

Minutes of the **VILLAGE BOARD REGULAR MEETING** of the Board of Trustees of the Village/Town of Mount Kisco held on Tuesday, September 2, 2025 at 7:00 p.m. in the Frank J. DiMicco Board Room, Village Hall, 104 Main Street, Mount Kisco, New York and via video conference.

Present: Mayor J. Michael Cindrich
Deputy Mayor Theresa Flora
Trustee Angie Guerra
Trustee Thomas G. Luzio
Trustee Karen B. Schleimer

Also Present: Edward Brancati, Village Manager
Kenneth Famulare, Assistant Village Manager
Dan Pozin, Village Counsel

Absent:

Tuesday, September 2, 2025
7:00 p.m. Regular Meeting

Call in #646-558-8656 or 888-788-0099
<https://us02web.zoom.us/j/87043761605>
Zoom ID: 870 4376 1605

Para ver esta reunión en español:
<https://www.youtube.com/@mountkiscoenespanol/streams>

You can watch this meeting in its entirety here: <https://vimeo.com/1116224985?fl=pl&fe=sh>.

Mayor Cindrich opened the meeting and asked everyone to join him in the Pledge of Allegiance. He asked that everyone remain standing so that we may reflect on why we are here and ask for guidance so that the decisions that we make this evening benefit the people of Mount Kisco. He asked everyone to keep in their thoughts and prayers the family of Greg Mackenzie, the Village Electrician, who passed away.

Public Hearing – Amend Chapter 43 – Alcoholic Beverages (continuation)

Mayor Cindrich opened the public hearing on this and asked if anyone in the room had any comments.

Trustee Luzio noted that he had requested the Village Attorney to look into the search and seizure portion of this law and the question remains on what the position of the Village is in terms of 4th Amendment Right issues as it pertains to Kirby Plaza and other locations in the Village.

Mr. Pozin replied that he didn't have a response to the 4th Amendment issue, however the concealed issue in the park is a State Law issue. This opened a discussion about the local law and issues with concealed bottles or public intoxication in Leonard Park.

Deputy Mayor Flora noted that there is a deed for Leonard Park that prohibits things that are currently happening in the park and how does enforcement come into play.

Mayor Cindrich also made note that the local law that is presented is in force and effect in several communities in the County as well as Westchester County Parks. He continued to read the rules and regulations of Leonard Park that were adopted most recently in 2019.

Trustee Luzio asked counsel again to look at a law from White Plains and the designation of Kirby Plaza being a park. He is trying to determine public spaces and public parks as it is his understanding that only Leonard Park and Flewellyn Park are designated as parks within the Village.

Mayor Cindrich made comments about the issue of public intoxication not only in the parks, but also in St. Mark's Cemetery. Deputy Mayor Flora stated it was people driving into the parks and causing disturbance while Trustee Schleimer also suggested adding vaping, smoking and other drugs to this law.

A motion was made by Deputy Mayor Flora and was seconded by Trustee Schleimer adjourn this meeting to a date certain, Monday, September 15, 2025; all in favor:

Motion Adopted

Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

Public Hearing – Amend Chapter 93 – Streets & Sidewalks (continuation)

(you can watch this hearing in its entirety beginning at the 30:16 mark here:

<https://vimeo.com/1116224985?fl=pl&fe=sh>)

Mayor Cindrich opened this hearing and noted that he did some research and found that the Town of Greenburgh enacted a law that regardless of age that they needed a helmet recognizing that it is difficult for an officer to decide how old a person is on a bike or a scooter. In considering bike lanes, the Village would have to eliminate parking to have lanes wide enough for traffic in order for this to work.

Deputy Mayor Flora mentioned some of the work of the Complete Streets Committee and some of the findings of the study regarding bike lanes and how it is more dangerous to ride on the sidewalk than it is to ride with the flow of traffic. She also spoke about the mission of Vision Zero.

Trustee Luzio commented that there are three groups that are in question here and trying to keep all groups safe is the challenge. He previously spoke about the dangers of cycling and reiterated that the safety of everyone is important as well as possibly lowering the speed limit in the Village to help reduce the potential accidents within the Village. Trustee Luzio believes that there is a way to please all of the groups and keep all groups safe, it just needs to be looked at a little closer and amended to do so.

A large discussion was had amongst the Board and the Village Attorney regarding the intent of the law, the current State law regarding bikes on the sidewalks, the Complete Streets study recommendations on bike lanes within the Village, and what taking away parking would do within the Village. There was also a question about the enforcement of this law.

Sally Fay of Carpenter Avenue made comments about Mount Kisco being a commercial town and not having enough parking if it were to become a bike lane town. She doesn't feel that there is going to be the need to have those lanes within the Village. She supports the sidewalks being clear of bikes and motorized scooters.

John Rhodes of Stewart Place made several points on the Complete Streets study and safe bike access in Mount Kisco for those who would like to use them as a mode of transportation. He believes that passing a blanket law like this would make it difficult for those who rely on bikes to make a living. He supports banning bikes on the sidewalks in the downtown area and holding off to see if there can be a plan put in place in the future.

There was a discussion amongst the Board with regards to keeping pedestrians safe and keeping the Village walkable as well as how to deal with young kids riding on the sidewalk with a parent and how

to deal with that as well as other challenges with this law citing that other municipalities ban kids as young as 10 years old from the sidewalks.

A motion was made by Trustee Schleimer and was seconded by Deputy Mayor Flora to close this public hearing; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Nay
Trustee Karen B. Schleimer	Aye

A motion was made by Trustee Schleimer and was seconded by Deputy Mayor Flora to adopt Local Law 2025-5 as amended to include tricycles; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Nay
Trustee Karen B. Schleimer	Aye

Public Hearing – Amend Chapter 110 – Zoning (continuation)

(You can watch this hearing in its entirety beginning at the 1:42 mark here:
<https://vimeo.com/1116224985?fl=pl&fe=sh>)

Mayor Cindrich opened this public hearing noting that this is specifically talking about signs and notifications for public hearings regarding Planning and Zoning applications. He asked if anyone on the Board had questions.

There was discussion amongst the Board on the number of days prior to the hearing for the notification as well as other language and logistics of the text amendment. They reviewed the Environmental Assessment Form (EAF) associated with this local law.

A motion was made by Trustee Luzio and was seconded by Deputy Mayor Flora to close the public hearing and adopt the EAF; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

Public Hearing – Amend the Village Code to Simplify and Clarify Certain Sections

(you can watch this hearing in its entirety beginning at the 1:57 mark here:
<https://vimeo.com/1116224985?fl=pl&fe=sh>)

Mayor Cindrich opened this public hearing noting it was noticed correctly. He mentioned this local law is to amend certain sections of the code to clarify the language. Mr. Brancati went through the various text changes.

There was a large discussion amongst the Board and Mr. Brancati regarding these changes and possible edits.

A motion was made by Trustee Luzio and was seconded by Deputy Mayor Flora to close the public hearing, but leave it open for ten (10) days for written comments; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Nay

1) **Communications:**

a. Request – Board Appointment – Leonard Park Committee – Lapple

A motion was made by Mayor Cindrich and was seconded by Trustee Schleimer to schedule an interview; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

b. Request – Board Appointment – Leonard Park Committee – Lucas

A motion was made by Mayor Cindrich and was seconded by Trustee Schleimer to schedule an interview; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

c. Request – Board Appointment - Conservation Advisory Council – Prevendoski

A motion was made by Mayor Cindrich and was seconded by Trustee Schleimer to schedule an interview; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

d. Request – Italian Festival – October 10-12, 2025

A motion was made by Mayor Cindrich and was seconded by Trustee Schleimer to approve the request as outlined with a Certificate of Insurance (COI) naming the Village as an additionally insured; all in favor:

Motion Adopted

Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

2) **Petitions:** None.

3) **Board Committee and Commission Reports:** None.

4) **Village Manager's Reports:**

a. School Tax Reminder

The 2025 SchoolTax bills are due on or before Tuesday, September 30, 2025. You can pay your School Taxes online by going to our website www.mountkisco.ny.gov, in person at 104 Main Street, or you can send your School Tax payment directly to the lockbox. If you have any questions, you can contact Joann Cerretani, Receiver of Taxes at 914-864-0034. Office hours are Monday through Friday 8:30 a.m. - 4:30 p.m.

b. Traffic Promulgation – Grove Street

The Traffic Rules and Regulations Register is hereby amended as follows:

Grove Street:

NO PARKING, STANDING, OR STOPPING

on its eastern side, from its northern terminus with Brookside Avenue to a point 152 feet southerly thereof.

Mr. Brancati also sent out his condolences to the Mackenzie family, noting Greg was one of a kind and had his hand in all of the lights in the Village, so he will think of him when they go on at night.

5) **Board Reports:** (Board reports can be heard in their entirety beginning at the 2:47 mark here: <https://vimeo.com/1116224985?fl=pl&fe=sh>)

Trustee Luzio began by recapping events he attended including a brunch at Bethel Baptist announcing some of the events they are hosting as well as the Mount Kisco Arts Council Summer Concert Series and invited residents to attend some of their upcoming events. He mentioned Septemberfest and the Historical Society selling some Sesquicentennial memorabilia as well as the Tag Sale at the Fox Center. Trustee Luzio also spoke on the public forum regarding the ConEd rate case and the impact of these increases. He concluded his report by speaking on the rejection of a religious service in Leonard Park and shared his concern on 1st Amendment Rights.

Trustee Guerra began by sharing an update on the website update as well as Senior Pool Day. She also recapped a homeschool panel she participated in at the Mount Kisco Library and offered some of the resources to residents who are interested. Trustee Guerra also noted that there is immigration information that is available online or in the Village Manager's office. She spoke on the Hispanic

Heritage Festival. Trustee Guerra also spoke about the ConEd rates and the issues with the delivery charges.

Trustee Schleimer began by reminding residents of the photo exhibit submission deadline as well as speaking on the parking meter changes. She continued on to speak about her testimony at the ConEd hearing in White Plains and some of the information that was shared amongst the speakers. Trustee Schleimer also spoke about a Medicare forum for those who want to look at their benefits as well as some online workshops for caregivers.

Deputy Mayor Flora began by announcing that the American Legion Pasta dinner is back as well as announcing the different 9/11 ceremonies. She continued to give progress reports on the ballfields and Teahouse in Leonard Park. Deputy Mayor Flora spoke about the issues with St. Mark's Cemetery and thanked those who have helped make it better. She also touched base on some landmarks that are being petitioned to become historic landmarks within the Village as well as speaking on pedestrian safety. Deputy Mayor Flora also pointed residents to leave comments on the ConEd public hearing case with a link on our website.

Mayor Cindrich began by thanking the Assistant Village Manager for the work that he has done with parking issues around the Village. He continued to recap a meeting with one of the firehouses on their upgrades. Mayor Cindrich also spoke on the ConEd public forums as well as the expansion of hydro-electric power that we should be exploring. Mayor Cindrich also spoke on 9/11 and how it still affects us 24 years later. He ended his report by speaking about the way the Village was portrayed over the weekend and believes in our Boards and the people of this Village and will defend them as long as he is alive.

A motion was made by Mayor Cindrich and was seconded by Deputy Mayor Flora to authorize the Village Manager to engage outside counsel on potential constitutional issues; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Abstain
Trustee Karen B. Schleimer	Nay

6) **Old Business:** None.

7) **New Business:**

a. Tax Cert – 23 South Moger Avenue

A motion was made by Trustee Schleimer and was seconded by Deputy Mayor Flora to approve the following:

WHEREAS, petitions have been filed by the property owner below, challenging real property tax assessments on the Town and Village assessment rolls with respect to the following parcels:

<i>Property Owner</i>	<i>Tax Designation</i>	<i>Years</i>
23 South Moger LLC	69.81-6-14	2020 to 2024 - Town 2020 to 2025 - Village

WHEREAS, petitioner's court challenge is now pending in the Supreme Court, Westchester County; and

WHEREAS, the Village and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, the Office of the Village Attorney is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

Village Proceedings:

<u>Assessment Year:</u>	<u>Original:</u>	<u>Proposed Settlement:</u>	<u>Reduction:</u>
2020	\$170,000	\$111,750	\$58,250
2021	\$170,000	\$115,940	\$54,060
2022	\$170,000	\$121,280	\$48,720
2023	\$170,000	\$114,560	\$55,440
2024	\$170,000	\$106,920	\$63,080
2025	\$135,000	\$113,050	\$21,950

Town Proceedings:

<u>Assessment Year:</u>	<u>Original:</u>	<u>Proposed Settlement:</u>	<u>Reduction:</u>
2020	\$285,000	\$236,700	\$48,300
2021	\$285,000	\$248,000	\$37,000
2022	\$285,000	\$241,280	\$43,720
2023	\$285,000	\$219,520	\$65,480
2024	\$285,000	\$231,495	\$53,505

All in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

8) **Bills:** General, Senior Nutrition, Water, Sewer, Library, & Capital Project Funds

A motion was made by Trustee Schleimer and was seconded by Trustee Guerra to pay the bills as submitted on September 2, 2025 for the months of July & August 2025 as follows:

General Fund	\$ 453,925.60
Water Fund	\$ 202,569.51
Sewer Fund	\$ 62,474.29
Capital Fund	\$ 175,991.31
Library Fund	\$ 22,819.21
Trust Fund	\$ 10,759.55
LOSAP - Ambulance	\$ 1,100.00
TOTAL	\$ 929,639.47

All in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

9) **Minutes:**

a. VB Minutes – Regular Meeting – 7.14.2025

A motion was made by Trustee Luzio and was seconded by Trustee Schleimer to approve the minutes for July 14, 2025; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

10) **Non-Local Business:** None.

11) **Public Comment:** (Public comment can be heard in their entirety beginning at the 4:06 mark here: <https://vimeo.com/1116224985?fl=pl&fe=sh>)

Warren Gottlieb of New Castle, a member of the Chabad of Bedford made comments on the denial of the permit to the Chabad of Bedford. He wanted to know the procedure of this particular request and how the determination was given to the applicant as well as asking why after many years of doing this, this year is different. He doesn't want to attack anyone personally or their motives, but he would like the Board to recognize what this community is going through right now and how important this ceremony and their freedoms are to them.

A motion was made by Deputy Mayor Flora and was seconded by Trustee Guerra to close the meeting; all in favor:

<u>Motion Adopted</u>	
Mayor J. Michael Cindrich	Aye
Deputy Mayor Theresa Flora	Aye
Trustee Angie Guerra	Aye
Trustee Thomas G. Luzio	Aye
Trustee Karen B. Schleimer	Aye

There being no further business, the regular meeting closed at 11:17 p.m.

/ld

Edward W. Brancati
Village Manager