

# TOWN OF MOUNT PLEASANT

MINUTES OF THE REGULAR  
MEETING OF THE TOWN BOARD  
TOWN OF MOUNT PLEASANT  
WESTCHESTER COUNTY, N.Y.  
HELD OCTOBER 8, 2024

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

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

The Supervisor moved Resolution 406-24 extending an offer to Police Officer candidate Mark Polak to the top of the meeting.

## I. Bids and Awards

Authorization to Award Town Hall Cleaning Bid to Top Maintenance Services, LLC (Purchase Order 162-24-19) RESOLUTION 398-24

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

RESOLVED: That authorization is granted to award the Town Hall Cleaning Bid (Purchase Order No. 162-24-19) to the lowest bidder, Top Maintenance Services, LLC, 70 Maple Drive, Middletown, NY 10941 for a two-year contract period as follows:

|                                |              |
|--------------------------------|--------------|
| Monthly Cost:                  | \$5,819.67   |
| Annual Cost:                   | \$69,836.00  |
| Emergency Rate:                | \$50.00/hr   |
| Total Contract Cost (2 years): | \$139,672.00 |

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

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## II. Public Hearings

Public Hearing to Amend Town Code Chapter 162 RESOLUTION 399-24

## Property Maintenance

The Supervisor opened the Public Hearing. The Town Clerk read the public notice aloud. There were no speakers from the floor.

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

RESOLVED: That the Public Hearing was closed.

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

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### III. Supervisor's Report

Authorization to Amend Town Code Chapter 162  
Property Maintenance

RESOLUTION 400-24

#### LOCAL LAW NO. 8-2024

#### **A LOCAL LAW TO AMEND TOWN CODE CHAPTER 162, SECTION 162-4 , LIMITING VEGETATIVE OVERGROWTH WITHIN THE TOWN**

**WHEREAS**, Town of Mount Pleasant Town Code § 162-4 requires the maintenance of landscaping to preserve the safety of the community and to prevent blighting adjoining properties;

**WHEREAS**, the Town Board wishes to amend Town Code Chapter § 162-4 to increase the area required to be maintained under the existing code for the benefit of the community; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Mount Pleasant hereby amends Town Code Chapter 162, Section 162-4 as follows with the underlined language being added:

#### **§ 162-4**

All landscaping shall be well maintained so that lawns, hedges, bushes and trees shall be kept trimmed and free from becoming overgrown and unsightly where exposed to public view and where the same may constitute a blighting factor thereby depreciating adjoining property. Such maintenance shall include but not be limited to the replacement of trees and shrubs which may die and/or otherwise be destroyed. In addition to the area within the property line mentioned above, the area between the property line and the curb or for 10 feet outside the property line if there is no curb, including the area within any right of way, shall also be maintained with basic lawn maintenance, debris removal, as well as the maintenance of shrubs and bushes.

**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

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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.

Motion By: Councilwoman Smalley

Seconded By: Councilman Sialiano

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

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Call for a Public Hearing to Amend Town Code Section 105-1, Crane Permits and A224, Establishing Fees for Cranes and Blasting Permits **RESOLUTION 401-24**

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

RESOLVED: That the Town Clerk is authorized to advertise Notice of Public Hearing to consider amending Town Code Section 105-1 Crane Permits and A224 Establishing Fees for Cranes and Blasting Permits on Tuesday, October 22, 2024 at 7:00 PM.

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

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Purchase Order 162-24-18: Plan Review for Le Setai, 6 Saw Mill River Road **RESOLUTION 402-24**

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

RESOLVED: That authorization for Purchase Order No. 162-24-18 is granted to JHW Plan Review, PO Box 40, Pleasant Grove, AL 35217 for plan review for the addition to the new venue, Le Setai, 6 Saw Mill River Road for a total of \$5,150.00. The project cost is \$2,430,000.00 and the Building Permit fees are \$36,540.00.

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

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Authorization to Accept the Transfer of Property Owned by the American Legion, Gilbert Rauh Post No. 1574 **RESOLUTION 403-24**

Upon motion of Councilman Saracino, seconded by Councilwoman Smalley and

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unanimously carried, it was,

**WHEREAS**, the Town's records indicated that the American Legion, Gilbert Rauh Post No. 1574 Incorporated (hereinafter the "American Legion") owns properties located at Garrigan Avenue and 52 Garrigan Avenue in Thornwood, which are identified on the Town's Tax Map as parcels 106.11-2-1 and 106.10-6-73 (collectively the "Properties"); and

**WHEREAS**, the American Legion has sought to transfer such Properties to the Town; and

**WHEREAS**, the Town is willing to accept the transfer of the Properties which includes a vacant parcel and an improved parcel containing the American Legion for \$500.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Town to accept the transfer of the Properties from the American Legion; and

**BE IT FURTHER RESOLVED**, that this resolution shall become effective immediately upon adoption.

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

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Authorization for Street Closing Permits (i.) Beverly Road at the Tuxedo Place Intersection and (ii.) Shelley Avenue from W. Maple Street to Locust Street      RESOLUTION 404-24

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:

Fran Carlucci Scoca - Tuxedo Place, Hawthorne

Closing: Beverly Road at the Tuxedo Place intersection for a block party on Saturday, November 2, 2024 from 12-9 PM (rain date: Sunday, November 3, 2024 from 12-8 PM).

Leigh Dorset - Ann Place, Valhalla

Closing: Shelley Avenue from W. Maple Street to Locust Street for a block party on Saturday, October 19, 2024 from 12-5 PM (no rain date).

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

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Authorization for Final Lump Sum Payment for Water Department Employee RESOLUTION 405-24

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

RESOLVED: That authorization is granted for the final lump sum payout to the Estate of Michael Ibert, Water Department Employee, as follows:

| <u>Pay Type</u> | <u>Hours</u> | <u>Hourly Rate</u> | <u>Amount</u>     |
|-----------------|--------------|--------------------|-------------------|
| Vacation        | 84.0         | 36.4480            | \$3,061.63        |
| Unused Sick     | 120.0        | 36.4480            | \$4,373.76        |
| Unused Sick     | 15.0         | 36.4480            | \$546.72          |
|                 |              |                    | <b>\$7,982.11</b> |

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

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Investment Report

RESOLUTION

THE SUPERVISOR REPORTED THAT THE CURRENT RATE OF INTEREST IS 4.75%.

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#### IV. Business from the Floor

The Supervisor opened Business from the Floor.

- **Nathan Resika, Pamela Ln., Valhalla:** Shared concerns about the dangers of bicyclists on the road, specifically Columbus Avenue. Said the Town Board should keep the moratorium on battery storage facilities. Shared additional concerns about noise pollution due to gas powered leaf blowers, as well as potential blackouts due to alternative energy.
- **Debra Rodman, Leroy Ave., Valhalla:** Shared concerns about the conditions of Lakeview Avenue for middle school-aged children who walk on the street to and from school, specifically for after-school programs. Councilwoman Smalley suggested speaking with the school about providing late buses. Ms. Rodman presented a video of Lakeview Avenue that she recorded on a walk. The Town Board members noted that the sidewalk does not look like it was intended to be a sidewalk. They also noted that Lakeview Avenue is likely a substandard road. The Town Supervisor said he will look into it.
- **Lynette Vazquez, Lawrence Dr., White Plains:** Asked whether Valhalla schools will be affected by pollutants from the DEP project blasting. The Town Supervisor said the DEP is very cautious about the health of the environment and that neither were expected to be a concern. **Ms. Rodman** asked if the noise from the blasting would affect the children at school. The Supervisor said it should not.

There were no additional speakers from the floor.

**V. Town Clerk**

Town Clerk's Report

RESOLUTION

[TOWN CLERK'S REPORT](#)

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**VI. Council Reports**

**Councilman Sialiano**

Authorization to Extend an Offer of Employment to  
Police Officer Candidate Effective October 9, 2024,  
Salary per Collective Bargaining Agreement with the  
PBA

RESOLUTION 406-24

Chief Oliva introduced Police Officer candidate Mark Polak, a transfer from NYPD  
Special Victims Unit.

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

RESOLVED: That the Police Department is authorized to extend an offer of  
employment to Police Officer candidate Mark Polak of Hawthorne, effective  
October 9, 2024, at a salary and benefits per the PBA Collective Bargaining  
Agreement.

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

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**Councilwoman Zaino**

**Councilman Saracino**

Comptroller's Memo

RESOLUTION 407-24

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

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Authorization to Promote Francisco Hernandez Tovar

RESOLUTION 408-24

to the Title of Senior Account Clerk in the Comptroller's Office, Effective September 30, 2024, Salary per CSEA White Collar Agreement

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

RESOLVED: That authorization is granted to promote Francisco Hernandez Tovar to the title of Senior Account Clerk in the Comptroller's Office, effective September 30, 2024, with salary and benefits per the CSEA White Collar Agreement.

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

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### **Councilwoman Smalley**

Purchase Order 70-24-58: Replacement Stairs and Decking for Little Tikes Playground at Carroll Park      RESOLUTION 409-24

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

RESOLVED: That authorization for Purchase Order No. 70-24-58 is granted to Great Lakes Recreation, PO Box 295, Zeeland, MI 49464 for replacement stepladder stairs and decking for the 2007 Little Tikes Playset at Carroll Park for a total cost of \$4,568.93.

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

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Authorization to Provisionally Promote Christopher Madera to the Title of Recreation Supervisor Effective October 9, 2024, Salary per CSEA White Collar Agreement      RESOLUTION 410-24

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

RESOLVED: That authorization is granted to promote Christopher Madera to the title of Recreation Supervisor, effective October 9, 2024, with salary and benefits per the CSEA White Collar Agreement.

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

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## **VII. Schedule of Meetings**

Work Session: Tuesday, October 15, 2024, at 7:00 PM      RESOLUTION

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Business Session: Tuesday, October 22, 2024, at 7:00 PM RESOLUTION

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Authorization to Reschedule the November 5, 2024, Work Session to November 6, 2024, Due to Election Day RESOLUTION 411-24

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

RESOLVED: That authorization is granted to reschedule the Tuesday, November 5, 2024 Work Session to Wednesday, November 6, 2024 due to Election Day.

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

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### **VIII. Adjourn**

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

RESOLVED: That the meeting is adjourned at 8:05 PM.

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



