

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, FEBRUARY 9, 2009 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
	Acting Village Manager	Robert A. Yamuder
	Village Attorney	Janet M. Insardi
	Police Department	Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	None	

STATE OF THE VILLAGE ADDRESS

Mayor Savolt gave her second State of the Village Address since elected to office. She stated that 90% of what the Board set to achieve in the past year has either been done or has shown significant progress. She reported on the change in laws that have taken place, i.e. the reduction in Floor Area Ratios (FAR) and the seasonal ban on leaf blowers. She also stated that this Board has worked to ensure that our local government is more open and accessible.

Mayor Savolt stated that although the economic outlook is dim, the Village of Mamaroneck will not have a deficit this fiscal year. She thanked retired Manager Leonard Verrastro for his fiscal conservatism over the years. Last year the Village's tax increase was one of the lowest in the county, and this year the Board will work to deliver local government services at the lowest cost possible. The Mayor also announced that the Board has developed a vision statement, which is "to be the best run Village ever", and the goals that the Board has set for this year to help achieve that vision. The Mayor closed her address stating that she is hopeful in the future and asked residents to join her and the Board in working toward these goals.

The address in its entirety will be posted on the Village's website.

PRESENTATION OF PROCLAMATION TO FORMER FIRE CHIEF CASTERELLA

Mayor Savolt presented former Fire Chief Barry Casterella with a Proclamation from the Board. She thanked Chief Casterella for his hard work and leadership especially during the flood of April 2007.

Chief Casterella thanked the Board and residents for their support and confidence in him during his tenure.

I. COMMUNICATION TO THE BOARD

Mr. Norman Rosenblum of Carroll Avenue appeared to notify the Board and residents of the passing of long-time resident, Leo Spinnelli. Mayor Savolt expressed the Village's sympathy to the family

of Mr. Spinnelli. She also offered condolences to former Mayor Paul Noto and his family on the passing of Mr. Noto's mother.

Ms. Marianne Robino of Standish Place appeared with photographs of the ice that collected on her street after the last storm. Ms. Robino realizes that hers is the last street in Mamaroneck; however, she feels that they are overlooked. She conveyed stories of how people and vehicles slid on the street and its considerable dangerous condition. She asked the Board and Manager to please speak with the Foreman of Public works to ensure that this street is cleared after a storm.

Mr. Steven Newman of Beachwood Drive appeared. Mr. Newman lives in Harbor Heights and he has called the police department over 10 times after the past storms. He also called the Mayor's and Manager's office to complain of his neighbor who does not clear their sidewalk after storms. This sidewalk is on Mamaroneck Avenue and on the way to his children's school bus stop. Because of the condition of the walk, his children have had to walk in the street around a dangerous curve in the road. Acting Manager Yamuder informed Mr. Newman that Code Enforcement Officers had been informed and that fines have been given to the homeowner. He will, however, follow up with the Building Department on this matter.

2. APPROVAL OF MINUTES

A. Minutes of BOT Regular Meeting – January 12, 2009 (Tabled at 1/26 meeting)

On motion of Trustee Ryan, seconded by Mayor Savolt:

RESOLVED, that the Minutes of the Regular of the Board of Trustees held on January 12, 2009, be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

B. Minutes of BOT Regular Meeting – January 26, 2009

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED, that the Minutes of the Regular Meeting held on January 26, 2009, be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

3. AUDIT OF BILLS

There was one reclassification in the Law Department which has been given to the Clerk-Treasurer.

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

RESOLVED that the Abstract of Audited Vouchers listed below, with the reclassification noted above, dated February 9, 2009 and for FY 2008-09, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$222,199.30
Capital Fund	134,410.97
Water Fund	17,955.00
Trust & Agency	<u>19,440.28</u>
	\$394,005.55

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Transfer of Funds – IT Department

Mr. Fusco reported that in connection with the retirement of the Village's IT coordinator last year, our Consultant has had to work additional hours. To fund the balance of his work for the remaining fiscal year, a transfer of funds will need to be approved. There is also a request for part time support through the end of the fiscal year. Mr. Fusco also reported that there has been a savings in the department as the coordinator vacancy was not filled.

On motion of Trustee Ryan, seconded by Trustee Murphy:

WHEREAS, an unfilled vacancy in our Central Data processing departments has caused our outside consultant to work additional hours exhausting the amount provided for in the current 2008 -2009 budget, a transfer of \$18,000 will be needed to fund the balance of the remaining fiscal year.; and

WHEREAS, a request has been made from our outside consultant for additional temporary support 7-9 hours per week until the end of the current fiscal year at a cost of approximately \$8,000; and

WHEREAS, we have had a substantial saving in our unfilled vacancy in Central Data Processing to fund the above appropriations; and

WHEREAS, it has now been determined that there will be need for additional appropriation in the account listed below:

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be and is made as provided in Section 5-520 of the Village Law.

<u>Account No.</u>	<u>From</u>	<u>Amount</u>	<u>Account No.</u>	<u>To</u>	<u>Amount</u>
A1990 Contingent .999 Account		<u>\$26,000.00</u>	A1680 Central Data Processing .421 Contractual Services		<u>\$26,000.00</u>

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

B. Transfer of Funds – \$54,000 Snow Budget

Mr. Yamuder reported that due to the above average snow fall this year, there will be a shortfall in the Snow Removal Budget to pay for the Village’s anticipated need.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

WHEREAS, under date of April 28, 2008, the Board of Trustees adopted the budget of the Village of Mamaroneck, New York for the fiscal year June 1, 2008 to May 31, 2009; and

WHEREAS, due to an above average year for snow and ice the 2008-2009 fiscal year will have a shortfall in the snow removal budget; and

WHEREAS, it has now been determined that there will be need for additional appropriation in the account listed below:

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made as provided in Section 5-520 of the Village Law.

<u>Account No.</u>	<u>From</u>	<u>Amount</u>	<u>Account No.</u>	<u>To</u>	<u>Amount</u>
A1990 Contingent .999 Account		\$54,000.00	A5142 Snow Removal .130 Seasonal Labor		\$29,000.00
			.408 Fuel, Oil & Lubricants		\$3,000.00
			.411 Material		<u>\$22,000.00</u>
					<u>\$54,000.00</u>

C. Snow and Ice Removal Agreement Extension – State Roads 2008/09

The Village has received the snow and ice removal agreement extension from the State of New York for the above referenced year. This agreement calls for a lump sum payment of \$15,470.00, to the Village for snow removal on state roads. It is requested that the Board adopt the following resolution:

WHEREAS, the New York State Department of Transportation has requested that the Village enter into a lump sum agreement with the State of New York for snow and ice removal on State roads;

NOW, THEREFORE, on motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck authorizes the use of the Lump Sum method of payment for the provision of snow and ice removal services by the Village of Mamaroneck on State highways, pursuant to the agreement between the State of New York and the Village of Mamaroneck for the period July 1, 2008, through June 30, 2009 and it is further

RESOLVED, that the Acting Village Manager, is hereby authorized to execute the Lump Sum Municipal Snow and Ice Agreement with the State of New York covering the period July 1, 2008, through June 30, 2009.

Ayes: Robinowitz, Hofstetter, Ryan, Savolt

Nays: Murphy

D. Increase of Parking Fees

At the February 2, 2009 Board of Trustees work session, the Board decided to increase the parking fees at all municipal lots 5% for all resident lots and 10% for the non-resident lot. A schedule of the suggested and proposed increases, rounding the amounts to the nearest ten, consistent with past practice, was submitted to the Board. The Mayor announced that the problem of too few spots is being researched.

Also discussed at this work session was the cessation of refunding returned parking stickers. If the Board so desires, this has been included in the resolution as well.

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that Chapter A347 (Fees Schedule) with regard to Chapter 326 (Vehicles & Traffic) of the Code of the Village of Mamaroneck be and is hereby changed to reflect the increase to parking lot fees as in the schedule dated February 9, 2009, with the exception of Replacement Decal, which will remain \$10; and

BE IT FURTHER RESOLVED that the Village of Mamaroneck will no longer refund the pro-rated amount remaining on any returned parking stickers.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

E. Extension of Construction Management Agreement – Palmer Ave. Firehouse

The Board has received a copy of the letter received from Calgi Construction Company (Calgi) Construction Manager in connection with the new firehouse project. Based on twelve (12) weeks (six weeks full time and six weeks part time), the fee for additional construction management costs would be \$38,427.30.

The original contract called for Calgi to receive two hundred and fifty-four thousand one hundred dollars (\$254,100). A resolution approved by the Board at the July 28, 2008 meeting extended Calgi's

agreement for an additional seven (7) months at a cost of one hundred and twenty-nine thousand five hundred dollars (\$129,500), due in large part to the concrete issues.

Acting Village Manager Yamuder has discussed this issue with the Village's Consultant, Richard Herbek, RFH Management, Inc., and he is in agreement that an extension of the Construction Management Services Agreement with Calgi is needed. The weekly billing rate will be \$4,269.70 for weeks January 16, 2009 through February 27, 2009 and \$2,134.85 for weeks March 2, 2009 through April 10, 2009.

Mr. Yamuder also stated that this amount has been negotiated down from \$50,000 and that there is money left in the budget to pay for this transfer.

Trustee Hofstetter has issue with this, as although there is money left in the budget, it is still money that would not have had to be spent if this extension was not being requested. He asked if documentation as to the reasons for the delays existed and if the cost of the delays would be recouped from the General Contractor.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that Robert A. Yamuder, Acting Village Manager, be and is hereby authorized to extend the agreement with Calgi Construction Company as outlined in their proposal submitted to the Village Manager's office.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

6. REPORT FROM ACTING VILLAGE MANAGER

A. CSEA Agreement – June 1, 2006 – May 31, 2010

The CSEA Agreement for the period noted above is being filed for the record with the Clerk-Treasurer.

B. Update on Community Development Block Grant (CDBG)

Acting Village Manager Yamuder gave a report on the results of this Grant application. The Village of Mamaroneck received five of the seven grants it applied for. This is considered to be a very successful result and more than most other communities. The five grants awarded are for:

1. Mamaroneck Avenue Improvement from Old White Plains Road to Jefferson Avenue.
2. Mamaroneck Avenue Improvement from Old White Plains Road to Interstate 95.
3. East Boston Post Road Improvement from Mamaroneck Avenue to Spruce Street
4. Ward Avenue Park Improvement

5. CVS Walkway Improvement

The Board thanked Mr. Yamuder for his work in getting these Grants approved.

C. Update on Hazard Mitigation Program (HMPG)

Acting Village Manager Yamuder reported that this is the third and final report required by FEMA in regard to the Village's preparation for, response to and recovery from a disaster. There were 27 hazards identified by the Village. By completing this program, Mr. Yamuder stated that it puts the Village in a better position to apply for and receive grants.

D. Update on Community Rating System (CRS)

Acting Village Manger Yamuder reported that when the Hazard Mitigation Program is approved, this information will go towards the Village's Community Rating System. Based on the points received by the Village, FEMA can award a reduction in residents' flood insurance premiums.

E. Update on Geospatial Information System (GIS)

Acting Village Manager Yamuder reported that this is the digitizing of maps of the Village and that there can be up to 52 layers. These layers can include the sewer system, streetscapes, lighting, homes, etc. When completed, this will be available via the Village's website. This information is also used in obtaining our CRS rating from FEMA.

7. REPORT FROM CLERK-TREASURER

A. Filing of 2008-09 Tax Roll

In accordance with Section 1436, paragraph 3 of the Real Property Tax Law, on behalf of the Board of Trustees, the tax roll and warrant for the year 2008-2009 is being filed with the Clerk's Office. A copy of this tax roll shall be permanently retained as a public record.

8. REPORT FROM VILLAGE ATTORNEY

A. Filing of Local Law 1-2009

Village Attorney Insardi reported that Local Law 1-2009, the Ethics Code, has been filed with the Secretary of State. She also reported that all employees will receive a synopsis of the law and those required to fill out a Disclosure Statement will receive the law in its entirety.

9. REPORT FROM POLICE CHIEF

None

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

- A. Budget Committee – October 2008
- B. Budget Committee – November 2008
- C. Budget Committee – December 2008
- D. Planning Board – December 11, 2008
- E. Tree Committee – November 2008
- F. Tree Committee – December 2008

II. COMMUNICATON TO THE BOARD II

None

Trustee Ryan reminded all residents of the Winter Farmers Market being held on Saturdays. She also reported on the Floating Valentine event the Council of the Arts hosted on February 8.

Trustee Hofstetter stated that he received a comment on the Farmers Market from a resident on the website and he reminded residents to use the website to get information to the Board.

Trustee Murphy reported that on Wednesday at 8:30, LMC-TV will be airing the program “What’s Going On”, highlighting the Farmers Market. He also congratulated Hommocks Middle School students on their production of Oklahoma!

Trustee Robinowitz reported on the Westchester Day School Anniversary Dinner that she, as well as the entire Board attended. Trustee Robinowitz announced that there will be a Taylor’s Lane meeting on Wednesday, a review of the state budget by Assemblyman George Latimer on Thursday at the Larchmont Village Hall, a meeting on the upcoming Harbor Fest also on Thursday and the Senior Valentines Luncheon on Friday.

Mayor Savolt announced that a communication was received from the Flood Mitigation Advisory Committee urging the Board to provide the resources needed to keep our waterways clear, which the Board will take under advisement as the budget is being compiled.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees go into Executive Session to discuss matters leading to the appointment, employment, promotion and/or demotion of a particular individual.

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