

## MINUTES OF 9/21/09 VILLAGE OF MAMARONECK BOT WORK SESSION

The work session began at 5:40 p.m. at the Conference Room of the Regatta

### Attendees:

Mayor Kathleen Savolt  
Trustee Toni Ryan  
Trustee John Hofstetter  
Trustee Randi Robinowitz  
Trustee Nicholas Allison  
Village Manager, Richard Slingerland  
Clerk-Treasurer, Agostino A. Fusco  
Village Attorney Janet Insardi

### Absent:

None

Before the Agenda, the Board discussed the upcoming Yom Kippur Holiday, which ends on the night of the 9/28 Board Meeting. It was decided to begin the meeting at 8 p.m. instead of 7:30 to give those who are observing time to eat after sundown. The Board also asked the Clerk's office to note all holidays, including religions, next year when planning the meeting calendar.

### 1. Continental View Bridge Replacement

Building Inspector, John Winter, appeared to discuss the replacement of this footbridge. He has met with the Superintendent of Highways for the Town of Rye on this matter. They have received funding from FEMA to replace the bridge and a permit from the DEC. It has been classified as a Type II Action under SEQRA and the construction costs to the Town will be \$75,000. Mr. Winter suggests improving what was there by widening the abutments, which would help with flood mitigation and not just replace what was existing. The necessity of replacing this bridge was discussed and the possibility of using the FEMA funding on another project, perhaps the Jefferson Avenue Bridge which must be replaced.

- Mr. Slingerland to discuss the possibility of using these funds on another project with the Town of Rye.

### 2. Proposal from Howard L. Lampert, P.E.

Mr. Lampert, Traffic Engineering Consultant, who has worked with the Village on the installation of LED Traffic Lights has submitted a proposal to prepare plans and specifications for 13 Village traffic signals eligible to receive Transportation Improvement Program (TIP) funds. This could also improve the air quality in the Village. The work done to retune the traffic signals would be paid for out of the contingency fund and repaid by future grants. The Board agreed to the proposal, cost not to exceed \$16,000.

- Authorization for Mr. Slingerland to execute agreement on 9/28 Meeting Agenda.

### 3. Proposal for Construction Inspection and Administration

Mr. Slingerland stated that the NYS DOT requires that the Boston Post Road Sidewalk Construction CDBG project be inspected by an engineer. A proposal for this work has been received by Dolph Rotfeld Engineering, P.C. and submitted to the Board. The Board was pleased because in addition to the new sidewalks, four catch basins on the Boston Post Road will be repaired. The Board agreed to the proposal, cost of the work not to exceed \$44,000 and that these funds should be capitalized.

- Authorization for Mr. Slingerland to execute agreement on 9/28 Meeting Agenda.

### 4. Draft Stormwater Management and Erosion & Sediment Control Law

Ms. Insardi has sent the Board a draft Stormwater Management Law at Mr. Slingerland's directive. Ms. Insardi presented the "big picture" on this draft law and asked the Board to please review and submit any comments they may have at this time. Ms. Insardi informed the Board that this law needs to drive other land use regulations and that a full-blown stormwater law was never passed. The need for expertise in writing this proposed law was discussed. It was mentioned that there is money in the budget to hire experts on these types of issues. It was suggested contacting Woodard & Curran and Malcolm Pirnie (who completed Scarsdale's stormwater study) for proposals on this project. It was also suggested using Scarsdale's stormwater management law as a model.

- Mr. Slingerland to request proposals from Woodard & Curran and Malcolm Pirnie.

### 5. Right of Way Law Update

Ms. Insardi stated that there have been two public hearings on this proposed law and that comments from residents have been heard and the law redrafted. The Board discussed the different rights of way that already exist in the Village and the need for careful consideration of the language used in this law.

- Right of Way Law discussion tabled to future Work Session.

### 6. Westchester County Taxi and Limousine Commission

Correspondence was received from the Westchester County Taxi and Limousine Commission on their providing background checks and licenses to taxi and limousine drivers in the County, as a shared service. Mr. Slingerland informed the Board that the Chief of Police is on board with this and that although the Village will lose up to \$4,000/year in license fees, it will be saving money in the time spent by our detective bureau in completing background checks. This change will be adopted at a

future Board meeting after the Village Attorney determines if it can be done by resolution or needs a code change.

7. Draft Identity Theft Prevention Program

Ms. Insardi informed the Board that the development and adoption of this program is required by the Federal Trade Commission before November 1, 2009 in order to comply with Section 114 of the Fair and Accurate Credit Transactions Act and the applicable regulations adopted by the FTC known as the “Red Flag Rule” to help detect the warning signs or red flags of identity theft in their operations. There was discussion on how exactly this would be monitored and how our systems are administered. The Mayor asked to see a complete package including the draft program and the procedures developed to assure that this program is managed before moving forward.

- Further discussion on this program tabled to a future Work Session.

8. Tree Donation Requests

Two requests were received by the Village Manager for trees to be donated and planted at Harbor Island Park. The Board again discussed the need to change this policy as was discussed at a previous work session; assuring that the list of trees given is the list recommended by the Tree Committee and the size and location of plaques is reviewed.

- Approval of requests on 9/28 Meeting Agenda.

9. Fire Department Parking Spaces in Front of Hook & Ladder

As this firehouse is closed, the parking spaces in front will need to change from reserved spots for firefighters to metered spaces. The Board agreed to this change and to leaving the no parking area in front of the curb cut until the building is bought and the curb cut is filled in. This change will be adopted at a future Board meeting after the Village Attorney determines if it can be done by resolution or needs a code change.

10. Year-End Account Clean Up

a. Authorization to transfer funds from Account T.9725 to charitable organization in New Orleans. Mr. Fusco explained that this fund was set up after Hurricane Katrina and that there is approximately \$2,200 in it. The Board agreed to send this money to the American Red Cross Chapter in New Orleans.

b. Capital Fund Bond Resolution. Mr. Fusco prepared a draft bond resolution for adoption at the 9/28 Board meeting in the amount of \$458,900. The Board agreed to include the additional amount

of \$75,900 for the Gunderboom replacement as this amount was never bonded; bringing the amount of the Capital Fund Bond to be approved to \$534,800.

- Capital Fund Bond Resolution of \$534,800 on 9/28 Meeting Agenda.

c. Transfer to Capital Fund. Mr. Fusco stated that originally \$166,600 was needed to be transferred to the Capital Fund from General Fund to close out the Capital projects that took place in fiscal year 2008/2009. As the Board approved the amount of \$75,900 be included in the Bond Resolution, the amount needed to be transferred will be \$90,700. In addition, Charles H. Sells, Inc. remitted a bill to close out the Construction and Inspection Service for the Fenimore Road Project in the amount of \$61,900.15, including a 5% retainage. Unfortunately, this was submitted after the grant was closed and will not be honored by the State. Mr. Slingerland is going to try to appeal this to the State.

- Transfer of \$90,700 from the General Fund to the Capital Fund on 9/28 Meeting Agenda.

#### 11. Draft of Proposed Local Law Amending Section 176-2 (Escrow Deposit Required)

Ms. Insardi informed the Board that according to the existing language in the Code, the Planning Board and HCZM set escrow amounts at an applicant's first appearance; therefore making applications a two-month process as consultants cannot review an application before escrow is received. The language will be changed to require that the escrow be set at the time the application is submitted and that the amount set is done according to category. The Board suggested adding an administrative fee to any account that goes into arrears as staff time is used to follow up on these applications.

- Public Hearing will be scheduled for an October meeting at the 9/28/09 Regular Meeting.

#### 12. Taylor's Lane Report

Mr. Slingerland informed the Board that he submitted the periodic review report and is working on the correction plan to include a drainage well. He also stated that time is needed to straighten out the IMA and a controllable outflow pipe going to the county sewer needs to be installed. Mr. Slingerland informed the Board that a long term plan for this site needs to be submitted by May 30, 2010.

#### 13. Executive Session

On motion of trustee Hofstetter, seconded by Trustee Allison:

RESOLVED that the Board convene to Executive Session to discuss the Mamaroneck Beach & Yacht Club case and a personnel matter. Mayor Savolt will not participate in the Beach Club case discussion as she has recused herself from the matter.

Ayes: Allison, Robinowitz, Ryan, Hofstetter, 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