

TOWN OF MOUNT PLEASANT

MINUTES OF THE REGULAR
MEETING OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD SEPTEMBER 24, 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. Bids and Awards

Authorization to Award Traffic Signal Improvements RESOLUTION 380-24
Contract to Verde Electric (Purchase Order 144-24-04)
pending Contract Review by the Town Attorney

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

RESOLVED: That the bid for Traffic Signal Improvement Project (Purchase
Order No. 144-24-04) is granted to lowest bidder, Verde Electric Maintenance
Corp., 89 Edison Avenue, Mt. Vernon, NY 10550, for traffic signal
replacement work on Columbus Avenue NB/SB at Stevens Avenue at a total
cost of \$333,417.00.

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

II. Supervisor's Report

Call for a Public Hearing to Amend Town Code RESOLUTION 381-24
Chapter 162 Property Maintenance

Upon motion of Councilwoman Smalley, 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 Town Code Chapter 162 Property

Maintenance on October 8, 2024 at 7:00 PM at Town Hall, 1 Town Hall Plaza, Valhalla, NY 10595.

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

Purchase Order 830-24-13: Water Treatment Equipment, SCADA and Programming Services for the Treatment Modifications Project in the Kensico Water District RESOLUTION 382-24

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

RESOLVED: That authorization for Purchase Order No. 830-24-13 is granted to Uptime Automation, 132 Lewis Street, Unit B1, Eatontown, NJ 07724 for work required to install necessary equipment and software of the SCADA system and programming services for the Treatment Modifications Project in the Kensico Water District at a cost of \$149,130.00.

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

Authorization to Enter into an Agreement to Perform Various Repairs and Related Costs to Maintain Fire Hydrants Annually in all Six (6) Fire Districts within the Town RESOLUTION 383-24

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

RESOLVED: That authorization is granted to enter into agreements for the Water and Sewer Department to maintain fire hydrants within the Town for use by all six (6) Fire Districts.

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

Authorization to Reinstate STAR Exemption Removed in Error for 70 Grandview Lane, 112.7-1-58 RESOLUTION 384-24

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

RESOLVED: That authorization is granted to the Assessor to reinstate the STAR Exemption removed in error from 7 Grandview Lane when two adjacent lots with the same owner (112.7-1-58 and 112.7-1-59) were merged.

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

Sialiano, Councilwoman Smalley, Councilman Saracino

Authorization to Renew School Resource Officer (SRO) Agreements with Pocantico Hills Central School District and Valhalla Union Free School District for the 2024-2025 School Year

RESOLUTION 385-24

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

RESOLVED: That authorization is granted to renew School Resource Officer (SRO) Agreements with Pocantico Hills Central School District and Valhalla Union Free School District for the 2024-2025 school year.

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

Authorization to Waive Penalties and Fees on Property Owned by AKJS

RESOLUTION 386-24

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

WHEREAS, AKJS Corporation (hereinafter "AKJS") owns properties located at Commerce Street and 886 Commerce Street which are identified on the Town Assessment Roll as Sections, Blocks and Lots 106.15-1-48 and 106.15-6-89 (collectively the "Properties");

WHEREAS, AKJS owes back taxes, penalties, and fees on the Properties going back to 2018;

WHEREAS, for Parcel 106.15-6-89, AKJS owes \$272,236.34 in principal and \$66,039.40 in penalties and fees for a total amount owed of \$338,275.74; and

WHEREAS, for Parcel 106.15-1-48, AKJS owes \$12,343.66 in principal and \$3,287.29 in penalties and fees for a total amount owed of \$15,630.95; and

WHEREAS, for both Parcels AKJS owes \$284,580 in principal and \$69,326.69 in penalties and fees for a total amount owed of \$353,906.69.

WHEREAS, AKJS has a Bankruptcy filing pending before the Southern District of New York in which there are various creditors of AKJS also seeking funds;

WHEREAS, the Bankruptcy Court is considering an application to permit the sale of the Properties which will make monies available to pay off the Town and various other creditors;

WHEREAS, the Bankruptcy Court has indicated that it would be more likely to approve the sale of the Properties if additional monies were made available to pay off additional creditors through the Town's waiver of penalties and fees totaling \$69,362.69;

WHEREAS, the Town is authorized under New York Real Property Tax Law ("RPTL") § 1182, by resolution, to authorize the enforcing officer for real property taxes to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled for unpaid or late payment of same; and

NOW, THEREFORE, BE IT RESOLVED, the Town pursuant to RPTL § 1182, hereby cancels the penalties and fees owed for the Properties totaling 69,326.69; and

BE IT FURTHER RESOLVED, that this resolution shall become effective September 24, 2024.

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

Authorization to Retain the Services of Top Maintenance Services LLC, on a temporary basis, for the Cleaning of Town Hall for the Month of October	RESOLUTION 387-24
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Upon motion of Councilwoman Smalley, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That authorization is granted to retain the services of Top Maintenance Services LLC, 70 Maple Drive, Middletown, NY 10941 on a temporary basis for the cleaning of Town Hall interior for the month of October 2024 at a rate of \$1,575.00 per week.

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

Authorization for Street Closing Permits for (i.) Carlisle Avenue from Bainbridge Avenue to Edgewood Avenue, (ii.) Warren Avenue from Frankford Street to Lexington Avenue (iii.) Jefferson Avenue from Sherwood Street to Prospect Avenue, and (iv.) Point Place from 6 Point Place to 11 Point Place	RESOLUTION 388-24
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Upon motion of Councilwoman Zaino, seconded by Councilman Sialiano and unanimously carried, it was,

RESOLVED: That Street Closing Permits are granted to the following applicants:

Marco Cortina - Carlisle Avenue, Thornwood

Closing: Carlisle Avenue from Bainbridge Avenue to Edgewood Avenue for a birthday party on Saturday, October 5, 2024 from 12-6 PM (no rain date).

Maria Leone - Warren Avenue, Hawthorne

Closing: Warren Avenue from Frankford Street to Lexington Avenue for a block party on Saturday, October 5, 2024 from 10 AM to midnight (rain date: Sunday, October 6, 2024 at the same time).

Timothy Mohl - Jefferson Avenue, Valhalla

Closing: Jefferson Avenue from Sherwood Street to Prospect Avenue for a block party on Saturday, October 12, 2024 from 12-10 PM (no rain date).

John Paul Imbrogno - Point Place, Chappaqua

Closing: Point Place from 6 Point Place to 11 Point Place for a Halloween party on Sunday, October 27, 2024 from 2-6 PM (no rain date).

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

Authorization to Change the Civil Service Status of Jon Petruzzelli, Park Superintendent, from Provisional to Permanent, Effective September 25, 2024	RESOLUTION 389-24
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Upon motion of Councilman Sialiano, seconded by Councilman Saracino and unanimously carried, it was,

RESOLVED: That authorization is granted to change the Civil Service status of Jon Petruzzelli, Parks Superintendent, from Provisional to Permanent, effective September 25, 2024. Salary and benefits will be unaffected by the change in status.

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

Receiver of Taxes Report	RESOLUTION
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[RECEIVER OF TAXES REPORT](#)

III. Business from the Floor

IV. Town Clerk

Town Clerk's Report	RESOLUTION
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TOWN CLERK'S REPORT

V. Council Reports

Councilman Sialiano

Councilwoman Zaino

Authorization to Discard and Remove HD 49 from Vehicle Inventory RESOLUTION 390-24

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

RESOLVED: That the Highway Department is authorized to discard and remove HD 49 (2004 International 10 Wheeler, VIN #1HTWXAHT94J017408) from vehicle inventory and insurance due to irreparable and extensive rot.

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

Authorization to Release Bond for Curb Cut Permit 1498 RESOLUTION 391-24

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

WHEREAS, the work permitted under Curb Cut Permit No. 1498 at 135 Lake Shore Drive, Pleasantville has been completed and the road restored to the satisfaction of the Highway Superintendent; be it

RESOLVED that the Comptroller is authorized for release of the bond in the amount of \$360.00 to Westchester Masonry & Excavation LLC, 197 Grand Street, Croton-on-Hudson, NY 10520.

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

Councilman Saracino

Comptroller's Memo RESOLUTION 392-24

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 to Approve Invoices for Baker Hostetler RESOLUTION 393-24
through July 31, 2024

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

RESOLVED: That authorization is granted to approve invoices for Baker
Hostetler in the amount of \$343,738.82 for legal services rendered in June
and July 2024.

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

Councilwoman Smalley

Purchase Order 70-24-50: Construction of Office and RESOLUTION 394-24
Storage Room at the Legion Hall Recreation Building

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

RESOLVED: That authorization for Purchase Order No. 70-24-50 is granted
to lowest bidder R.J.G. Electrical Contracting LLC, 37 Cleveland Street,
Valhalla, NY 10595 for construction of an office and storage room (labor only)
at the Legion Hall Recreation Building at a total cost of \$5,400.00.

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

Purchase Order 70-24-57: Purchase of Trees from NY RESOLUTION 395-24
Power Authority Tree Program

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

RESOLVED: That authorization for Purchase Order No. 70-24-57 is granted
to Schichtel Nursery, 7430 Peters Road, Springville, NY 14141 for the
purchase of 19 trees of various species from the NY Power Authority (NYPA)
Tree Power Program for a total cost of \$2,710.00. The program will match the
purchase bringing the total number of trees to be planted in our parks to 38.

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

Authorization to Hire Zachary Frank to the Full-Time CSEA Position of Recreation Leader Effective September 30, 2024, Salary per White Collar CSEA Contract RESOLUTION 396-24

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

RESOLVED: That the Recreation and Parks Department is authorized to hire Zachary Frank to the full-time position of Recreation Leader, effective Monday, September 30, 2024, at a salary and benefits per the current CSEA White Collar agreement.

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

Authorization to Hire Laura Meza to the Full-Time Position of Recreation Supervisor - Senior Citizens Effective September 25, 2024, Salary per White Collar CSEA Contract RESOLUTION 397-24

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

RESOLVED: That the Recreation and Parks Department is authorized to hire Laura Meza to the full-time position of Recreation Supervisor - Senior Citizens, effective September 25, 2024 at a salary and benefits per the current CSEA White Collar agreement.

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

VI. Town Attorney

VII. Schedule of Meetings

Work Session: Tuesday, October 1, 2024, at 7:00 PM RESOLUTION

Business Session: Tuesday, October 8, 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 7:28 PM.

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

Respectfully Submitted,

A handwritten signature in black ink, reading "Emily Costanza". The signature is written in a cursive, flowing style.

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

