

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON TUESDAY, OCTOBER 27, 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

PRESENTATION BY POLICE DEPARTMENT – COMMUNITY SERVICES UNIT

Sergeant Eric Lindh, Police Officer Sandra DiRuzza, Domestic Violence and Youth Officer and Officer Ozzie Ramos, Youth Officer, gave a Power Point presentation on the work that the relatively newly formed, Community Services Unit (CSU) of the Police Department is doing.

Sergeant Lindh gave a background on the Unit and their Mission. He stated that the Unit was created to reach out to the community and make them aware that there are Officers specifically trained to handle domestic and youth related issues. There are eight officers in the Unit, including five bicycle officers. He touched on the different programs the Unit is involved in, i.e., child safety seat installation, the D.A.R.E. program, outreach programs and working with the schools on issues that affect the youth of our Village.

Police Officer DiRuzza spoke about domestic violence and the training she has received to handle these situations. She informed the Board and residents what CSU does to help victims of domestic crime and the resources available to them.

Officer DiRuzza then spoke about the programs offered for the youth of the Village and how they work on safety issues, i.e. stranger danger, safe ways to use the Internet, operation safe smiles- where kids' fingerprints and DNA information is taken, how to get to school safely and visiting the schools to talk about trick or treating safely. There is a Bicycle Rodeo conducted by officers at the schools where they talk to the students about safe bike riding and fit them for helmets and other safety gear. Officer DiRuzza gave an overview of a program created to work with the elderly in conjunction with the Chamber of Commerce. She is also working with the Hispanic Resource Center on the issue of domestic violence. Officer DiRuzza informed residents that there is information on domestic violence outside of the CSU office door on the second floor of the police headquarters; therefore, if there is someone who is having a problem or knows someone who is, they can come by and pick up information without ever going into the CSU office.

Sgt. Lindh talked about R.A.D.A.R., which is a program made up by high school officials, residents and members of the police department, which deals with alcohol and drug issues. He also spoke about the bicycle unit, which is an integral part of the Community Services Unit. Sgt. Lindh spoke about the many benefits of having a Community Services Unit here in the Village. He also gave the contact numbers for the Unit, which will be posted on the Village website. Sgt. Lindh mentioned that he sees many kids just hanging around the streets after school and as it is said, "It takes a village to raise a child", this is something that needs to be looked at with the offering of programs and facilities for our youth. There will be a meeting coming up involving residents concerned about this problem. Sgt. Lindh invited any and all residents who would like to attend to please contact him.

A resident inquired as to why the D.A.R.E. program ends with the sixth grade, as middle school students could greatly benefit from this program. Officer DiRuzza stated that there are programs geared more towards middle and high school and the issue in this community is that middle and high school students have very rigorous schedules and it would be difficult to fit a 12-week program into those schedules. The upper level schools also offer health classes that cover many of the issues covered by D.A.R.E. The CSU unit did send out letters to school administrators offering seminars on issues prevalent in their schools that they may avail themselves of.

Mayor Savolt thanked the Officers for their work on behalf of the community.

## 1. COMMUNICATION TO THE BOARD

Ms. Ellen Hauptman of Chestnut Avenue and Ms. Peggy Jackson of James Street appeared to ask the Mayor and Village Manager about a meeting they had six months ago to which they were awaiting answers. The Mayor apologized for not getting back to them; however, she was waiting for additional information. She does have answers on some of the questions which she will send to them by the end of the week. Ms. Jackson asked that a community flood update be held. The Mayor informed Ms. Jackson that the editor of the Sound & Town has offered her a regular column in their publication and her first column gave an overview on what the Board is working on. Her next column will be a flood update as she is meeting with the Army Corps of Engineers, and County and State Officials on Wednesday, October 29<sup>th</sup>. Village Manager Verrastro stated that there will be a Flood News page on the new Village website. Ms. Jackson also asked when all of the neighborhood associations will be meeting together. Mayor Savolt informed Ms. Jackson that she wants to meet with all of the associations individually before having a group meeting. There are still some organizations that she knows exist and have not yet reached out to her. The Mayor asked that if there are any neighborhood associations that have not yet met with the Board, Village Manager and Police Chief, to please contact her office.

## 2. APPROVAL OF MINUTES

### A. BOT Regular Meeting of October 14, 2008

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Minutes of the Board of Trustee Regular Meeting held on October 14, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

B. Public Hearing on Proposed Local Law 10-2008 (Key Box)

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED, that the Minutes of the Public Hearing on Proposed Local Law 10-2008 held on October 14, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

3. AUDIT OF BILLS

Mayor Savolt stated that there is a change to the Abstract on page 13, under Building Maintenance for the Fire Department, the Clinton-Kearney Door item of \$595.00 is being removed. The revised total of the vouchers is now \$672,955.29.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below, dated October 27, 2008 and for FY 2008-09, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 351,970.52
Capital Fund	309,858.79
Trust & Agency	<u>11,125.98</u>
	\$ 672,955.29

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Resolution to Increase 2009 Harbor Island Beach and Parking Fees

Mr. Verrastro requested that this item be tabled as there is information needed from the Recreation Supervisor before moving forward.

B. Transfer of Funds – Veggie Truck

Mr. Verrastro reported that at the request of the Committee for the Environment and the Board of Trustees, Tony Iacovelli, General Foreman was requested to investigate the conversion of one of our DPW vehicles to run on Veggie oil, similar to what has been done by several other communities. This would save the Village approximately 60 gallons of diesel fuel per week at \$2.97/gallon. Therefore, this conversion would pay for itself in approximately two years. If the Board approves, the amount for the conversion would need to be transferred to the Sanitation Department from the Contingency Account.

Based on information obtained by Tracy Schmaling, our Lead Maintenance Mechanic, the cost to convert one of our sanitation trucks, including the equipment to process the oil will be approximately \$15,000.

<u>From</u>			<u>To</u>		
A1999	Contingent		A8160	Sanitation Department	
.999	Account	<u>\$15,000</u>	.407	Automotive Repairs	<u>\$15,000</u>

If the above transfer is approved, a balance of approximately \$115,000 will remain in the Contingent Account, excluding the additional funds allocated by the Board.

Trustee Ryan believes this is a “home-run”. It can be a real community project with having school children participating by collecting cooking oil, as was done during World War II. She also believes it will pay for itself and is something the Village needs to do. Trustee Hofstetter agrees and believes that it could be educational for children to participate. Trustee Hofstetter asked about the truck being converted. Mr. Verrastro stated that it will be done on an older, less fuel-efficient sanitation truck.

Trustee Murphy asked where the Village will get the oil. Mr. Verrastro informed him that according to Mr. Iacovelli, some food establishments are getting paid for their used oil; however, we are trying to obtain donated oil.

Mayor Savolt hopes that this is the beginning of Mamaroneck being a model environmental Village where other municipalities look to us for our leadership. She would also like to see a place where residents can bring their used vegetable oil for use in the vehicle and not pour it down the drain.

Trustee Robinowitz agrees that this is exactly the direction in which we need to go.

The Board thanked Mr. Tracy Schmaling for taking the initiative in this matter.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the transfer of funds in the amount of \$15,000 from the Contingent Account to the Sanitation Department Automotive Repairs Account be and is hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

C. Authorization – MOU for Land & Legal Public Viewer Services 2009

An agreement was received from the Westchester County Clerk to provide remote access to the Public Viewer for Land and Legal Records which allows the Village access to information and/or images of a variety of records maintained by the County Clerk’s office. This agreement would provide for up to four annual extensions. Authorization from the Board is required for the Village Manager to execute this agreement.

On motion by Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Village Manager is hereby authorized to execute the Memorandum of Understanding with the County of Westchester which will provide remote access to the Village for information and/or images of land and legal records maintained by the County Clerk’s Office.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

D. Tax Certiorari Settlement – 656 Van Ranst Place

Village Attorney Insardi stated that this proposed settlement would be at a cost to the Village of approximately \$2,990 and this matter has previously been reviewed by the Board and is being recommended by the Assessor’s office. Ms. Insardi is requesting that the Board approve the resolution, thus settling this case.

On motion of Trustee Hofstetter, seconded by Trustee Robinowitz:

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

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

WHEREAS, the Village and petitioners 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 just, reasonable and in the best interests 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>
Dominick & Ramona Stallone	656 Van Ranst Place Section 8, Block 83, Lot 14	1997-2004 2006-2008

<u>Assessment Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
1997-2002	\$12,000	\$12,000	Withdrawn
2003	\$12,000	\$11,000	\$1,000

2004	\$12,000	\$11,000	\$1,000
2005	\$12,000	\$12,000	Not Filed
2006	\$12,000	\$ 9,000	\$ 3,000
2007	\$12,000	\$ 8,600	\$ 3,400
2008	\$12,000	\$ 8,600	\$ 3,400

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

E. Declaration of Lead Agency – Mamaroneck Train Station Building

Mr. John Verni of Parkview Station, the owner of the Property, appeared to inform the Board that they have met with the Planning Board and are due to go before the Zoning Board of Appeals next week and the Harbor and Coastal Zone Commission on November 19<sup>th</sup>. He hopes that the Board will adopt the resolution naming itself lead agency and that a public hearing on the re-zoning of the property can be scheduled at the next meeting.

Ms. Insardi reminded the Board that a circulation letter had been prepared and sent to all involved agencies on September 25<sup>th</sup>. At this point, no objections to the Board declaring lead agency status have been received. In fact, the only letter received was from the County. It was in favor of the rezoning. This letter has been filed for the record. At this time, the Board can assume lead agency status in connection with the SEQRA review of the Mamaroneck Train Station Rezoning project.

Ms. Insardi also suggested that a public hearing be set at the next meeting scheduled on November 10, 2008.

On motion of Trustee Murphy, seconded by Trustee Robinowitz:

**WHEREAS**, the Board of Trustees has received a Petition for a zone change in connection with the re-development of the Mamaroneck Train Station by Park View Station LLC as applicant; and

**WHEREAS**, the Petition has been accompanied by an EAF; and

**WHEREAS**, the Board of Trustees, with the assistance of BFJ, has reviewed the EAF and determined that the project requires SEQRA review; and

**WHEREAS**, the Board of Trustees directed that a lead agency coordination letter be circulated among the various involved agencies together with the Petition for a zone change, including the EAF and any other application or information prepared and submitted by the applicant to date; and

**WHEREAS**, the coordination letter was sent on or about September 25, 2008 and no objections have been received.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees is the lead agency in connection with the SEQRA review of the Mamaroneck Train Station Rezoning project.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

F. Schedule Public Hearing on PLL 11-2008 – Code of Ethics

Trustee Hofstetter reported that this is something that the Board has been looking at since he was elected, unfortunately, there was not much cooperation from the Village Attorney at that time. At that time, Greenburgh had put forth a more in-depth ethics code and they asked the Village Attorney at the time to use this as a model, incorporating pieces into the Village's proposed code. Again, not much was done. Ms. Insardi, as Village Attorney, has drafted a proposed code as well as disclosure statement for the Board's review.

Mayor Savolt thanked Ms. Insardi for all of her work on this and for educating the Board on what other communities are doing as far as their ethics law is concerned. She feels that what has been crafted is exemplary and will be a model for other municipalities; Harrison has already asked for a copy. The Mayor also announced that this will reconstitute the Ethics Board. She asked residents interested in serving on this Board, to please contact one of the Board of Trustee members.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that a public hearing on Proposed Local Law 11-2008 (Code of Ethics) be and is hereby scheduled for November 10, 2008.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

G. Authorization – Harbor Fest 2009

Mr. Verrastro stated that Ms. Jennifer Graziano recently attended a work session and submitted a proposal to the Board outlining the 2009 Harbor Fest at Harbor Island. This idea was originally suggested by The High Road, the event planner who coordinated the last Historic Harbor Street Fair and also coordinates the Norwalk Oyster Festival. As this is a self sustaining event, it was suggested to run it over two days, a Saturday and Sunday and as it would be very expensive to close Mamaroneck Avenue for two days, it was decided the best venue would be at Harbor Island Park. Mr. Verrastro asked that the Board authorize the use of Harbor Island Park on May 16 and 17, 2009, resolve that the funds in the Historic Harbor Street Fair Trust Account be utilized for this event and appoint Jennifer Graziano and Leonard M. Verrastro (effective with his retirement as Village Manager) as Co-Chairpersons for Harbor Fest 2009.

Ms. Jennifer Graziano appeared before the Board to expand on Mr. Verrastro's comments. She informed the Board that this event will be similar to the Norwalk Oyster Festival with two days of concerts, crafts and artists. She also stated that this in no way is meant to detract business from the Mamaroneck Avenue merchants and she, working as part of the Mamaroneck Chamber of Commerce,

will do everything they can to direct patrons to the Avenue to shop and dine. Ms. Graziano gave her contact information for any residents interested in volunteering.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees be and hereby authorizes the use of Harbor Island Park on May 16 and 17, 2009 in connection with holding the first Mamaroneck Harbor Fest; and

RESOLVED that the funds in the historic Harbor Street Fair Trust Account be utilized for this event, which is to be conducted on a self-sustaining basis; and

BE IT FURTHER RESOLVED, that Jennifer Graziano and Leonard M. Verrastro, effective with his retirement, are appointed Co-Chairpersons for the Harbor Fest 2009.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

H. Addition of Agenda Item 5I

Village Manager, Mr. Verrastro requested that Agenda Item 5I – Resolution for Consolidation of Community Services Program be added to the October 27, 2008 agenda.

According to the BOT Rules of Procedure, as this item was requested after the agenda was finalized, a vote to add it needs to be taken.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that Agenda Item 5I – Resolution for Consolidation of Community Services Program be and is hereby added to the Board of Trustee Regular Meeting Agenda of October 27, 2008.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

I. Consolidation of Community Services Program

Mr. Verrastro previously distributed for the Board's review with the work session agenda, the memorandum, organizational charts, proposed operating budget as of January 1, 2009 and the chart of required actions and timeline prepared by Anna Danoy in connection with the proposed consolidation of our Community Services and Senior Programs with the Town of Mamaroneck.

Several meetings have been held with the Town staff in discussing and outlining the structure and procedures to accomplish the consolidation. Steve Altieri, Town Administrator and Mr. Verrastro have also spoken with the seniors at the Village's Senior Center and met with the staff.



Mr. Verrastro strongly believes that the consolidation, as stated in Ms. Danoy's memo will extend many additional activities and opportunities to Village of Mamaroneck residents and also offer our nutrition program to Larchmont and Town seniors. He also stated that with this consolidation, the Village of Mamaroneck will save approximately \$200,000 per year.

In order to proceed, the Board needs to adopt a resolution approving the proposed plan consolidating these programs.

Mayor Savolt stated that this came to her attention over a year ago while she was campaigning. Many seniors told her that as they appreciated the hot meals offered weekdays, they would like more activities and mental stimulation. They also need a place to go for outreach programs.

Trustee Ryan was able to sit in on the talks regarding the consolidation and she feels very comfortable about it, as it will afford the Village seniors many more activities.

Trustee Hofstetter asked about the nutrition program. Mr. Verrastro stated that as the meals are catered at the Town, all that has to go over to the new center are the steam tables. He also stated that the kitchen at the Town will be renovated.

Trustees Murphy and Robinowitz also are very much in favor of this and thanked Mr. Verrastro for all of his work on this effort.

On motion of Trustee Robinowitz, seconded by Trustee Murphy:

RESOLVED that the Board of Trustees be and hereby approves the proposed plan for the consolidation of the Town of Mamaroneck and Village of Mamaroneck Community Services and Senior Citizen Programs; and

RESOLVED that the Village in connection with the consolidation authorizes the transfer of any contracts with Westchester County for the funding of the various programs and services to the Town of Mamaroneck for the continuation of said programs; and

Be it further RESOLVED that the Village Manager coordinate the consolidation with the Town of Mamaroneck, including the assignment of contracts, transfer of personnel and he be designated the liaison to the Town of Mamaroneck.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

## 6. REPORT FROM VILLAGE MANAGER

Mr. Verrastro reported on the E-Waste Day held at the Village the previous Saturday. Twenty-eight thousand pounds of electronic waste was collected.

7. **REPORT FROM CLERK-TREASURER**

None

8. **REPORT FROM VILLAGE ATTORNEY**

Ms. Insardi informed the Board that she and the Building Inspector are compiling a list of issues in the Village Code that need to be addressed.

9. **REPORT FROM POLICE CHIEF**

None

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

The following Minutes have been received by the Board of Trustees:

- A. HCZM – April 16, 2008
- B. HCZM – May 21, 2008
- C. HCZM – June 18, 2008

II. **COMMUNICATON TO THE BOARD II**

Mr. Irving Scharf suggested having local real estate companies market their properties for sale at the 2009 Harbor Fest.

Trustee Murphy announced that a meeting was held on October 21<sup>st</sup> with the Chairs of the land use boards, Trustee Ryan, Ms. Insardi, Mr. Verrastro, Mr. Fusco, Mr. Winter and Ms. Kathy Zalantis, of Silverberg Zalantis, Attorney to the ZBA. The purpose of the meeting was to try to improve communications between the Boards and streamline the process an application goes through from beginning at the Building Department until it gets to the respective Boards. Trustee Murphy thanked all for participating and stated additional meetings will be held.

Trustee Murphy also announced that there was a representative from the Census Bureau at the last Westchester Municipal Officials Association meeting. The Census will be held in 2010 and it is very important that our community is accurately counted. The Bureau is looking for residents who live in a community to count residents in that community. It would be part time work paying \$19/hour and would last approximately 5-10 weeks. Trustee Murphy gave the name and contact information for the person at the Bureau. He also announced that there will be pamphlets available regarding this at Village Hall.

Trustee Murphy informed residents that the debates televised on LMC-TV the previous week can be watched on LMC-TV's website.

Trustee Hofstetter reported on the Library Groundbreaking that took place this morning.

Trustee Ryan congratulated Coach Mike Chaparelli for being inducted into an organization for coaches who go above and beyond the call of duty.

Trustee Robinowitz announced that there will be a Taylors Lane Meeting on Thursday, October 30<sup>th</sup> at 2 p.m. in the Courtroom.

Mayor Savolt reminded organized groups of children, or adults to come and lead the Board in the Pledge of Allegiance at a meeting. She announced that the United Way will be conducting a community survey as they do on a regular basis, and this year it will be conducted completely on line. They are asking members of the community to please participate. The information on the survey is on the Village of Mamaroneck website. Mayor Savolt brought up the issue of the escalating problem with teens in the Village and asked that parents monitor where their teens are and what they are doing. The problems are escalating into criminal activity.

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

RESOLVED, that the Board of Trustees convene to Executive Session to discuss pending litigation with Mamaroneck Beach and Yacht Club and personnel issues, including proceeding with the search for Village Manager and the employment of individual(s).

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