

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, APRIL 27, 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
 Village Manager Richard Slingerland
 Village Attorney Janet M. Insardi
 Police Department Chief Edward Flynn
 Clerk-Treasurer Agostino A. Fusco
 ABSENT: None

As the Public Hearing on the Fiscal Year 2009-2010 Tentative Budget was closed at the beginning of this meeting, the Board moved the Adoption of the Budget to the first agenda item.

5. NEW BUSINESS

A. Adoption of Fiscal Year 2009-2010 Budget

Trustee Hofstetter reiterated that there was one department that was significantly over budget and the fund balance is being used to cover a portion of that overage. He also stated that we have been told by our accountants not to use the fund balance unnecessarily as it is low and as a result the cost for the Village to borrow money goes up.

Trustee Ryan informed residents that they have taken steps to assure that an overage like the one Trustee Hofstetter referred to does not happen again and to correct the overage that has occurred.

On motion of Trustee Ryan, seconded by Trustee Murphy:

WHEREAS, the Board of Trustees has met at the time and place specified in the notice of public hearing on the tentative budget and heard all persons desiring to be heard thereon; now, therefore be it

RESOLVED that the tentative budget as amended and revised and as hereinafter set forth is hereby adopted and that there be and is hereby appropriated for the objects and purposes specified, including the amounts set forth required for the payment of principal and interest on indebtedness; the following amounts:

	<u>General Fund</u>	<u>Water Fund</u>	<u>Debt Service Fund</u>
Appropriations	\$29,060,924	\$704,732	\$15,000
Less: Estimated Revenues	7,025,126	704,732	1,000
Appropriated Fund Balance	<u>329,000</u>	<u>0</u>	<u>14,000</u>
Total	\$ 7,354,126	\$704,732	\$15,000

Budgetary Appropriation to be raised by Real Estate Tax Levy	\$21,706,798	----	-----
Taxable Assessed Value	\$76,902,997		
Tax Rate Per \$1,000	\$282.26		
Percentage Increase	3.98%		

Ayes: Robinowitz, Ryan, Murphy, Savolt
Nays: Hofstetter

1. COMMUNICATION TO THE BOARD

Ms. Mary Lou Greco of Center Avenue appeared to discuss the incident that occurred the previous week at Saxony Ice. She stated that over 500 emergency reverse 911 calls were made to residents surrounding the area; however, she did not get a call and also heard from many residents who did not receive the call. She also stated that as the caller ID said unknown name, unknown number, many residents did not pick up. Mr. Slingerland informed her that he is meeting with the County to review the incident and processes used and that he will make them aware of this. Ms. Greco also suggested having an option to listen to an emergency message in Spanish, as this is the first language of many residents. She also stated that as some residents may only have pre-paid cell phones, another way to reach out to this group needs to be considered. Ms. Greco asked why residents were not notified in person by fire fighters going door to door as was done the previous time there was an incident at Saxony Ice. Mr. Slingerland informed her that as this was not a public health threat and residents were not in danger, evacuation did not need to occur. If the levels of ammonia were deemed to be dangerous enough to have residents evacuated, this would have been done.

Mayor Savolt stated that she was at the scene and that the Village of Mamaroneck emergency responders acted in a highly professional manner.

Trustee Murphy reminded those residents who would need special assistance in the event of an emergency to register with the County's Special Needs Registry. The information on registering is on the Village's website and a phone number (311) was also given. Trustee Ryan suggested putting information on how residents will be contacted during an emergency as well as the Special Needs Registry in the next Voice of the Village.

2. APPROVAL OF MINUTES

A. Minutes of Public Hearing on Tentative Budget – April 13, 2009

On motion of Trustee Hofstetter, seconded by Trustee Robinowitz:

RESOLVED that the Minutes of the Tentative Budget held on April 13, 2009 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt
Nays: None

B. Minutes of BOT Regular Meeting of April 13, 2009

Mayor Savolt stated that she received communication from a resident saying that she watched the meeting live and then again as it was re-run and that is was her impressions that the replay of the meeting was edited to not include a statement made by a resident during the discussion on flooding. Mayor Savolt stated that the Village did not, nor would ever edit or censor a meeting. Trustee Murphy, member of the Cable Television Board stated that it is the policy of LMC-TV to never edit or censor any meeting they televise either live or re-run.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Minutes of the Board of Trustee Regular Meeting of April 13, 2009 be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

C. Minutes of BOT Work Session of April 6, 2009

Ms. Insardi stated that she had non-substantive changes to the minutes under Item 1, Sportime Interim Agreement. The last two lines should read: The addition of a bankruptcy clause to the agreement was discussed. A revised Letter agreement will be emailed to the Board.

On motion of Trustee Ryan, seconded by Trustee Robinowitz:

RESOLVED that the Minutes of the Board of Trustee Work Session of April 6, 2009 with the above stated amendments be and are hereby approved.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

3. AUDIT OF BILLS

Mayor Savolt stated that there will be a reclassification of legal fees associated with the day laborer suit. All charges will be classified under the Board of Trustee budget code.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers as amended listed below dated April 27, 2009 and for FY 2008-09, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$490,717.42
Capital Fund	148,196.72
Trust & Agency	<u>7,548.78</u>
	\$646,462.92

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Adoption of Fiscal Year 2009-2010 Budget

Adopted earlier in meeting.

B. Approval of Park Bench for Spina Family – Acceptance of a Gift

Mr. Slingerland stated that pursuant to New York State law, all gifts and donations need to be approved by the Board; therefore, the form for donations has been changed and all gifts and donations will now be approved at Board of Trustee Regular Meetings. The Board thanked the Spina Family and Friends for their donation and remembered Steven Spina for his contributions to the Village.

On motion of Trustee Ryan, seconded by Trustee Robinowitz:

WHEREAS, the family and friends of Steven Spina have purchased a bench under the Village of Mamaroneck's Tree/Bench Donation Program; and

WHEREAS, the family and friends have requested permission to hold a small ceremony at Harbor Island near Lanza softball field to unveil the bench;

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation from the group to honor the memory of Steven Spina, for a bench to be installed at Harbor Island Park under the Village of Mamaroneck's bench program, at an estimated value of nine hundred dollars (\$900).

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

C. Approval of Bocce Court and Acceptance of Donation

On motion of Trustee Murphy, seconded by Trustee Ryan:

WHEREAS, residents from the Washingtonville area requested a Bocce court be installed in Bub Walker Park; and

WHEREAS, the Recreation Commission is in approval of this project for this Park;

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation from the Washingtonville neighborhood residents to contribute materials and services for a bocce court to be installed at Bub Walker Park at the end of Grand Street, at an estimated value of one thousand dollars (\$1,000).

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

D. Authorization for Village Manager to Execute MOA with Rye YMCA

Mr. Slingerland informed the residents that he was contacted by the Rye YMCA to hold a pilot program in either the red or blue room at the Harbor Pavilion Building. Mayor Savolt stated that the Rye YMCA received grants from the Activate America Coalition to develop programs in Rye, Larchmont and Mamaroneck working with municipalities and school districts.

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

WHEREAS, the Village of Mamaroneck, along with the Mamaroneck School District, Rye Neck School District, the municipalities and school districts in the City of Rye, the Town of Harrison, Town of Mamaroneck, Village of Larchmont, are members of the Activate America Coalition, spearheaded by the Rye YMCA; and

WHEREAS, the Activate America Coalition is desirous of combating obesity, and we are committed to the same goals as Activate America since we are a member of the Activate America Coalition; and

WHEREAS, the Rye YMCA seeks to offer social, recreational and fitness programs for residents as a pilot program at Harbor Island in the Village of Mamaroneck; and

WHEREAS, the Rye YMCA will be providing programming and skilled, certified personnel to conduct these activities; and

WHEREAS the Village of Mamaroneck and Rye YMCA will finalize the Memorandum of Agreement;

RESOLVED, that the Village Manager is hereby authorized to execute said agreement.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

E. Authorization for Village Manager to attend NYS City/County Management Conference

Mr. Slingerland, as Vice President of the New York State City/County Management Association requested that he be authorized to attend their 51st Annual Meeting at a cost of \$600 for hotel and registration. Mr. Slingerland will pay for transportation, food and any incidentals incurred.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Village Manager is hereby authorized to attend NYSCMA's 51st Annual Meeting to be held in Bolton's' Landing, New York from May 17, 2009 through May 19, 2009, and

Be it further RESOLVED that the expenses to attend this conference will be charged to the respective budget account as provided in the adopted budget.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

F. Reschedule May 18, 2009 Board of Trustee Work Session

Mr. Slingerland advised that the Work Session of the Board of Trustees scheduled to be held on Monday, May 18, 2009, falls on a day that he will be attending the New York State City/County Management Association 51st Annual Training Conference. He is requesting the work session be rescheduled. Mayor Savolt stated that the resolution submitted had the incorrect venue and should read that the work session will be held in the conference room at the Regatta, not the courtroom at Village Hall.

On motion of Trustee Hofstetter, seconded by Mayor Savolt:

RESOLVED that the Work Session of the Board of Trustees scheduled to be held on Monday, May 18, 2009, be and is hereby rescheduled for WEDNESDAY, MAY 20, 2009 AT 5:30 P.M. in the conference room at the Regatta.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

G. Reschedule May 25, 2009 board of Trustee Regular Meeting

Mr. Slingerland advised that the Regular Meeting of the Board of Trustees scheduled to be held on Monday, May 25, 2009, falls on a holiday (Memorial Day). Therefore, the meeting needs to be rescheduled.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Regular Meeting of the Board of Trustees scheduled to be held on Monday, May 25, 2009, be and is hereby rescheduled for TUESDAY, MAY 26, 2009 AT 7:30 P.M. in the Courtroom at Village Hall.

Ayes: Murphy, Robinowitz, Hofstetter, Ryan, Savolt
Nays: None

6. REPORT FROM VILLAGE MANAGER

A. File for Record – Agreement with Shaw Environmental Inc.

Mr. Slingerland stated that this Agreement is being filed for the record with the Clerk-Treasurer's office.

B. File for Record – NYS Department of Transportation Snow & Ice Agreement

Mr. Slingerland stated that this Agreement is being filed for the record with the Clerk-Treasurer's office.

C. Personnel Appointment

Mr. Slingerland notified the Board that effective April 13, 2009, Laura Rainaldi has been appointed to the position of Parking Enforcement Officer, at the annual salary of \$46,572.00

D. Correspondence from Cablevision

Mr. Slingerland notified residents that effective May 5, 2009, Cablevision will be eliminating the duplicate analog feeds of fourteen of their programming services. As these channels will remain in their existing package, they will only be available on televisions with a digital set-top box or CableCARD. Cablevision is offering one iO digital cable box and remote, plus iO Navigation, free for one year. This offer expires on July 4, 2009.

E. Correspondence from Kids for World Health

Mr. Slingerland informed the residents that Kids for World Health is having a Trek for Treatment hike-a-thon on Sunday, April 26th from 1:00 p.m. to 4:00 p.m. at Saxon Woods Park on Mamaroneck Avenue. The Trek for Treatment raises money to support life-saving health care for kids and families in Africa.

F. Correspondence from State of NY Office of Real Property Services

Mr. Slingerland informed the Board that he received a letter from the above referenced office regarding an opportunity to reduce costs by ending duplicative village assessing.

G. Correspondence from Braking the Cycle

Mr. Slingerland received a letter from Braking the Cycle to request permission for them to travel through the Village on Sunday, September 13, 2009. They have also notified Police Chief Flynn of their intentions. This is part of a three-day bicycle ride to benefit the HIV/AIDS services of New York's LGBT Center. Their route through Mamaroneck is less than 1 mile from Halstead Avenue onto Fenimore Road. The bikers can be expected between 10:30 a.m. and 1:30 p.m. and the roads will not be closed. Signs will be posted and additional police staff will be posted as well.

7. FLOOD MITIGATION REPORT

Mr. Slingerland announced that he will be giving an update at every Board of Trustee Regular meeting, but it will be new information only.

The first item is in regard to the Hazard Mitigation Plan. At the last meeting, Mr. Slingerland reported that the federal and state governments informed the Village that they no longer accept Flood

Mitigation Plan as means to support grants to local jurisdictions. After that notification, Mr. Slingerland received a Letter of Intent from the New York State Emergency Management Office (SEMO) which allows the Village to begin working on a Hazard Mitigation Plan. Mr. Slingerland began working on this the day following receipt of the Letter of Intent by asking for a grant of \$38,000 to begin the process immediately so that it could be completed on the local level in the next 12-months. His office will be sending out an RFP for qualified Hazard Mitigation plan preparers.

The second item is the notification received today by Mr. Slingerland from the Commissioner of Planning for Westchester County informing him that the Village's contact at the Army Corps of Engineers is out on maternity leave; however, accessible by email. Mr. Slingerland emailed her and she responded with those projects the Village can undertake. They are sewer improvements, local drainage improvements, removal of the road to nowhere, the removal of the bridge to nowhere and the replacement of the Jefferson Avenue Bridge. Mr. Slingerland read part of a letter received from their engineer regarding the removal of the Jefferson Avenue Bridge.

The third item is scheduling a meeting and walk of the rivers with the engineer on determining exactly what flood mediation projects can be worked on.

The last item is reporting on the River Clean Up. Mr. Slingerland thanked DPW for their support and all of the volunteers, including the Board and some Village staff for chipping in to help. There were seven official locations on the rivers; including the Sheldrake, Mamaroneck and the Beaver Swamp Brook. There were approximately 50-75 volunteers working on the rivers and in the neighborhoods. All tolled, the following was collection:

Tires- 14
 Yard Waste- 5 cubic yards (leaves, grass, small branches)
 Garbage- 3-1/2 TONS (includes approx. 500 lbs metal)**
 Recyclables- 5 cubic yards (plastics, cans, glass)
 Concrete blocks- 4-1/2 cubic yards

**3-1/2 tons of garbage would completely cover a regulation soccer field.

The Mayor reminded residents that anything put in a storm drain does not go to the sewage treatment plant, but goes directly out to the Long Island Sound. The Board agreed that there needs to be more public education on this and other flood mitigation issues.

Mr. Slingerland reported on the budget overage at the Fire Department. He stated that their 2008-2009 expenditures have been under review for a few weeks and he has noticed some sloppy billing practices and there were purchases made that did not have three bids or more; therefore, at times the purchasing practices were not being followed. Bills totaling approximately \$150,000 came in around the time of the Village Manager transition and these bills are presently being reviewed. There were numerous projects at the Halstead Manor Fire House that were capital projects and should have been charged to that line; however, they were not. Mr. Slingerland met with the Chief's to explain the proper way to plan for and bill items. Bills are being closely reviewed and any item that is not needed and can be returned is being returned. Mr. Slinger also reported that \$60,000 has been cut from their 2009-2010 budget. There will be a final \$40 - \$60,000 overage this year after taking \$100,000 from monies saved on the new fire house capital plan, return of items and reduction of their next year's budget.

Mr. Slingerland reiterated that any purchase over \$500 will have to be signed off by him. The Village will also be seeking bids for the equipment and services they need insuring that we receive the

maximum for the money that is spent. The back billing for items needed at an emergency scene was also raised by Chief DeLitta as something done at other municipalities and is being discussed.

Mayor Savolt summarized that there is a projected overage of \$200,000 of which half were capital expenditures and should have been put through as capital expenditures, not taken from the general fund. There is enough money through savings at the new fire house to cover this amount. This leaves an approximate \$100,000 overage, which is in part being recouped by a reduction in their 2009-2010 budget of \$60,000. This leaves approximately \$40,000 in overages and this may be able to be recouped in the future. Mayor Savolt also stated that the fire department going over budget is not anything new and that in the past this was covered by other departments or by taking money from the fund balance; however, it was never explained to the public.

Trustee Murphy mentioned that the savings realized with the new fire house is thanks to Dean DeLitta and Chris Szymanowski. He thanked them for their dedication. Trustee Murphy also pointed out that although they did not have a good year budgeting, they had a very good year fire fighting. As far as he knows no one was hurt in a fire this year. He thanked them for volunteering to keep our Village safe.

8. REPORT FROM CLERK-TREASURER

A. Filing of Notice of Adoption – Annual Assessment Roll

Mr. Fusco reported that the Annual Assessment Roll has been filed with the office of the Clerk-Treasurer.

8. REPORT FROM VILLAGE ATTORNEY

None

9. REPORT FROM POLICE CHIEF

Chief Flynn reported that after every emergency situation, the police department has a meeting to review what went well and what could have been handled differently or better. He, therefore, appreciates the comments made by Ms. Greco and these comments will be reviewed in a meeting on the recent incident with the Fire Chief and Village Manager.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. HCZM – February 18, 2009

B. Recreation and Parks Commission – March 11, 2009

C. BAR – Marcy 19, 2009

II. COMMUNICATON TO THE BOARD II

Mr. Irving Scharf from Richbell Road appeared to ask what the total fire house project costs. Trustee Murphy believes it is approximately \$8 million including the purchasing of the land.

Trustee Ryan thanked the Committee for the Environment, DPW, McDonalds, Boanno Bakery, Bo's Café and Chocolations for all they contributed to the effort. Trustee Ryan told a story conveyed to her by one of the volunteers who works for Woodard & Curran, consultants to the Village, that as people were gathering around the truck to get their supplies, it was quite clear that we have a diverse community, but the best thing is how we all worked together.

Mayor Savolt thanked Trustee Ryan for her role in organizing this with the Committee.

Trustee Robinowitz congratulated the Chamber of Commerce on the successful Wine Trail that took place the day before. She announced that registration for the Village Camp begins on Friday, April 29th and the sailing program has been reinstated.

Trustee Murphy stated that he received calls regarding the Hommocks Co-op Camp for 6, 7 & 8 graders. The Board of Education cut this as a means to save money on their budget. The Board of Ed has agreed to put half of the money need to run this camp back in their budget and has challenged the residents to raise the other half, which is \$35,000. This camp helps those children who need academic help during the summers, as well as giving them a camp experience. He hopes that residents find it in their heart and wallets to children who need it the most. The Hispanic Resource Center is collecting the funds. Trustee Murphy also reported on a report on the Attorney General's website on shared services and consolidation of services which is comprehensive and should be read by anyone interested in and would like to be better informed on the subject.

Trustee Hofstetter thanked Trustee Ryan for her part in the Clean-Up Day. He believes it was educational for his children and for all of the children and adults who participated; teaching all to be responsible.

Mayor Savolt reported that she received a call from a resident complimenting Diane Fasola from DPW for her professionalism and courtesy in dealing with an issue. The Mayor also received a letter from a resident who is a member of the New York State Police Force complimenting Police Officers PJ Trujillo, Matthieu Ricoszi, Patrick Tunno and Detective Casterella on their professionalism in a difficult situation.

Mr. Slingerland reported on a Press Release he received from the County on the Swine Flu. No cases have yet been reported in the County; however, people should take necessary precautions. All of the cases in the United States have been mild.

On motion of Trustee Murphy, seconded by Trustee Hofstetter:

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