

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, JULY 14, 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

**I. COMMUNICATION TO THE BOARD**

Mr. Norman Rosenblum of Carroll Avenue appeared to acknowledge and thank Assemblyman George Latimer, on behalf of the Tree Committee and all residents, for his continued efforts to enhance the communities he represents. He has been successful through his Legislative Member Initiative Project, in securing a \$10,000 award for the Village of Mamaroneck Tree Replacement Program. Mr. Rosenblum also thanked Assemblyman Latimer's family for sharing his dynamic dedication to his community.

Mr. Rosenblum spoke about Paul Ahne as he read the following statement that he asked be included in these minutes:

"On another note related to family, I take this opportunity to honor Paul Ahne. Paul recently lost a valiant battle against cancer. While this is not unusual, and most of us will some day succumb to either heart disease or cancer, Paul's demeanor and character is one that must be noted. The relatively short eight month battle was marked by optimistic advancement and a sudden terminal downturn. During this time, Paul was the core strength of his immediate family, who themselves represent a greater family of community.

Paul's father is a retired Policeman from the Village. His sister-in-law, Jeannie Wurzbarger is a member of the recreation department, his son Jeff is a member of the Village DPW, his father-in-law, Walter Rogers, was a Trustee and Deputy Mayor for ten years, and his wife and partner in life, Paul's polar opposite, the shy and retiring Linda, is a member of the Village Budget Committee.

What is most remarkable was Paul's desire to address what he witnessed during his treatment by others who also were suffering and had the added stress of financial concerns. One of his last desires and accomplishments was to create the "Bring It Ahne" fund that underwrites and supports those individuals who are not able to cover co-pay and other expenses for cancer treatment.

Linda Ahne in conjunction with Dr. D. Barry Boyd of the Boyd Center for Cancer Treatment at Yale University is in the process of expanding this fund for the betterment of Paul's concept of community and helping others.

The most interesting aspect of Paul's journey however, was the daily posting by Linda on Caring Bridge. This is an online site that provided not only immediate family and friends an update to Paul's condition it provided a format for a great number of people to come to terms with their own past and present experiences dealing with adversity. This site continues today and strengthens the sense of community support for one another and is helping meet Paul's goals.

I remember Paul when he was a young kid going to Cook's with his Mom Cleo and Aunt Peggy. He grew from that young kid to an Everyone's Man's Man and I am proud to have been a friend and celebrate everything he still represents."

Trustee Murphy and Trustee Ryan thanked Mr. Rosenblum for his statement.

Mr. Irving Scharf of Richbell Road appeared to ask that the Village Attorney work with a group to assess litigation and advise the Board of such before decisions on how to handle litigation are made.

Mr. Glen Tippet of Hill Street appeared to further expand on what Mr. Scharf stated. He believes that perhaps the Village should hire outside consultants to assess litigation and lay out the pros and cons of action on each case before the Board decides whether or not to fight, settle or appeal a case.

Mayor Savolt clarified that what Mr. Tippet and Mr. Scharf are referring to is a press release in the newspaper by the Mamaroneck Beach and Yacht Club and that the Board has not yet met to discuss this matter and will meet after tonight's meeting to do so.

Trustee Murphy stated that having the cases reviewed is something the Board is currently doing but cannot discuss publicly. He also stated that the MBYC case in the paper is an Article 78 case and not the most recent case. He also stated that incorrect numbers are being published in regard to what has been paid in legal fees in reference to Mamaroneck Beach and Yacht Club.

## 2. APPROVAL OF MINUTES

### A. Regular Meeting – June 23, 2008

On motion of Trustee Ryan, seconded by Trustee Hofstetter

RESOLVED that the Minutes of the Regular Board Meeting of June 23, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**B. BOT Planning Meeting – June 14, 2008**

Mayor Savolt explained that this was a meeting held on a Saturday by the Board to prioritize what needs to be done in the Village. This list is reviewed and amended at least every three months.

Mayor Savolt spoke on some of the top priorities of the Board including finding a replacement for the retiring Village Manager, review of the Code and meeting with Neighborhood Associations.

Village Attorney Insardi asked that some of the typed shorthand be changed.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED, that the BOT Planning Meeting Minutes of June 14, 2008 as amended by Ms. Insardi's suggestion be and are hereby approved:

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**3. AUDIT OF BILLS**

Mayor Savolt stated that there are again two abstracts as there are still bills from the previous fiscal year.

Trustee Robinowitz commented on the invoices from Hitsman, Hoffman and O'Reilly being one year behind.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Abstract of Audited Vouchers listed below, dated May 31, 2008 and for FY 2007-08, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 161,398.49
Capital Fund	99,050.00
Guarantee & Bid	1,200.00
Agency	984.96
Historic Harbor Street Fair	<u>5,440.00</u>
	<b>\$ 268,073.45</b>

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

Mayor Savolt stated that there is an error on Page 5, where a legal bill is coded to the Department of Public Works. This needs to be coded correctly before this bill is paid.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below, dated July 14, 2008 a copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 213,188.58
Capital Fund	5,517.13
Meighan Park Trust	9.16
Mamaroneck Health Center	32.62
Guarantee & Bid Deposit	6,750.00
Historic Harbor Street Fair	<u>8,259.15</u>
	\$ 233,757.44

4. OLD BUSINESS

A. Tax Certiorari (1) – New Waverly Avenue Associates

Ms. Insardi stated that the first tax certiorari settlement is for four properties at 501 Waverly Avenue. There have been settlements reached and recommended by the Assessor.

On motion of Trustee Hofstetter, seconded by Trustee Murphy:

WHEREAS, petitions have been filed by the property owner below challenging real property tax assessments on the Village’s assessment roll; and

WHEREAS, petitioner’s court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) have reached a mutually agreeable resolution; and

WHEREAS, the Board of Trustees has had an opportunity to review this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Village of Mamaroneck;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village for the property listed below:

<u>Property Owner</u>	<u>Address/Description</u>		<u>Years</u>
New Waverly Avenue Assoc., LLC	442 Waverly Avenue Section 8, Block III, Lots 15-21, 22B		2007-2008
<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2007	\$57,600	\$26,500	\$31,100
2008	\$57,600	\$28,800	\$28,800
<u>Property Owner</u>	<u>Address/Description</u>		<u>Years</u>
New Waverly Avenue Assoc., LLC	505 Waverly Avenue Section 8, Block 101, Lot 16		2007-2008
<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2007	\$1,700	\$800.00	\$900.00
2008	\$1,700	\$850.00	\$850.00

<u>Property Owner</u>	<u>Address/Description</u>	<u>Years</u>
New Waverly Avenue Assoc., LLC	501 Waverly Avenue Section 8, Block 101, Lots 17,18	2007-2008

<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2007	\$3,400	\$1,550	\$1,850
2008	\$3,400	\$1,700	\$1,700

<u>Property Owner</u>	<u>Address/Description</u>	<u>Years</u>
New Waverly Avenue Assoc., LLC	441 Waverly Avenue Section 8, Block 101, Lots 19-23	2007-2008

<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2007	\$37,300	\$17,150	\$20,150
2008	\$37,300	\$18,650	\$18,650

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**AB-CHD Realty (2)**

Ms. Insardi presented a recommendation from the Assessor as well as a Resolution on 601 Mamaroneck Avenue (AB-CHD Realty) for the Board's approval.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

WHEREAS, petitions have been filed by the property owner below challenging real property tax assessments on the Village's assessment roll; and

WHEREAS, petitioner's court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) have reached a mutually agreeable resolution; and

WHEREAS, the Board of Trustees has had an opportunity to review this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Village of Mamaroneck;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village for the property listed below:

<u>Property Owner</u>	<u>Address/Description</u>	<u>Years</u>
AB-CHD REALTY	601 MAMARONECK AVENUE Section 8, Block 88, Lot 21	2003-2007

<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2003	\$26,800	\$23,350	\$3,450
2004	\$26,800	\$21,050	\$5,750
2005	\$26,800	\$20,350	\$6,450
2006	\$26,800	\$21,100	\$5,700

2007

\$26,800

\$21,600

\$5,200

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

## 5. NEW BUSINESS

Mr. Verrastro requested that Item H be taken first as Mr. Steven Goldberg, from Shaw Environmental & Infrastructure Inc. was in attendance to speak on this matter. The Board approved Mr. Verrastro's request.

### H. Authorization regarding Taylors Lane Mitigation Design Services

Mr. Steven Goldberg, Senior Project Manager from Shaw Environmental & Infrastructure, Inc. appeared. Mr. Goldberg gave a brief overview of the proposal for leachate mitigation design services in response to the leachate breakouts on the eastern end of the Taylors Lane landfill. Shaw's scope of work will include gathering flow data and the effect of draining the leachate on the local groundwater regime, which includes pump testing and design of a drain system on the eastern end of the landfill and removal of the liner and drainage leachate that has accumulated beneath the venting layer in the southern part of the landfill. The scope of work will be further clarified and discussed at the next Taylors Lane site meeting which is scheduled to be held on Wednesday, July 16<sup>th</sup>. Mr. Verrastro notified the Board that funding is available in the adopted budget for the cost of these services. Mr. Verrastro is requesting that the Board adopt a following resolution authorizing him to approve the proposal, subject to the review and approval of the scope of work by the NYSDEC and the Village Consulting Engineer. Trustee Robinowitz stated that this drain works; there will be no need to connect to the County sewer line, which will be very costly. The Board was copied on Shaw's scope of work proposal.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to approve the proposal with Shaw Environmental & Infrastructure, Inc. dated June 24, 2008 regarding Leachate Mitigation Design Services – Taylors Lane Compost Site, subject to the approval of the proposed scope of work by the NYSDEC and the Village Consulting Engineer at an estimated cost of \$32,600.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

The Board agreed to take Item 5M next as this also pertained to the Taylors Lane site.

### M. Resolution requesting Intermunicipal Agreement regarding Taylors Lane Leachate Disposal

Mr. Verrastro reported that Westchester County's Department of Environmental Facilities (WCDEF) continues to have representation at the Village's regularly scheduled meetings to investigate actions intended to remediate elevated leachate-laden ground water levels from encroaching onto private

property adjacent to the Taylors Lane Site. To that end, Shaw Environmental Engineers proposed the installation of a pump and drainage system to divert the Leachate into a nearby existing sanitary sewer.

To date, tests were performed to determine the quality of the ground water as required by WCDEF and the results were found to be acceptable for discharging into the sanitary sewer system.

Before proceeding with the installation of the drainage system, it will be necessary to determine the volume of leachate that would be discharged into the sanitary sewer system, which will be part of Task 2 being done by Shaw under their proposal. Once it is determined to proceed with the installation of the drainage system based on the data obtained, County Legislator, Judy Myers, has agreed to initiate the process to obtain an IMA with the County. However a formal resolution is needed from the Board requesting the IMA.

Trustee Murphy thanked the County and especially Judy Myers for shepherding this along.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that authorization be and is hereby given requesting that an Inter-Municipal Agreement with Westchester County be initiated that would allow the Village to obtain County approval for the Village to discharge into an existing County owned sanitary sewer line for the purpose of removing leachate-laden ground water emanating from the Taylors Lane Compost Site and its surroundings.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**A. Correction of Tentative Tax Roll**

A Senior Citizen exemption (A41800 of \$1,395.00) 15% off an assessment of \$9,300 for Account #1149, Section 4, Block 52, Lots 53, 54, property address of 211 Carroll Avenue was not put through in error on the 2008 Tax Roll. Therefore a request that it be granted for the 2008 Roll was submitted by the Village Assessor.

On motion of Trustee Robinowitz, seconded by Mayor Savolt:

RESOLVED that the tax exemption status for the following parcel should be corrected to reflect a total exemption of \$1,395.00 and the Village Assessor and Clerk-Treasurer are hereby authorized to make a correction on the 2008 assessment and tax roll to reflect the change for 211 Carroll Ave., Section 4, Block 52, Lots 53, 54.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**B. Maintenance Dredging – Post Road Boat Yard**

Mr. Verrastro reported that a letter from Dan Natchez and Associates, Inc. on behalf of Brewer's Post Road Boat Yard regarding their dredging project which is planned for the period from October 2008 through November 10, 2008 was received by his office. This letter requests permission to dredge outside the hours permitted in the Village's Code for Noise. Mr. Verrastro informed the Board that the Village has taken this action for past private dredging projects and has also allowed this when the Harbor Channel was dredged. He also stated that this is done in large part because dredging needs to be done in accordance with the tides. He presented the Board with a resolution containing the ability to rescind the suspension of enforcement of the noise law if it were deemed to be in the best interest of the Village. It was also stated that Brewer's Post Road Boat Yard will need to notify all residents who may be impacted in the Shore Acres area.

WHEREAS, the Village of Mamaroneck has deemed that it is in the best interests of the Village and its residents, as well as those who use the Village's harbor; to dredge areas owned by private interests in the harbor area, and

WHEREAS, the Village has local laws which may conflict with the carrying out of this project; for instance, Chapter 254 (Noise) of the Code of the Village of Mamaroneck, as well as other provisions;

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED that the enforcement of any such local law be suspended in its application and the enforcement of same be waived as a matter of prosecutorial discretion pending further resolution of this Board as it deems in the best interest of the Village.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**C. Capital Project Authorization – Sidewalk, Curbs, ADA Ramps**

In connection with the a memo received by the Village Manager, the General Foreman has requested that \$85,000 be appropriated in the Capital Projects Fund to continue the 50/50 Sidewalk Program. In addition, \$20,000 is requested to continue the installation of ADA compliant sidewalk ramps. The \$105,000 requested for the sidewalk program, which is included in the Capital Plan, represents an increase of \$20,000 over the prior year's authorization. The additional funding is being requested due to a significant increase in the cost of concrete over the past few years and an increase in the number of residents requesting to participate in the program.

In order to proceed with the project for 2008-2009, it will be necessary for the Board to adopt the following resolution.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:



RESOLVED, that funds in the amount of \$105,000 be appropriated in the Capital Projects Fund, comprised of \$85,000 for the repair and replacement of sidewalks and curbs and \$20,000 for the installation of ADA sidewalk ramps and;

Be it further RESOLVED, that the financing be provided by the future adoption of the required bond resolution.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**D. Transfer of Funds – Police Salaries**

Village Manager Verrastro stated that in connection with the approval of the Memorandum of Agreement (MOA) with the Village of Mamaroneck Police Benevolent Association (PBA) effective June 1, 2008, it will be necessary to make the following transfer of funds to reflect the financial impact to various budgetary accounts which were not reflected in the adopted budget; since the MOA was approved subsequent to the adoption date.

<u>Transfer From</u>	<u>Amount</u>	<u>Transfer To</u>	<u>Amount</u>
A1990		A3120 Police Department	
.999 Contingent Account	\$ 80,330	.110 Permanent Personnel	\$164,250
A9015.800 Police Retirement	20,000	.112 Sick Incentive Program	15,000
A9030.801 FICA/Medicare	20,000	.250 Uniforms	2,360
A9040.802 Workers' Comp	20,000		
A9060.804 Hospitalization Ins.	50,000		
	_____	A9080.808 Welfare Fund	<u>8,720</u>
	<u>\$190,330</u>		<u>\$190,330</u>

On motion of Trustee Murphy, seconded by Trustee Ryan:

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

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**E. Transfer of Funds – Maintenance of West Basin Restoration**

In connection with the agreement with Westchester County that funded the project for the restoration of the West Basin salt marsh and upland area, after one year the on-going maintenance would be the Village's responsibility.

In order to remove weeds and other invasive species from the site, the Village obtained proposals from several professional landscaping firms and the costs ranged from \$5,500 to \$4,700 for the initial hand weeding of the area, which will take several days to complete.

The lowest proposal was received from M.C. Landscaping Group, Inc. from Mamaroneck. A request for proposals for the on-going maintenance of this area and the Columbus Park stream bank is also in the process of being finalized. Mayor Savolt asked that the Manager assure that only the appropriate plants be pulled. She suggested the landscaper mark examples of weeds to be pulled.

In order to provide funding for this service, which was not specifically provided in the adopted budget, the following transfer of funds was requested:

<u>From</u>		<u>To</u>	
A1990 Contingent		A7110 Parks Department	
.999 Account	<u>\$4,700</u>	.421 Contract Services	<u>\$4,700</u>

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the amount of \$4,700 be and is hereby transferred from account A1990.999 (Contingent Account) to A7110.421 (Parks Department Contract Services) for the hand weeding of the West Basin by MC Landscaping Group.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**F. Resolution – Energy Services Program Agreement with NYPA**

Village Manager Verrastro submitted to the Board a copy of the memorandum received from the New York Power Authority (NYPA) with regard to participating in one of their Energy Efficiency Projects, which would be to replace the Village owned traffic signals with LED technology.

He also enclosed copies of the prior correspondence and memorandums regarding this project which explains how the program will work and the cost savings and financing of the project. Mr. Verrastro went over the cost savings to the Village to have the bulbs replaced.

Since the actual agreement is thirty (30) pages, it has not been duplicated but a copy is available for review in his office.

In order to proceed with the project, Mr. Verrastro is requesting that the Board of Trustees adopt the following resolution authorizing him to execute the agreement subject to the review and approval of the Village Attorney:

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to execute the Energy Services Program Agreement with the Power Authority of the State of New York in connection with replacing the traffic signals with LED technology; subject to the review and approval of the agreement by the Village Attorney.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**G. Appointment of Police Officers Jose Gomerez and Plinio Trujillo**

Police Chief Flynn notified the Board that two Police Officers have been recently hired by the Village of Mamaroneck. Mayor Savolt stated that these two officers passed both the civil service and Spanish language proficiency exams. She also stated that as these officers have been hired, but do need to be appointed by the Board, their appointment will be nunc pro tunc (now for then). The Board congratulates the new officers and wishes them well.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that the following appointment be and is hereby made in the Village of Mamaroneck Police Department:

<u>Name</u>	<u>To</u>	<u>Effective Date</u>	<u>Annual Salary</u>
Plinio A. Trujillo	Police Officer, 5 <sup>th</sup> Grade	July 7, 2008	\$45,605.00
Jose Gomez	Police Officer, 5 <sup>th</sup> Grade	July 7, 2008	\$45,605.00

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**I. (a) Authorization regarding Bratton Group Contract to Study Police Dept.**

A copy of the proposal from the Bratton Group, LLC to conduct an organizational and operational assessment of the Police Department was submitted by the Village Manager to the Board.

Mr. Verrastro stated that Bratton’s proposal has been reviewed by the Village Attorney. Funding for up to \$40,000 has been requested by a transfer of funds which is included on the agenda in a separate item.

If the Board wishes to proceed with the proposal the following resolution requires their approval authorizing the Village Manager to execute an agreement.

Trustee Murphy informed the residents that this group was started by Ex NYPD Commissioner William Bratton. Mr. Bratton is now the Chief of Police in Los Angeles. Mr. Patrick Harnett will be conducting the evaluation on behalf of the Bratton Group. Mr. Harnett has 39 years of experience and has served as Chief of the NYP Transit Department as well as the Chief of NYPD Narcotics Division. He was also Chief of Police of Hartford Connecticut PD after he retired from New York City. Trustee Murphy read the Draft Contract Letter, which states:

**“Task One: Conducting an Organizational and Operational Assessment of  
The Village of Mamaroneck Police Department**

Working with the Police Chief, The Bratton Group will conduct a Department-wide organizational assessment. The assessment will involve in-depth interviews with both sworn and civilian members of the Village of Mamaroneck Police Department and include consultants taking part in ride-alongs and foot patrol. Consultants will meet with Mamaroneck community members, government leaders and members of related criminal justice agencies. The team will also review historical and current written material related to the organization, administration and recent history of the Department, including its interaction with the community. Conducting focus groups and one-on-one interviews with officers of all ranks, the Bratton Group will assess department morale. The Bratton Group consultants will also study the Village of Mamaroneck Police Department’s resource allocation and personnel deployment strategies.

Simultaneously, The Bratton Group will work with the Chief to conduct a Department-wide operational assessment. In addition to gathering operational information from interviews, meetings and research, the consulting team will evaluate patrol and supervision procedures, work rules and schedules, crime reporting, data collection and crime mapping systems, disciplinary processes, self-inspection procedures and any performance evaluation systems now established in the Department. They will assess the Department’s current community policing a community outreach efforts and its Internal Affairs function. They will evaluate the operations of the Village of Mamaroneck Police Department’s investigative units and special operations units as well as detective case assignment and management systems. The Bratton Group team members will also review the Department’s training programs and property control systems.

In both the organizational and operational areas, the consultant team will make specific recommendations for strengthening the community focus and crime-fighting effectiveness of the Mamaroneck Police Department, as well as recommendations for improving internal efficiency.

**Task Two: Developing the Village of Mamaroneck Police Department  
Plan of Action**

The Bratton Group will analyze all data and information collected from the operational and organizational assessment of the Village of Mamaroneck Police Department and the IT analysis to develop a written strategic plan of action that will set forth concrete goals for improving the capabilities of the Department. In all areas, the consultant team will make specific recommendations to achieve future excellence in policing while strengthening the community focus and crime reduction efforts of the Village of Mamaroneck Police Department.”

Mayor Savolt stated that the Board feels very strongly about removing any doubt about the Police Department and it behooves us to assure that this department is staffed appropriately and operating efficiently. All Board members concurred with the Mayor agreeing that it is past time for this study to be done.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to execute the proposed agreement with The Bratton Group, LLC to conduct an organizational and operational assessment of the Police Department and develop a written strategic plan of action.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**I. (b) Transfer of Funds – Consulting Contract**

In connection with the agreement with the Bratton Group, Village Manager Verrastro has been requested to prepare a request for a transfer of funds in order to provide funding for their services up to an amount not to exceed \$40,000. The actual amount will be determined by the extent of services required.

Based on the above, the following transfer has been prepared for your approval:

<u>Account</u>	<u>From</u>	<u>Amount</u>	<u>Account</u>	<u>To</u>	<u>Amount</u>
A1990	Contingent		A1010	Board of Trustees	
.999	Account	<u>\$40,000</u>	.421	Contract Services	<u>\$40,000</u>

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the above transfer of funds in the amount of \$40,000 to provide funding for the Bratton Group be and is hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**J. Authorization regarding Clarity Contract – Fire Dept. Physicals**

Village Manager Verrastro submitted to the Board a copy of the proposal from Clarity Testing Systems to provide various health services for our volunteer firefighters.

Clarity’s proposal has been recommended for approval by the Fire Department and the proposal has been reviewed and revised by the Village Attorney. Funding for up to \$10,000 has been included in the Fire Department’s adopted budget in connection with fees for physicals.

Trustee Murphy thanked the staff for facilitating the agreement, the volunteers for putting their lives on the line and that this is the least we can do for them. It is also an OSHA requirement for firefighters to be tested.

Mr. Verrastro is requesting approval of the following resolution of the Board authorizing him to execute the agreement;

On motion on Trustee Murphy, seconded by Trustee Hofstetter:

RESOLVED that Leonard M. Verrastro, Village Manager be and is hereby authorized to execute the proposed agreement with Clarity Testing Services to provide annual firefighter medical evaluations and other testing as specified in the agreement.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**K. Proposal to Increase Water Rates and Change Rate Structure**

Mayor Savolt, who is a Trustee at the Westchester Joint Water Works, gave an overview of the proposal to increase the rates and the change in the rate structure. She began by giving some background on the Water Works. It is a public benefit corporation, not a not-for-profit corporation. It was formed in the 1920s and is one of the earliest examples of an Intermunicipal entity, serving the Town of Mamaroneck, Village of Mamaroneck and Town/Village of Harrison. They were created by the legislature of the State of New York. The operating budget of the WJWW, which 50% is to purchase water from New York City is funded by selling water. If the WJWW needs a capital project, as they are not allowed to issue debt, the member municipalities need to hold the debt. Through the water fees there should be enough money to cover their debt payments. For the past two years, the Village of Mamaroneck has been running at a shortfall. The expenses at the WJWW have been increasing. The Mayor further stated that water rates were not increased in a timely manner to fund the building of a filtration plant, which will be a large expense borne by the customers of the WJWW and is mandated by the Federal and State government. Every other customer of the WJWW has consumption customer pricing. Right now the Village of Mamaroneck has the same unit cost no matter how much water you use. The other municipalities charge more per unit for those customers who use more water. A proposal was submitted by the Mayor. She stated that there are four blocks, the first being a service charge which will be increased by \$8.16 per year. The second, block two, is for the first 2200 cubic feet of water used per month. The unit price in block two will be increased to \$2.15 per ccf. Block three is for those customers using an additional 5000 cubic feet of water per month. This will be raised to \$3.17 ccf. Block four is for all water usage above 7200 cubic feet per month. The fee for block 4 will be \$3.88 ccf. The increase will be effective with the August 2008 bill (May, June, July for customers billed quarterly; July for monthly customers). This is the smallest increase that could possibly be made. Rates will have to be raised again in January to get the WJWW through the calendar year. Mayor Savolt noted that rates have not been raised in three years and it was less than what was requested. The Board thanked Mayor Savolt for her work on this on everyone's behalf.

On motion of Trustee Murphy, seconded by Trustee Robinowitz:

RESOLVED that the Westchester Joint Water Works be and is hereby approved to increase the tax rates as outlined above by Mayor Savolt.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**L. Request for Polling Places**

Due to changes in the Election Law, the county of Westchester will now be handling the designation of polling places for the Primary Election to be held on September 9<sup>th</sup> and the General Election to be held on Tuesday, November 4<sup>th</sup>. In the past, the use of the Village facilities was requested by the respective Town Clerk.

The Westchester County Board of Elections has requested the use of the following Village facilities:

- Volunteers Fire House
- Mamaroneck EMS Building
- Halstead Manor Fire House
- Columbia Fire House
- Court Room – Village Hall (Subject to approval by Village Justice)

Village Manager Verrastro has submitted to the Board a copy of one of the letters sent by the County with a copy of the form to be completed for each location. In the past, the Village never charged either Town a usage fee, since the Town provided the voting machines, election inspectors, machine technicians, etc. Mr. Verrastro also does not believe that we should charge the County; however, it is ultimately a Board decision.

A resolution is requested approving the use by County of the above polling locations for the primary and General Elections.

On motion of Trustee Ryan, seconded by Trustee Hofstetter ,

RESOLVED that the request from the Westchester County Board of Elections for the use of the following Village facilities: Volunteers Fire House, Mamaroneck EMS Building, Halstead Manor Fire House, Columbia Fire House, Court Room-Village Hall (subject to approval by Village Justice's) as a polling location for the Primary and General Elections is hereby granted, and

Be it further RESOLVED that the County not be charged a usage free for the use of the above named Village facilities.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

**6. REPORT FROM VILLAGE MANAGER**

**A. File for Record Agreement with PBA June 1, 2008 – May 31, 2012**

A Memorandum of Agreement between Village of Mamaroneck and PBA of the Village of Mamaroneck for the period June 1, 2008 through May 31, 2012 is being filed for the record with the Clerk-Treasurer.

**B. File for the Record Agreement with Larchmont-Mamaroneck Community Counseling Center**

Agreement between Village of Mamaroneck and Larchmont-Mamaroneck Community Counseling Center for the period June 1, 2008 through May 31, 2009 is being filed for the record with the Clerk-Treasurer.

**C. File for Record Agreement with ELQ Industries – Fenimore Rd. & Hoyt Ave. Sidewalk Improvement Project 08-05**

Agreement between Village of Mamaroneck and ELQ Industries, Inc. Fenimore Road and Hoyt Avenue Sidewalk Improvement Project 08-05, certificate of insurance, and performance and payment bond is being filed for the record with the Clerk-Treasurer.

Village Manager reported that the pump out station at the West Basin is working and functioning. He also reported that he and the Village Attorney met with the new operators of the Suburban Carting facility. They were very agreeable to working with the Village and its residents. Mr. Verrastro reminded all residents to please call the hotline with any complaints about Suburban, as these calls are registered and monitored by the DEC. Magnets are being printed with the hotline number on it for distribution to residents. Mayor Savolt also informed the residents that they are working on the noise problem with their fan system and this should be resolved soon.

**7. REPORT FROM CLERK-TREASURER**

None

**8. REPORT FROM VILLAGE ATTORNEY**

Ms. Insardi reported that one of the cases with the Mamaroneck Beach and Yacht Club has been decided. There are four outstanding cases pending. The case decided dealt with the ZBA's finding that the proposed use was of seasonal housing not an accessory use. The Appellate Division affirmed the lower courts finding against the ZBA. Ms. Insardi has also given the Board an assessment of all pending cases against the Village.

**9. REPORT FROM POLICE CHIEF**

None

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

None

**II. COMMUNICATION T OTHE BOARD II**

Mr. Glen Tippet of Hill Street appeared. He feels that the Village has been in litigation with the Mamaroneck Beach and Yacht Club for years and believes it would behoove the Board to settle all outstanding cases with this club.

Ms. Mary Lou Greco of Center Street appeared. In regard to Suburban Carting, as this has been an ongoing problem and she believes they have been in violation of court decrees she asked if any penalties against them will be assessed. Ms. Insardi stated that the logs had not been presented to the Village. We



are now in receipt of them, however, there were no calls logged in. Ms. Insardi also stated that the new management company has assured the Village that the odor problems will be addressed. Mr. Verrastro informed Ms. Greco that any fines assessed would be levied by the New York State DEC. Ms. Insardi also stated that there are no penalties stipulated in the agreement and the Village would have to seek an order of contempt.

Mr. Louis Santoro of Palmer Terrace appeared. Mr. Santoro asked how the telephone poles and fire hydrants ended up in the middle of the new sidewalks on Hoyt Avenue. Mr. Verrastro stated that this was an error; that the sidewalks were not built to specification and will be fixed. Mr. Santoro asked if anyone was monitoring this project and was told that it is being monitored by Mr. Iacovelli. He also has issue with there not being police directing traffic during this construction project. Mr. Verrastro stated that this is coordinated between DPW and the Police Department. Mr. Verrastro also stated that he had only received one complaint. Trustee Hofstetter stated that he noticed traffic issues with Hoyt Street construction as well. The Mayor stated that she will discuss these inconsistencies with the Police Chief.

Trustee Hofstetter responded to residents who were upset about the cost of the new police boat. He reported that this boat helped rescue two groups over the past couple of weeks. He also informed residents that 50% of the cost of that boat is paid for by the state.

Trustee Ryan reported that the concerts in Harbor Island Park have begun and that there will be a showing of the "Bee Movie" on July 27<sup>th</sup>. She also stated that the Council of the Arts will have a phone number which will be published at the next meeting that residents can call regarding their events.

On motion of Trustee Ryan, 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

The Board came out of Executive Session at 10:35 p.m. and 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