

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, JUNE 9, 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 M. Insardi
	Police Department	Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

PLEDGE OF ALLEGIANCE LED BY MS. CEREOLA'S 4<sup>TH</sup> GRADE CLASS – MAMARONECK AVENUE SCHOOL

The following members of Ms. Jennifer Cereola's 4<sup>th</sup> Grade Class led the Pledge. They also brought posters on the history of the Pledge, which will be posted on the windows of Village offices at the Regatta until after the 4<sup>th</sup> of July.

Heather Doolin  
Evelyn Medina  
Allison Newman  
Emmanuel Rawlings  
William Roberts  
Takim Tomlinson  
Leo Valleau

1. COMMUNICATION TO THE BOARD

None

2. APPROVAL OF MINUTES

A. Public Hearing Continued on Proposed Local Law 5-2008 – May 12, 2008

Mayor Savolt had one change on Page 3 to what John Leitner said. The FAR imposed by the Flagler Drive Association is .25, not 2.5.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Minutes of the Public Hearing on Proposed Local Law 5-2008 of May12, 2008, as amended, be and are hereby approved.

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

B. Board of Trustee Regular Meeting - May 27, 2008

Trustee Ryan stated that the vote on Traffic Amendment – Old White Plains Road – Item 5E, page 5 was not recorded. Deputy Clerk Sally Roberts confirmed that all members voted yes to this Item and the minutes will be amended to reflect this.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Minutes of the Board of Trustees Regular Meeting of May 27, 2008, as amended, be and are hereby approved.

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

3. AUDIT OF THE BILLS

Mayor Savolt stated that there are two Abstracts as the end of the fiscal year was on May 31, 2008 and bills paid prior to June 1 are on one Abstract and bills paid after June 1 are on the second.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that the Abstract of Audited Vouchers listed below, dated May 31, 2008, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 69,487.73
Water Fund	44,868.56
Capital Fund	<u>400.00</u>
	\$ 114,756.29

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

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below, dated June 9, 2008, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 182,775.42
Capital Fund	54,285.59
Historic Harbor Street Fair	65.10
Guarantee & Bid Deposit	<u>10,189.40</u>
	\$ 247,315.51

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

4. OLD BUSINESS

A1. R.P.T.L. Section 520, Sub (1) Tax Levy

This was tabled from the May 27, 2008 meeting as the information was incorrect. It has been corrected.

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

WHEREAS, on April 10, 2008 the assessment on property known as Section 4, Block 17 Lots 19, 20 and 21 contained an exemption in the sum of \$3,050.00; and

WHEREAS, on said date, said property was sold to Minghwa J. Thang & Mark Townsell, persons who are not entitled to said exemption; and

WHEREAS, it is necessary to levy a tax on the property designated above from April 10, 2008.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 520, subdivision (1) of the Real Property Tax Law, there is hereby levied on property known as Section 4, Block 17, Lots 19, 20 and 21 the following taxes:

	<u>Second Half</u>
Village:	\$113.03
Library:	<u>8.65</u>
Total:	\$121.68

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

A2. R.P.T.L. Section 520, Sub (1) Tax Levy

This was tabled from the May 27, 2008 meeting as the information was incorrect. It has been corrected.

On motion of Trustee Ryan, seconded by Trustee Murphy:

WHEREAS, on April 10, 2008 the assessment on property known as Section 4, Block 17 Lots 19, 20 and 21 contained an exemption in the sum of \$3,050.00; and

WHEREAS, on said date, said property was sold to Minghwa J. Thang & Mark Townsell, persons who are not entitled to said exemption; and

WHEREAS, it is necessary to levy a tax on the property designated above from April 10, 2008.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 520, subdivision (1) of the Real Property Tax Law, there is hereby levied on property known as Section 4, Block 17, Lots 19, 20 and 21 the following taxes:

	<u>First Half</u>	<u>Second Half</u>	<u>Total</u>
Village:	\$415.10	\$412.83	\$827.92
Library:	<u>31.50</u>	<u>31.33</u>	<u>62.83</u>
Total:	\$446.60	\$444.16	\$890.75

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

**5. NEW BUSINESS**

**A. Schedule Public Hearing on Greenprint**

Village Attorney Janet Insardi informed the Board that this proposed local law also amends and updates the zoning ordinance and subdivision regulations and is therefore being combined with Agenda Item 5B – Schedule Public Hearing on changes to Chapter 58 and Chapter 348 (Subdivision Plat Approval & Fees), which would allow the Planning Board to review subdivision of three lots or less. Those applications currently evade Planning Board review. Ms. Insardi further stated that Westchester County’s Greenway Company Plan assists municipalities with zoning and land use issues and has been adopted by many Westchester municipalities. There are five primary goals: natural and cultural resource protection, economic development including tourism redevelopment, public access, regional planning including cultural resources, and environmental education. Mayor Savolt stated that the Greenprint will help with the updating and changes to the Code, making it more environmentally friendly and will assist the Village in getting grants from the Greenway. Trustee Murphy as liaison to the Planning Board stated that the Board is aware of this change and is in support of it. Trustee Hofstetter asked if this change also addresses re-subdivision of property. Ms. Insardi stated that it does. Mayor Savolt informed residents that the Greenprint Plan may be found on the Westchester County Department of Planning website. Ms. Insardi informed the Board that the EAF (Environmental Assessment Form) will be circulated to all interested agencies.

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

RESOLVED that the Board declares its intent to be Lead Agency and that the Public Hearing on Proposed Local Law 7-2008 be and is hereby scheduled for July 14, 2008.

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

**B. Schedule Public Hearing on Changes to Chapters 58 & 348**

Please see above Agenda Item 5A.

**C. Reschedule Public Hearing on PLL 6-2008**

This Public Hearing was scheduled for tonight's meeting; however as the Committee for the Environment could not be present, they requested the Public Hearing be rescheduled. Deputy Clerk, Sally Roberts, notified interested agencies of the cancellation of the Public Hearing and will inform them of the new date.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Public Hearing on Proposed Local Law 6-2008 be and is hereby rescheduled for July 28, 2008.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**D. Establish Summer Meeting Schedule**

Village Manager Verrastro stated that as the yearly schedule of the Board meetings was set at the Annual Organizational Meeting a resolution canceling the August 11, 2008 meeting needs to be adopted.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Board of Trustee Work Session and Regular Meeting of August 11, 2008 be and are hereby cancelled.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**E. Authorization regarding HUD Special Project Grant for Pedestrian Walkway Improvements**

Village Manager Verrastro advised that his office, through the efforts of Congresswoman Nita Lowey and her staff, has been notified of the approval of the Special Project Grant in the amount of \$74,250 from the U.S. Department of Housing and Urban Development. The Economic Development Initiative Special Project (EDI-SP) was awarded to assist with the reconstruction of the Pedestrian Walkway. A CDBG application for this project requesting \$125,000 in matching funds has also been submitted to the County to supplement this funding. Two estimates were submitted to the Board; one reflects basic improvement and the other a much greater expanded scope. If adequate funding is not obtained to totally reconstruct and rehabilitate the walkway, the funds from this grant would be used to improve the lighting and overall appearance of the walkway. Mr. Verrastro is requesting the Board's authorization to execute the Agreement and the Assistance Award on behalf of the Village by adopting a resolution.

Trustee Murphy asked if we could ask the property owners on either side of the walkway to pay for the improvements. Mr. Verrastro informed him that the Village has an easement on the walkway and building sides that flank it. The Board thanked Ms. Lowey for the generous grant.

On motion of Trustee Hofstetter, seconded by Trustee Robinowitz:

RESOLVED that Leonard M. Verrastro, Village Manager, be and is hereby authorized to execute the Economic Development Initiative Grant – Special Projects Grant Agreement and Assistance Award in the amount of seventy-four thousand two-hundred and fifty dollars (\$74,250.00) for improvements to the Mamaroneck Avenue Pedestrian Walkway – Project No. B-06-SP-NY-0708.

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

**F. Agreements for Summer Recreational Program**

Village Manager Verrastro presented three resolutions for Board approval in reference to the recreational programs proposed at a work session and discussed at prior budget meetings. Mr. Verrastro also stated that he and the Village Attorney are working with the Superintendent of Recreation on the program agreements. As in the past there is a sharing of revenue in which 80% of the gross goes to the contractor and 20% to the Village. Trustee Hofstetter asked if there are RFP's sent out to encourage other recreational programs. This will be done in the future, however, as the recreational brochure has already been printed, these programs need to be finalized. It was also suggested that the Village Attorney review the policies and procedures in reference to recreational programs. Trustee Robinowitz, as liaison to the Parks and Recreation Committee stated that the Committee fully supports the three programs.

On motion of Trustee Ryan, seconded by Trustee Robinowitz:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to enter into an agreement with Klassic Soccer Program in accordance with the terms and conditions as approved by the Board of Trustees.

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

On motion of Trustee Ryan, seconded by Trustee Robinowitz:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to enter into an agreement with Laura Solow in accordance with the terms and conditions as approved by the Board of Trustees.

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

On motion of Trustee Ryan, seconded by Trustee Robinowitz:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to enter into an agreement with Rocky Cipriano in accordance with the terms and conditions as approved by the Board of Trustees.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**6. REPORT FROM VILLAGE MANAGER**

Village Manager Verrastro reported that during the recent heat wave the Senior Center has been kept open until 5 p.m. and will continue to be until the heat wave ends. He also informed the residents that he has talked with Steve Altieri, Administrator of the Town of Mamaroneck and it has been decided that in the event of a wide spread power outage the ice rink at the Hommocks will be opened as a cooling center. Mr. Verrastro also reminded residents of the upcoming Historic Harbor Street Fair to be held on Sunday, June 22 and that volunteers are still needed.

**7. REPORT FROM CLERK-TREASURER**

Mr. Fusco reminded residents that the 2008 tax bills were mailed and that the first installment is due by July 1, 2008. He also asked any resident that has not received their tax bill to contact his office.

**8. REPORT FROM THE VILLAGE ATTORNEY**

Village Attorney Insardi informed residents of the outcome of the Village of Mamaroneck vs. the State of New York case. On May 27, 2008 the Appellate Division, Second Department decided the case and concluded that the Village and not the NY State DOT is required to replace, maintain or replace the catch basins. The Board can appeal this decision; however it will be up to the Appeals Court whether or not it is heard. Trustee Murphy informed residents of the inequity of the State as they pay to maintain these catch basins in cities and towns, but not villages. There are approximately 50 catch basins and Mr. Iacovelli will be assessing them to determine which are in the most need of repair or replacement.

**9. REPORT FROM THE POLICE CHIEF**

None

**10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES**

A. Planning Board – March 27, 2008

**II. COMMUNICATION TO THE BOARD II**

Mr. John Farrell of N. Barry Avenue appeared. He asked that the address be listed on the Section 520 Tax Levies and not just the section, block and lot. The Board agreed that this is a good idea, but noted the current form provided to the Board does not include this information. He also asked that the

Walkway discussed earlier in the evening be referred to by its official name, the "Leo Heithaus Walkway".

Trustee Murphy thanked the American Legion and all of the veterans for putting on an excellent Memorial Day Parade.

Trustee Ryan reported on the Graham Clark performance at the Emelin Theatre. She said that it was a very enjoyable afternoon and successful event. She thanked the Council of the Arts for all of their work coordinating this event.

Trustee Hofstetter reported on the upcoming closing of the Library and the temporary quarters at 100 Mamaroneck Avenue and asked that residents be understanding and cooperative during the construction phase.

Trustee Robinowitz stated that there will be a meeting on the Taylor's Lane remediation site held on June 11 at 2 p.m. in the Courtroom. She also reported that Paul; Ryan will be honored at the Westchester Recreation and Parks Society on Friday, June 13. He will be receiving the Public Service Award for an Individual.

Mayor Savolt thanked Ms. Cereola's class for leading us in the Pledge and encouraged all residents to come down to the Regatta and look at their posters. The Mayor also pointed out that if residents were driving through the Village between 8 and 10 a.m. and saw people in red t-shirts with clipboards, they were part of a Walkability Study being conducted by the County. Five troublesome intersections in the Village were surveyed for pedestrian friendliness in a joint effort with Livable Communities and the Safe Routes to Schools initiatives. The Mayor thanked the volunteers that helped out with this. They are: Kathleen McArdle, Rita Morgan, Melanie Vandorn, Vicky Struss, Amy Lionheart, John Lennon, Louise Yannuzzi, Shirley Torero, Joe Murphy, Howard Heyel, Harry Hazelwood, Gabrielle Cohen, Anita Beach, Sue Mackle, Dan Gallagher, Ashley Craig and Trustee Ryan. The Mayor also reported that at the intersection of Mamaroneck Avenue and Boston Post Road, 50% of pedestrians crossed without the light and at an intersection closer to Rye Neck School, 90% crossed without the light.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED, that the Board of Trustees sitting as the Board of Police Commissioners convene to Executive Session to discuss personnel matters.

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