUTION

Business Session: Tuesday, September 24, 2024, at 7:00 PM RESOLUTION

VIII Adjourn

.

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

RESOLVED: That the meeting is adjourned at 8:25 PM.

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

Respectfully Submitted,



EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

