

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, NOVEMBER 10, 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

1. COMMUNICATION TO THE BOARD

Ms. Mary Lou Greco of Center Avenue appeared. Ms. Greco ran for Trustee on the Republican ticket. She congratulated Trustees Ryan, Hofstetter and Murphy for their campaign and for winning the seats. She also wished them luck.

Ms. Greco brought up the issue of sensitivity of the Parking Meter Officers. She had a recent experience with an officer who would not allow her the time to change her two dimes and nickel into a quarter so that she could put money in the meter. He told her that if she took the time to do this, he would ticket her. Therefore, a merchant lost a sale, the Village did not get a quarter and a resident was angered all because an officer was doing his job. Ms. Greco also asked if there would be free parking in the Village during the week before Christmas. Mr. Verrastro informed her that this was something requested by the Chamber of Commerce, which has not been requested in the past couple of years as they found it too difficult to enforce the time limits.

Chief Flynn stated that a resident should be allowed to go into a store to get change for the meter. He will address this issue and assured Ms. Greco that it would not happen again.

Ms. Greco asked for an update on the meeting with the Army Corps of Engineers. Mayor Savolt informed Ms. Greco that a meeting did take place and that the minutes of that meeting are posted on the Village's website under Flood News and were summarized in Friday's Sound and Town. The Mayor gave a brief overview of the meeting and what the Village can and cannot do before their study is complete, which will take 30 months, beginning spring 2009.

Mr. Irving Scharf of Richbell Road appeared to announce the good news of the 14.2% decrease in Rye Town taxes. He also asked for an update on the Mamaroneck Beach and Yacht Club lawsuit. Ms. Insardi stated that the Village is in the process of speaking with the yacht club about potentially settling the case.

2. APPROVAL OF MINUTES

A. BOT Regular Meeting of October 27, 2008

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED, that the Minutes of the Board of Trustee Regular Meeting held on October 27, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

B. Special Meeting – October 29, 2008

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED, that the Minutes of the Special Meeting held with the old Rye Neck Neighborhood Association held on October 29, 2008 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

3. AUDIT OF BILLS

Mr. Verrastro informed the Board that there is a correction on page 20. An invoice for Callahan and Fusco was charged to the Zoning Board of Appeals and it should be charged to the Attorney's Office.

On motion of Trustee Hofstetter, 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	\$ 267,776.34
Capital Fund	860,484.33
Trust & Agency	10,983.84
	<u>10,983.84</u>
	\$ 1,139,244.51

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

4. OLD BUSINESS

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

Mr. Verrastro informed the Board that he has not received the information needed; therefore this will be tabled to a future meeting.

5. NEW BUSINESS

A. Transfer of Funds – Temporary Police Desk

In connection with the replacement of the Police Communication Console and the reconfiguration and reconstruction of the existing Police Desk area; it was necessary to set up a temporary location for police dispatch and communication in the reception room at Village Hall.

The total cost for this work, which was an unbudgeted cost, was \$9,200. Copies of the invoices were given to the Board. In order to process these invoices, Mr. Verrastro is requesting a transfer of funds as follows:

<u>From</u>			<u>To</u>		
A1999	Contingent		A1620	Village Hall	
990	Account	<u>\$9,200</u>	.409	Bldg. Improvements	<u>\$9,200</u>

If the above transfer is approved, there will be a balance of approximately \$113,000 remaining in the Contingent Account, excluding the additional funds allocated by the Board.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED, that a transfer of funds from the Contingent Account to the Village Hall Building Improvements Account in the amount of \$9,200 be and is hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

B. Budget Amendment – Reconstruction of Police Desk Area

In connection with the Capital Project to replace the Police Communication Console the original amount authorized by the Board of Trustees was \$277,500, which included the cost of the equipment, new furniture to house the equipment and the consultant’s fee.

The estimated cost to complete the project has exceeded the original appropriation due to additional work that will be required to demolish and prepare the desk area and for additional equipment added to the original console such as \$7,500 for the synchronized “Atomic” clock, the total cost of which was \$15,000, with 50% being paid by the Fire Department.

The original project cost estimate anticipated that the Police Desk would be renovated as part of the overall Capital Improvements to be made to Village Hall and the Police areas. This project cost only included an estimate for electrical work and new furniture. The General Foreman has obtained written proposals for the work, however in order to proceed, an additional appropriation of funds is needed. Mr. Verrastro recommends that due to the amount being requested, these funds be appropriated from the undesignated fund balance, which as of May 31, 2008 is \$1,880,961.

Mr. Verrastro informed the Board that if they prefer, they could amend the amount of the original appropriation which was \$277,500 by \$25,000 bringing the total for financing to \$302,500. This would be funded by a short-term BAN and currently the short-term financing rate is 2.5%.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the prior Capital Authorization to replace the Police Communication Console in the amount of \$277,500 be and here is amended by increasing the authorized amount by \$25,000 for additional accessory equipment and additional renovations for a total authorization of \$302,500; and

BE IT FURTHER RESOLVED that the additional funding of \$25,000 be included and financed by the adoption of a future bond resolution.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

C. Extension of License Agreement – Wireless Edge

A copy of the proposed amendment to the Wireless Telecommunications Facility Lease Agreement which would extend the lease for two (2) additional five (5) year terms was reviewed by the Board.

Upon commencement of the additional renewal term, January 1, 2026, Wireless Edge will pay a \$5,000 annual rent in addition to the rental income received from the subtenants on the flagpole. An Account Summary showing the rents collected to date was reviewed. The extension is being requested in connection with replacing a subtenant who is no longer located on the flag pole.

The date for commencement of the reimbursement for the costs for flag replacement will be changed to commence on January 1, 2009 instead of June 1, 2009. Wireless Edge has agreed to buy two new flags a year, which was not part of our original agreement. The flags are quite costly, so this will represent a savings to the Village.

Based on the above, the Village Manager is requesting that the Board authorize him to execute the amendment on behalf of the Village subject to the final review and approval of the Village Attorney.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Village Manager be and is hereby authorized to execute the amendment to the Wireless Telecommunications Facility Lease Agreement on behalf of the Village of Mamaroneck subject to the final review and approval of the Village Attorney.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

D. Renew Agreement - Village of Mamaroneck and County of Westchester regarding Weapons of Mass Destruction

A copy of the renewal agreement received from the County to enhance the ability of First Responders to safely detect, stabilize or mitigate Weapons of Mass Destruction (WMD) was reviewed by the Board. The equipment supplied under this agreement includes AF2000, Adapters, Cartridges, Tyvek Suits, First Aid Kits, and Backpacks.

Authorization from the Board is required for the Village Manager to execute this agreement.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that Leonard M. Verrastro, Village Manager, be and is hereby authorized to sign the agreement for WMD Specialized Equipment and Training on behalf of the Village of Mamaroneck subject to the review and approval of the Chief of Police and Village Attorney.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

E. Letter of No Objection – Barnacle BBQ Liquor License

The Clerk-Treasurer's office received correspondence from the attorney for Barnacle BBQ Restaurant. Unfortunately, their letter of intent to apply for a liquor license was sent to the Town of Mamaroneck, and not the Village in July of 2008. The Clerk-Treasurer's office received their letter on October 28, 2008. The usual procedure is that a copy of this letter is sent to the Board of Trustees and Chief of Police and if the State Liquor Authority does not receive a written objection from the Village 30 days from the date of the letter, the application process begins.

Mr. Fenwick, attorney for Barnacle BBQ is asking the Board to waive this 30-day notification period, so that the process may be accelerated. FYI, the State Liquor Authority has informed the Clerk-Treasurer's office that the date for acquiring a liquor license is now 6-9 months from the date of application. The owner of Barnacle BBQ also appeared to explain the situation and ask for the letter of no objection.

The Police Chief has no objection to waiving the 30-day period.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the 30 day notification period for application of the Liquor License for Barnacle BBQ be and is hereby waived; and

BE IT FURTHER RESOLVED that the Clerk-Treasurer is authorized to issue a Letter of No Objection to be sent to the State Liquor Authority on behalf of Barnacle BBQ Restaurant.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

F. Schedule Public Hearing for Rezoning of Mamaroneck Train Station Building

Ms. Insardi stated that at the last meeting, the Board declared itself lead agency in regard to the environmental review of the rezoning. Since that time Mr. Verni has been to the Planning and Zoning Boards and is scheduled to appear before the HCZM. At this time, a public hearing may be set to take public comment and continue with the SEQRA review of this action.

Mr. John Verni, owner of the property appeared. Mr. Verni notified the Board that things are moving forward and they are anxious to meet with the Harbor & Coastal Zone Management Commission.

By motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Public Hearing to rezone the Mamaroneck Train Station property at issue from an R-20 zone to a C-1 zone be and is hereby scheduled for December 8, 2008 and notice thereof shall be given in accordance with the applicable law.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

6. REPORT FROM VILLAGE MANAGER

A. Lease Agreement – Metropolitan Transportation Authority for Commuter Parking at Mamaroneck Station

Mr. Verrastro advised that the above-referenced agreement is being filed for the record with the Clerk-Treasurer.

B. Fireworks Display Agreement – Pyro Engineering Inc.

Mr. Verrastro advised that the above-referenced agreement is being filed for the record with the Clerk-Treasurer.

7. REPORT FROM CLERK-TREASURER

A. Housing Authority Audit

Mr. Fusco reported that the Housing Authority Audit has been filed for the record with the Clerk-Treasurer.

Mr. Fusco also announced that the Village of Mamaroneck Public Library will have its vote on their Budget and the election of four Trustees on December 9, 2008.

Mr. Fusco informed the residents that the new Village website is up and running.

8. REPORT FROM VILLAGE ATTORNEY

Ms. Insardi informed the Board that Local Law 8-2008, regarding Key Box, was filed with the Secretary of State on October 20, 2008. Ms. Insardi also stated that although the Village Code is linked to our website, it is not updated as often as we would like; therefore she suggests that residents review the laws recently adopted, which are posted on the website.

9. REPORT FROM POLICE CHIEF

Chief Flynn reported that due to the excellent police work by Officer Massi of the Detective Division, a burglary suspect was arrested on November 6th and after a subsequent investigation, it was found that this individual was responsible for five other burglaries in the Village of Mamaroneck.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

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

A. Planning Board – September 25, 2008

11. COMMUNICATON TO THE BOARD II

Mr. Glen Tippet of Hill Street asked if the Village's tax rolls could be posted on the website. Mr. Fusco informed Mr. Tippet that he will be meeting with KVS, our financial software vendor, to see if the tax bills as well as the tax rolls can be exported to our website.

Trustee Murphy announced that the Mamaroneck High School Girls Field Hockey Team was 21-1 this year, winning the Sectionals. Unfortunately, they came short in the Regionals, losing 1-0; giving up their first goal all season. His daughter is on the team, with 22 team mates. Trustee Murphy thanked the coaches for all of their hard work.

Trustee Murphy informed the residents that there is a program called HEAP; which stands for the Home Energy Assistance Program. This is a Federal program to assist those residents whose income is under a certain level, with their home heating costs. The form will be put on the Village's website tomorrow.

Trustee Murphy also announced that Bob Galvin, Chair of the Village's Planning Board has been elected to the Board of Directors of the Westchester Municipal Planning Program. Trustee Murphy congratulated Bob for being recognized and thanked him for all of his work on behalf of the Village.

Lastly, Trustee Murphy announced the passing of Sal Yannuzzi. Mr. Yannuzzi was a long-time resident of the Village. He was an active fire fighter for 52 years, a youth sports coach and crossing guard in the Rye Neck School System. Trustee Murphy stated that "Sally" was a man of infinite good humor and the kind of man that this Village is built upon. Trustee Murphy with the other Trustees offered their condolences to the Yannuzzi family.

Trustee Robinowitz reported that the work on Taylors Lane is beginning on November 17th. The leachate will be drained around the landfill which will reduce the pressure on the landfill. The Village is working with Westchester County on this.

Trustee Robinowitz congratulated the Hispanic Resource Center and reported on their dinner celebrating their English as a Second Language teachers. She also reminded residents of the Veterans Day Service being held tomorrow at 11 a.m. at the American Legion Hall across the street from Village Hall.

Trustee Ryan congratulated the KEEPS program on their 25th anniversary serving the children of this community with their after school programs. She also thanked the Yannuzzi family for keeping the volunteer spirit alive, which she believes was taught to them by example by Sal.

Trustee Hofstetter also remembered Mr. Yannuzzi and congratulated KEEPS on their anniversary. He thanked Mary Lou Greco and Ron Trucchio for their campaigns and for giving people a choice. Trustee Hofstetter thanked Justice Roger Sirlin for serving the community for so many years.

Mayor Savolt received compliments on Village staff. The first was for a new member of our police force, Officer Jose Gomez. The Mayor received a letter from a resident stating what a nice young man he is and she is happy that he is on our force. Compliments were received from residents of Flagler Drive on our Department of Public Works and Mr. Iacovelli on their response to an emergency during a storm. Mayor Savolt reported on an unfortunate incident that took place recently at the Joint Water Works where an employee was taken ill and when they realized that they could not call 911, they called Sally Roberts at the Village office. Because of Ms. Roberts quick response, an ambulance was sent and the employee was taken to the hospital where he has since had surgery. He is now at home and expects to return to work in a couple of months. The Board thanked Ms. Roberts for her quick response.

Mayor Savolt asked any resident, in the spirit of Sal Yannuzzi, who may be interested in serving on a Board or Commission to please send their resumes to the Clerk-Treasurer office. Every board has at least one opening. The list of openings will be listed on the Village's website.

On motion of Trustee Murphy, seconded by Trustee Robinowitz:

RESOLVED, that the Board of Trustees convene to Executive Session to discuss personnel issues; the openings on Boards and Commissions and the search for Village Manager.

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