

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, MAY 12, 2008 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Kathleen Savolt
	Trustees	Thomas A. Murphy Toni Pergola Ryan John M. Hofstetter Randi Robinowitz
	Village Manager	Leonard M. Verrastro
	Village Attorney	Janet Insardi
	Police Department	Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

PRESENTATION OF FINANCIALS

Mr. Domenick Consolo of Bennett Kielson appeared to present the financial statement for the Village of Mamaroneck's fiscal year ended May 31, 2007. He specifically presented the Comparative Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget vs. Actual for the years ended May 31, 2007 and 2006 and the Fund Balance Sheet for these same years. A copy of the statement is on file in the Clerk-Treasurer's Office.

PRESENTATION – PHASE II STORMWATER ANNUAL REPORT

Mr. Rob Yamuder, Assistant Village Manager presented the annual update to the MS4 Stormwater Phase II project. This is the fifth and final annual report. He reported that the Village is following Best Management Practices and is in compliance with the six minimum requirements. A copy of the Annual Audit Report was given to the Board for their review and comment. Any comments can be submitted to Mr. Yamuder and need to be in before June 1st.

1. COMMUNICATION TO THE BOARD

Jan Northrup of Chatsworth Avenue in the Town of Mamaroneck presented the Board with a DVD of the "Wreaths Across America" Ceremony at Richard M. Kemper Memorial Park in Mamaroneck which took place on December 13, 2007. Ms. Northrup spoke about the Ceremony, which was attended by Mayor Savolt and Trustees Ryan and Robinowitz. She thanked the Village Manager for his help. She also thanked the Senior Center for holding the luncheon after the Ceremony at their facility. Ms. Northrup also informed the Board and residents of the upcoming 2008 Richard Kemper Essay Contest Ceremony and the American Legion Post 90 Memorial Day Service being held on Tuesday, May 20th at 3:00 PM at Mamaroneck High School / Kemper Park.

The Essay Ceremony will begin at 3:00 p.m., inside the main entrance of the high school under the globe. Immediately following, at 3:30 p.m., American Legion Post 90 will hold its ceremony outside in the Park.

2. APPROVAL OF MINUTES

Trustee Ryan and Mayor Savolt stated that there were minor typographical errors to the minutes which were sent to the Deputy Clerk for correction. Village Manager Verrastro also had some corrections, which were made.

A. Board of Trustee Regular Meeting – March 24, 2008

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Minutes of the Board of Trustee Regular Meeting of March 24, 2008, as amended, be and are hereby approved.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

B. Special Meeting – April 23, 2008

On motion of Trustee Robinowitz, seconded by Trustee Murphy:

RESOLVED that the Minutes of the Board of Trustees Special Meeting of April 23, 2008 be and are hereby approved.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

C. Board of Trustee Regular Meeting – April 28, 2008

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that the Minutes of the Board of Trustee Regular Meeting of April 28, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

3. AUDIT OF THE BILLS

There is one correction to the abstract on page 3. Auto mileage allowance for Leonard Verrastro is shown under A1230.407. It should be under A1230.406.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 194,643.83
Capital Fund	85,480.76
Mamaroneck Health Center	88.16
Historic Harbor Street Fair	47.97
Guarantee & Bid Deposit	<u>1,004.00</u>
	\$ 281,264.72

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
 Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Transfer of Funds – Police Department

In connection with a request received from Police Chief Edward Flynn, transfers of funds will require the Board’s approval. The first expenditure is needed prior to the start of the new fiscal year to reorder 1,200 ticket books for use in the department. The second is due to the increase in the cost of gasoline during the fiscal year.

On motion of Trustee Hofstetter, seconded by Trustee Robinowitz:

RESOLVED that the following transfers of funds be and are hereby approved:

<u>From</u>		<u>To</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
A3120.110	\$5,000	A3120.410	\$5,000
Police Department Permanent Personnel		Police Department Supplies	

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
 Nays: None

<u>From</u>		<u>To</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
A3120.110	\$20,000	A3120.408	\$20,000
Police Department Permanent Personnel		Police Department Fuel	

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
 Nays: None

B. Transfer of Funds – Public Safety Building

In connection with larger than anticipated expenditures for the boiler at 169 Mt. Pleasant Avenue and other heating related issues, the Village Manager is requesting a transfer of funds to cover a portion of the plumbing expenses. As the money is being transferred from the Contingent Account, the Mayor asked what will be remaining after this transfer. The Village Manager informed her that there will be \$22,000 to cover any additional expenses that may arise before the end of the fiscal year on May 31, 2008.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED that the following transfer of funds be and is hereby approved:

<u>From</u>		<u>To</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
A1990 Contingent Account	\$5,000	A1620.420 Public Safety Bldg. Bldg. Maintenance	\$5,000

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

C (1) Capital Project Fund Authorization – Fenimore Road/Hoyt Avenue Improvement Project

In connection with this CDBG project, the Village received a very favorable bid of \$337,638 from ELQ Industries. A copy of the bid analysis designed by the County of Westchester Planning Department, who designed the project at no cost to the Village, was submitted to the Board. Since the Village had originally agreed to fund up to \$258,000 as the Village’s match for this project, and the favorable bid will result in a match that is much lower, Anthony Zaino, Director of Design for the County Planning Department, has recommended that the Village expand the scope of the project. The Village’s share of the expanded project will be less than the original amount. This will be discussed with the low bidder at the pre-construction meeting.

Both the Village Manager and DPW Foreman, Tony Iacovelli agree with Mr. Zaino’s recommendation and in order to proceed with the project and to award the bid a resolution has been prepared for the Board’s approval.

On motion of Trustee Murphy, seconded by Trustee Robinowitz:

RESOLVED that \$424,000 be and is hereby appropriated in the Capital Projects Fund of which the Village share of the costs will be \$150,000 in connection with the CDBG project for the Fenimore Road/Hoyt Avenue Improvement Project; and

Be it further RESOLVED that the financing amount for the Village share of \$150,000 will be provided by the future adoption of the necessary bond resolution.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

C (2) Authorization to Execute Contract No. C-67-06-R46 CDBG
Fenimore Road/Hoyt Avenue Improvement Project

In connection with the Community Development Block Grant Project for the Sidewalk Improvement Project that was approved by the County of Westchester, the Village has received the formal contract in the amount of \$274,000 for the period 11/5/07 to 11/4/08. Formal bid documents were prepared by the Westchester County Planning Department based on their design and have been reviewed by the Village staff. Bids were received and opened on May 6, 2008. A copy of Schedule A, which outlines the scope of work to be performed and the estimated cost of the project was submitted to the Board. As noted on Agenda Item 5C(1), the bids received were much lower than estimated so the project scope would be expanded to take advantage of these bid prices. The Village Manager has requested a resolution authorizing him to execute the agreement on behalf of the Village and that the Village will be responsible for all costs above the CDBG contribution. A copy of the entire contract is on file in the Village Manager's office.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to execute the contract with ELQ Industries as the low bidder as shown on the bid analysis sheet submitted by the Westchester County Planning Department.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

D. Resolution Authorizing Attendance at NYSCMA Annual Meeting

Village Manager, Leonard Verrastro is requesting that he and Assistant Village Manager, Rob Yamuder attend NYSCMA's 50th Annual Meeting scheduled for May 18, through May 20, 2008 at Poughkeepsie, NY. The total cost will be approximately \$1,000 which includes the registration fee and hotel accommodations.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Village Manager and Assistant Village Manager are hereby authorized to attend NYSCMA's 50th Annual Meeting to be held in Poughkeepsie, NY from May 18 – May 20, 2008 with the expenses and charges to the respective budget account as provided in the adopted budget.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

E. Resolution to Increase Parking Lot Fees

At the Regular Meeting of the Board of Trustees on April 28, 2008, the Board approved a budget with a 10% increase in the following fees in Chapter A347 (Fees) with regard to Chapter 326 (Vehicles & Traffic) of the Code of the Village of Mamaroneck.

CHAPTER A347 (FEES)

**ARTICLE I
Fees Related to Material In Code**

Chapter 326, Vehicles and Traffic

	<u>Current</u>	<u>Proposed</u>
Annual fee for issuance of decals for commuter areas (RR)	360.00	400.00
Annual fee for issuance of decals for general areas (GP and GP-1)	360.00	400.00
Annual fee for issuance of decals for overnight parking in permitted general parking area known as "Hunter Lot", "Spencer Lot", "Prospect Lot" and "Johnson Lot" (ON) (amended 3-27-00)	120.00	130.00
Annual fee for issuance of decals for parking In permitted general parking area known as Regatta area (RP)	180.00	200.00
Annual fee for issuance of decals for parking in permitted general parking area known as "Continental View Area (CV)	150.00	170.00
Annual fee for issuance of GP decal and an ON decal which are purchased at the same time for the same vehicle (amended 5-8-00)	400.00	440.00
Annual fee for issuance of decals for nonresident commuter areas (NRR)	480.00	530.00
Annual fee for issuance of decals for overnight parking for taxis in permitted general parking area known as "Spencer Lot" (Added 3-27-00)	200.00	220.00
Replacement decal	5.00	5.00

If in agreement, it is requested that the Board adopt a resolution approving the changes per the above schedule.

It was suggested to change the Replacement Decal amount to \$10.00 as this has not changed in many years.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED that Chapter A347 (Fees Schedule) with regard to Chapter 326 (Vehicles & Traffic) of the Code of the Village of Mamaroneck be and is hereby changed to reflect the increase to parking lot fees as in the schedule above, with the exception of Replacement Decal, which will be increased to \$10.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

F. Request from Chamber of Commerce for Sidewalk Sales

The Chamber of Commerce, on behalf of the Village merchants, requests the Board's approval to hold a Sidewalk Sale on Thursday, June 19, Friday, June 20 and Saturday, June 21 with a rain date of Monday, June 23.

On motion of Trustee Ryan, seconded by Mayor Savolt:

RESOLVED that the request from the Chamber of Commerce on behalf of the Village merchants to hold a Sidewalk Sale on Thursday, June 19, Friday, June 20 and Saturday, June 21 with a rain date of Monday, June 23 be and is hereby approved.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

G. 2008-2009 Tax Levy and Warrant

In accordance with Section 1420 of the Real Property Tax Law, upon completion of the budget, but not later than May 15th, the Board of Trustees shall determine and levy the tax for the ensuing fiscal year. Based on the adopted budget and the adoption of the Annual Assessment Roll, a resolution to levy the Village Real Property Tax, the Library Tax, Water arrears, and other unpaid charges needs to be approved.

Mayor Savolt believes that the Village should charge an administrative fee to collect the water arrears to cover the expenses incurred to process these payments. This is something that will be looked at before next year.

On motion of Trustee Murphy, seconded by Trustee Ryan:

WHEREAS, the budget for the fiscal year commencing June 1, 2008, has been duly adopted and filed with the Village Clerk; and

WHEREAS, it has been thereby determined that the sum of \$28,605,431 will be necessary to meet the obligations of the Village; and

WHEREAS, there has been duly credited as against said sum estimated revenues and appropriated fund balance aggregating \$7,648,800 leaving \$20,086,631 to be raised by the levying of taxes; and

WHEREAS, it appears from the Assessment Roll of the year 2008 for the taxes for the fiscal year June 1, 2008 that the total assessed valuation of real property in the Village is \$76,981,575 said Assessment Roll having been duly confirmed;

NOW THEREFORE BE IT RESOLVED that the tax rate for the Village of Mamaroneck for the fiscal year commencing June 1, 2008 be and the same hereby is fixed at the rate of \$271.45 on each \$1,000.00 of assessed valuation; and

FURTHER RESOLVED that the sum of \$20,896,931, the same being taxes for the fiscal year commencing June 1, 2008 be, and the same hereby is, levied upon the taxable property in the Village of Mamaroneck and that the Clerk-Treasurer be and he hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said tax extended on said tax roll against each such parcel of taxable property set forth thereon be and the same hereby are levied upon each parcel of taxable property respectively which said levy includes items shown on the budget for the fiscal year commencing June 1, 2008 heretofore adopted.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

On motion of Trustee Murphy, seconded by Trustee Ryan:

WHEREAS, the Mamaroneck Library District Budget for the fiscal year commencing June 1, 2008 has been approved and duly filed with the Village Clerk; and

WHEREAS, it has been duly approved and determined by the eligible voters that the sum of \$1,586,085 will be necessary to meet the obligations of the Library District; and

WHEREAS, it appears from the Assessment Roll of the year 2008 that the total taxable assessed valuation of real property in the Village is \$76,981,575, said Assessment Roll having been duly confirmed;

NOW, THEREFORE, BE IT RESOLVED that the tax rate for the Mamaroneck Library District for the fiscal year commencing June 1, 2008 be and is hereby fixed at the rate of \$20.60 on each \$1,000.00 of assessed valuation; and

FURTHER RESOLVED that the sum of \$1,586,085, the same being Library taxes for the fiscal year commencing June 1, 2008 be, and the same hereby is, levied upon the taxable property in the Village of Mamaroneck and that the Clerk-Treasurer be and he hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said property set for thereon be and the same hereby are levied upon each parcel of taxable property respectively for the fiscal year commencing June 1, 2008.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

On motion of Trustee Murphy, seconded by Trustee Ryan:

WHEREAS, the Clerk-Treasurer of the Village of Mamaroneck has under date of **May 12, 2008** certified arrears due for unpaid amounts receivable on various properties in the Village of Mamaroneck; and

WHEREAS, this Board desires to include such amounts in the annual tax levy and levy the same upon the real property in default;

NOW, THEREFORE, BE IT RESOLVED that there shall be levied, assessed, and collected against the real property hereinafter specified the amounts set opposite such real property as certified on the schedule annexed hereto; and

FURTHER RESOLVED, that a special warrant for the collection of such arrears so levied shall be issued to the Clerk-Treasurer and collected by him in the same manner and at the same time as other Village taxes.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Agreement for HVAC System at Volunteer’s Firehouse

A fully executed copy of the above agreement with certificate of insurance is being filed for the record with the Clerk-Treasurer.

7. REPORT FROM CLERK-TREASURER

None

8. REPORT FROM VILLAGE ATTORNEY

Ms. Insardi notified the Board that she is working on revisions to the Leaf Blower Local Law as well as the Subdivision Regulations and they will be reviewed at the next meeting. The public hearing on the proposed Leaf Blower Local Law will be scheduled at the meeting of May 27, 2008.

9. REPORT FROM POLICE CHIEF

Chief Flynn stated that May 15 is Police Officer Memorial Day. Therefore all Village flags will be flown at half mast.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

The following Minutes have been submitted to the Board and filed.

- A. Tree Committee – March 2, 2008
- B. Board of Architectural Review – March 20, 2008

11. COMMUNICATION TO THE BOARD II

Trustee Ryan reported on a party for the Mamaroneck Library Committee on May 4. There will also be a recycling presentation done at the Senior Center and finally she reminded residents of the Graham Clark performance at the Emelin Theatre on May 31.

Trustee Hofstetter reported on the Library Renovation project. The Emelin Theatre will be looking to lease office space outside of the Library.

Trustee Robinowitz reported on the Wine Trail event that took place the day before. It was a beautiful day and was a very enjoyable event. She also reported on an event she attended at the Westchester Day School celebrating the 60th anniversary of Israel.

On motion of Trustee Hofstetter, seconded by Trustee Murphy:

RESOLVED, that the Board of Trustees convene to Executive Session to discuss pending litigation and contract negotiations.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

ADJOURNMENT

There being no further business to come before the Board, on motion duly made and seconded, the meeting was adjourned.

PREPARED BY:
SALLY J. ROBERTS,
SECRETARY

RESPECTFULLY SUBMITTED BY:
AGOSTINO A. FUSCO,
CLERK-TREASURER