

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, SEPTEMBER 14, 2009 AT 7:30 P.M. IN THE COURTROOM
AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Kathleen Savolt
	Trustees	John M. Hofstetter Randi Robinowitz Nicholas Allison
	Village Manager	Richard Slingerland
	Village Attorney	Janet M. Insardi
	Police Department	Chief Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	Trustee	Toni Pergola Ryan

PRESENTATION OF NYCOM AWARD

Mayor Savolt announced that the New York State Conference of Mayors and Municipal Officials (NYCOM) has been joining with Municipalities in recognizing those municipal employees who have served one municipality for twenty-five years or more. The Village is honoring such an employee this evening, Warren Powell, who has served the Village of Mamaroneck for 25 years. The Mayor and Board thanked Mr. Powell for his service to the Village and presented him with a Certificate of Recognition. Mr. Powell thanked the Mayor and Board.

I. COMMUNICATION TO THE BOARD

Mr. Walter Rogers of Tompkins Avenue appeared. Mr. Rogers asked the Board for the status of the apartment building on Tompkins Avenue that has supposedly been condemned. Mr. Slingerland advised Mr. Rogers that this is being handled by the Building Department but that he will look into this matter and get back to him.

Mr. Rogers asked about the status of a Teen Center at Harbor Island and why the Village decided to stop the practice of a Teen Center. Mayor Savolt informed Mr. Rogers that the teens stopped coming and a previous Board made the decision to stop the program. She also informed Mr. Rogers that there are other events for teens being sponsored by the Village at the Harbor; they are just not as frequent. The Village is trying different things to get teens engaged again and would welcome suggestions and ideas to get this done.

Mr. Rogers also has issue with all of the outdoor cafes in the Village and if the requirements are being followed, in as far as the amount of space between the tables and edge of the sidewalk. He also wants to make sure that these businesses have the correct insurance and the Village is not held liable if someone gets hurt. The Board assured Mr. Rogers that there are Code Enforcement Officers making sure that the requirements are followed and that the Village Manager's office assures that the proper insurance is in place before issuing a sidewalk café permit.

Mr. Joseph Rinaldi of Gerard Street appeared. Mr. Rinaldi is the president of a committee to cut taxes in our Village. He wanted to know when the Village is going to settle the lawsuit with the

Mamaroneck Beach and Yacht Club. He believes that the Board is putting the Village in jeopardy by not settling. Ms. Insardi informed Mr. Rinaldi that the settlement discussions were unsuccessful. The Village has indicated that it is open to reasonable settlement offers. Unfortunately a settlement cannot happen unless there are two willing parties.

Mary Lou Greco of Center Avenue appeared regarding the Mamaroneck Beach and Yacht Club case. Ms. Greco and some of her neighbors feel that if they are allowed to build their project, it will add to the tax base, both property and school taxes. She also stated that Mr. Rosenshein has made it plain to her that he would employ local trade people. She asked the Board to address the environmental issues. The Mayor suggested that the history of this case and its implications be addressed at a future meeting. Trustee Hofstetter stated that the Beach Club is in the process of suing the Village in a tax certiorari case for a substantial reduction of their taxes; therefore, he does not necessarily agree with the statement that having these seasonal houses built would help with the tax base.

Mr. Michael Mariani of Mamaroneck Avenue appeared and stated that he was speaking on behalf of at least 18 local contractors and suppliers. He stated that he would be the construction manager on the project at the Beach Club if it goes forward. Regarding the equipment being brought for excavation, it would be done with a small mini sized excavator. He stated that Mr. Rosenshein has pledged to these 18 contractors and suppliers that he would use them for this project. He cannot understand why this project cannot go forward as it would put hundreds of residents to work, who may not make it through the winter. Ms. Insardi stated that there has been a synopsis of the case, which could be put on the website and that it could be discussed in more detail at a future meeting, as there may be some misunderstandings. No one is in favor of keeping residents from working.

Mr. Norman Rosenblum of Carroll Avenue appeared. Mr. Rosenblum stated again that during these tough economic times he believes the Village should have a hiring freeze. At the last Board of Trustee work session Mr. Rosenblum attended, it was announced that an Assistant Village Manager would be hired by the end of the month. He believes that this is contrary to the last Budget meeting where this was discussed and it was suggested that this work be done by an intern, in which he believes Mr. Slingerland was in favor. He also feels that there is a general policy of this Board to ignore Village Boards and Commissions. He saw this at the last meeting when the Board agreed to pass an all pedestrian stop without asking the Traffic Commission or Fire Department to review the study. He would rather see a crossing guard than a four way stop. The Mayor informed Mr. Rosenblum that the crossing guard will not be removed. Mr. Rosenblum's last issue was in regard to the basketball program being run at Columbus Park under the blessing of the Village Recreation Department. He was given the following information and would like to know if it is true: The 18 teams are being charged approximately \$1,000 and the checks are not being written to the Village, but to the person running the program. These teams come from all over the tri-state area and Mr. Rosenblum is concerned with the liability issue this could possibly cause for the Village.

Mayor Savolt stated that she knows nothing about this and the other Board members agreed that they know nothing. The Mayor also stated that this was something that went on in the past, being run by a different individual and that a previous Board put a stop to it. She assured Mr. Rosenblum that this will be looked into.

Mr. Howard Jordon of Library Lane appeared. Mr. Jordon started the teen center at the Harbor in 1995 and believes that it could be a success today. He informed the Board that he tried to have a team participate in the Mamaroneck basketball league at Columbus Park and that it the fee is \$450 for a women's team and \$500 for a men's team plus \$50/game for officials. There is also a PBA team that participates. The Mayor reiterated that this will be looked into.

2. APPROVAL OF MINUTES

A. Minutes of Public Hearing of August 24, 2009 on Proposed Local Law 9-2009

On motion of Trustee Allison, seconded by Trustee Hofstetter:

RESOLVED that the Minutes of the Public Hearing on Proposed Local Law 9-2009 of August 24, 2009 be and are hereby approved.

Ayes: Allison, Robinowitz, Hofstetter, Savolt
Nays: None
Absent: Ryan

B. Minutes of BOT Regular Meeting of August 24, 2009

On motion of Trustee Robinowitz, seconded by Trustee Allison:

RESOLVED that the Minutes of the Regular Meeting of August 24, 2009 be and are hereby approved.

Ayes: Allison, Robinowitz, Hofstetter, Savolt
Nays: None
Absent: Ryan

3. AUDIT OF BILLS

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

RESOLVED that the Abstract of Audited Vouchers listed below dated September 14, 2009, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$657,751.60
Capital Fund	15,197.83
Water Fund	17,955.00
Trust & Agency	18,199.66
	<hr/>
	\$ 709,104.09

Ayes: Allison, Robinowitz, Hofstetter, Savolt
Nays: None
Absent: Ryan

4. OLD BUSINESS

A. None

5. NEW BUSINESS

A. Approval of Crupi v. Slingerland Resolution

Ms. Insardi stated that an Article 78 was instituted in June of this year against Mr. Slingerland in connection with a determination that was made in respect to an alleged strike determination. At this time a settlement agreement has been reached. Ms. Insardi gave a summary of the terms of the settlement. This has been discussed in previous executive sessions and she believes that the settlement is in the best interest of the Village. Trustee Allison informed the residents that in this instance, Mr. Slingerland is a "place holder" as he was not employed by the Village when this action happened; it was originally brought against the interim and acting Village Manager.

On motion of Trustee Hofstetter, seconded by Trustee Robinowitz:

**RESOLUTION AUTHORIZING SETTLEMENT OF THE MATTER OF
CRUPI ET. AL. V. SLINGERLAND ET. AL. (INDEX NO. 09-12783)**

WHEREAS, an Article 78 action was commenced by Village employees Michael Crupi, Patrick Dahlgren, Stephen Harris, Frederick Muraca, John Paul, Warren Powell and Robert Welch on or about June 2, 2009 to review a determination of the Village Manager relating to a strike determination; and

WHEREAS, it is in the best interests of all parties to settle the matter by stipulation; and

WHEREAS, a stipulation of settlement setting forth the specific terms of settlement has been drafted and reviewed by counsel to the Board and the Village Manager; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the settlement of Crupi et. al. v. Slingerland et. al. on the agreed upon terms and authorizes the Village Attorney to execute the Stipulation of Settlement.

Ayes: Allison, Robinowitz, Hofstetter, Savolt
Nays: None
Absent: Ryan

B. Approval of Settlement of Tax Certioraris

(a) Post Road Boat Yard. The Mayor stated that \$200,000 was budgeted for tax certioraris this year, as in years past, however it will not be enough. Fortunately, the Village had a surplus of \$1.6 million last year and some of this money will be used to pay for these certioraris. Ms. Insardi stated that the Town of Rye already settled the cases for approval tonight after review and recommendation by their Assessor.

On motion of Trustee Allison, seconded by Trustee Robinowitz:

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER POST
ROAD BOAT YARD, INC. FOR PROPERTY LOCATED AT
149 EAST BOSTON POST ROAD**

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

WHEREAS, petitioner's court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) 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 deemed to be just, reasonable and in the interest 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>
POST ROAD BOAT YARD, INC.	149 EAST BOSTON POST ROAD	2004-2009

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2004	\$95,800	\$47,700	\$48,100
2005	\$95,800	Not Filed	-0-
2006	\$95,800	\$44,850	\$50,950
2007	\$95,800	\$42,150	\$53,650
2008	\$95,800	\$39,050	\$56,750
2009	\$95,800	\$39,730	\$56,070

Ayes: Allison, Robinowitz, Hofstetter, Savolt
 Nays: None
 Absent: Ryan

(b) R.G. Brewers/Lot 2

On motion of Trustee Hofstetter, seconded by Mayor Savolt:

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER R. G. BREWER, INC. FOR PROPERTY LOCATED AT 161 EAST BOSTON POST ROAD

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

WHEREAS, petitioner's court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) 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 deemed to be just, reasonable and in the interest 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>
R.G. BREWER, INC.	161 EAST BOSTON POST ROAD	2004-2009

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2004	\$132,000	\$44,050	\$87,950
2005	\$132,000	Not Filed	-0-
2006	\$132,000	\$41,400	\$90,600
2007	\$132,000	\$42,250	\$89,850
2008	\$132,000	\$42,420	\$89,500
2009	\$132,000	\$43,170	\$88,830

Ayes: Allison, Robinowitz, Hofstetter, Savolt
 Nays: None
 Absent: Ryan

(c) R. G. Brewers/Lot 3

On motion of Trustee Hofstetter, seconded by Mayor Savolt:

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER R. G. BREWER, INC. FOR PROPERTY LOCATED AT 181 EAST BOSTON POST ROAD

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

WHEREAS, petitioner's court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) 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 deemed to be just, reasonable and in the interest 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>
R.G. BREWER, INC.	181 EAST BOSTON POST ROAD	2004-2009

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2004	\$20,000	\$17,300	\$2,700
2005	\$20,000	Not Filed	-0-

2006	\$20,000	Not Filed	-0-
2007	\$20,000	\$15,100	\$4,900
2008	\$20,000	\$13,900	\$6,100
2009	\$20,000	\$14,100	\$5,900

Ayes: Allison, Robinowitz, Hofstetter, Savolt
 Nays: None
 Absent: Ryan

(d) Small Claims Certiorari Settlements

Ms. Insardi informed residents that every year the Board of Trustees sits as the Board of Assessors to hear tax grievances. Most of them are denied. The resolution this evening is for cases reviewed and recommended by the Village Assessor.

On motion of Trustee Robinowitz, seconded by Trustee Allison:

RESOLUTION APPROVING 2009 SMALL CLAIMS SETTLEMENTS

WHEREAS, a number of Small Claims Assessment Review Proceedings were filed by various property owners; and

WHEREAS, the Village of Mamaroneck and the Petitioners have reached mutually agreeable resolutions; and

WHEREAS, the Board of Trustees has had an opportunity to review the stipulations of settlement and have been satisfied that the settlements are 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 ratifies the settlements previously reviewed and presented to them at the Work Session on September 14, 2009 as follows:

2009 SMALL CLAIMS

<u>Sec Blk Lots</u>	<u>Owner & Location</u>	<u>Present A/V</u>	<u>Settlement A/V</u>	<u>Reduced Amount</u>
4 -25-11D	L. Fraioli 407 Union Ave	13,200	13,200	WITHDRAWN
4-27-30	D. Tormenta 451 Beach Ave	13,200	13,200	WITHDRAWN
4-30-3A	R. Romani 341 Wagner Ave	13,500	10,200	3,300

4-30-11	M. Federman 316 Frank Ave	15,400	11,550	3,850
4-30-35	D. Jackson 327 Wagner Ave	18,800	14,100	4,700
4-30-38	E. Jones 337 Wagner Ave	14,700	11,900	2,800
4-33-6A	J. Lambrosa 516 Fifth St	13,800	13,800	WITHDRAWN
4-49-75A2	F. Spedafino 208 West St	12,900	10,900	2,000
4-51-40	A. Spinelli 117 Wagner Ave	14,200	10,700	3,500
4-65B-261	M. Monaco 1404 Shelbourne Ave	11,700	10,000	1,700
4-68-21	W. Li 596 The Parkway	23,500	20,000	3,500
4-73-8B2	F. Levine 955 The Parkway	24,600	18,600	6,000
4-74-19	S. Granett 407 Creek Road	18,800	16,100	2,700
4-74-33	F. Jacques 758 Soundview Ave	18,500	14,000	4,500
4-76-12	K. Waitt 549 Alda Road	17,000	15,700	1,300
4-79-8A2	D. Kaufman 917 Taylors Lane	80,300	61,300	19,000
8-1B-7B	J. Lubliner 115 Sunset Rd	16,800	12,600	4,200
8-12-1	F. Kaskel 1251 Raleigh Rd	15,400	13,000	2,400
8-28-1-4	C. Sleeper 407 Soundview Ave	15,000	11,500	3,500
8-54-19B	M. Caringi 925 Lester Ave	11,000	8,250	2,750
8-68-3	O. Rios 123 Bradford Ave	9,000	8,200	800
8-78-30	W. Tumm 131 Washington Ave	13,500	11,500	2,000
9-7-14	A. Azevedo 402 Heathcote Ave	13,700	10,700	3,000
9-14-21A	K. Spadaro 304 Heathcote Ave	15,200	11,700	3,500
9-46-2,3	J. Farkas	13,400	10,400	3,000

625 Cortland Ave

9-73-14	E. Pomeranz 518 Cortland Ave	18,300	15,300	3,000
9-66-1F	K. Waitt 375 Claflin Ave	22,600	22,600	WITHDRAWN
9-70-18	. Kropp 919 Sylvan Ave	20,200	16,800	3,400
9-72-14B	L. DiMicelli 621 Orienta Ave	23,700	23,000	700
9-72-18C	J. Koh 555 Orienta Ave	35,900	27,000	8,900
9-72B-6-4	T. Landau 604 Fairway Green	22,844	17,500	5,344
9-72B-8-3	B. Mines 803 Fairway Green	18,974	18,974	WITHDRAWN
9-72B-15-1	B. Brown 1501 Fairway Green	19,234	14,700	4,534
9-87-5B	B. Mines 724 Seney Ave	25,600	25,600	WITHDRAWN
9-89A-11	G. Walden 1044 Cove Rd	39,600	39,600	WITHDRAWN
9-89A-13	Westchester Properties 1100 Cove Rd	37,800	37,800	DISMISSED
9-89A-14A	D. Schein 1110 Cove Rd	32,200	26,700	5,500
9-89B-17B	D. Biel 1022 Cove Rd	26,850	20,410	6,440
9-90-1	T. Farkas 850 Orienta Ave	27,700	25,000	2,700
9-94-6,7	D. Topol 825 Orienta Ave	44,100	33,100	11,000
9-103-14	R. Wofsey 880 Pirates Cove	28,900	23,550	5,350
9-112A-7	R. Warner 1015 Nautilus Lane	28,600	25,000	3,600
9-113-3	A. Meltzer 906 Skibo Lane	22,300	17,300	5,000

C. Resolution for Home Rule Legislation to Correct Pension System Matter

Mr. Slingerland gave a brief synopsis on this matter, but informed the Board that it will have to be tabled to a future Board Meeting as the Bill numbers have not been received from Assemblyman Latimer.

D. Authorization for Village Manager to Apply for State Assistance Contract

This is a request for the Manager to submit an application to the New York State DEC for a new state assistance contract for the remedial action needed at the Taylors Lane site. This is to close out the current phase and to get a new state assistance contract so that we can continue to get state aid on this project.

On motion of Trustee Hofstetter, seconded by Trustee Allison:

BE IT RESOLVED THAT THE Board of Trustees of the Village of Mamaroneck hereby authorize the Village Manager or his designee to take all necessary and appropriate actions to apply for, execute and proceed under an extended and/or new State Assistance Contract (SAC) with the New York State DEC for further remedial action in relation to the Taylor's lane Landfill closure, identified by Site ID 360021.

Ayes: Allison, Robinowitz, Hofstetter, Savolt

Nays: None

Absent: Ryan

E. Resolution in Support of Mayors Against Illegal Guns

A letter was received by the Mayor from the NYS Coordinator of this bi-partisan coalition committed to fighting illegal gun trafficking and giving law enforcement the tools necessary to keep guns out of the hands of criminals. This coalition has grown to more than 450 mayors from more than 40 states; with 20 members from New York. The Mayor has been asked to join the coalition.

On motion of Trustee Allison, seconded by Mayor Savolt:

WHEREAS, 30,000 Americans across the country are killed every year as a result of gun violence, destroying families and communities in big cities and small towns; and

WHEREAS, As Mayors, we are duty-bound to do everything in our power to protect our residents, especially our children, from harm and there is no greater threat to public safety than the threat of illegal guns;

NOW THEREFORE we resolve to work together to find innovative new ways to advance the following principles:

- Punish – to the maximum extent of the law – criminals who possess, use, and traffic in illegal guns.
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers.
- Oppose all federal efforts to restrict cities' right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco, and Firearms to combat illegal gun trafficking.
- Work to develop and use technologies that aid in the detection and tracing of illegal guns.
- Support all local, state, and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices.
- Invite other cities to join us in this new national effort.

Ayes: Allison, Robinowitz, Hofstetter, Savolt

Nays: None

Absent: Ryan

F. Authorization for Officers to attend Conference

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter:

WHEREAS, the Chief of Police has requested Lieutenant Steven Gerardi attend a three day seminar entitled "Managing Police Discipline" which is directly related to his duties and responsibilities, and

WHEREAS, the seminar is scheduled for November 2-4, 2009 in Myrtle Beach, South Carolina, at an estimated cost of seven hundred dollars (\$700.00).

BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck hereby authorize Lieutenant Steven Gerardi to attend the "Managing Police Discipline" seminar to be held on November 2-4, 2009 in Myrtle Beach, South Carolina at an estimated cost of \$700.00, the cost of which is provided in the Police Department's budget training line A3120.443.

Ayes: Allison, Robinowitz, Hofstetter, Savolt

Nays: None

Absent: Ryan

G. Schedule Public Hearing on PLL 11-2009

Ms. Insardi informed the Board that this is a Proposed Local Law to amend Chapter 240 (Management of Coastal Zone, Harbor and Watercraft) of the Code of the Village of Mamaroneck by amending Section 240-14(G) (Mooring Tackle and Buoy Permits). This will assure that the Village receives the fees for winter moorings. This increase will bring in approximately \$25,000 in additional revenue to the Village and would still be less than neighboring marinas.

On motion of Trustee Allison, seconded by Mayor Savolt:

RESOLVED that a Public Hearing on Proposed Local Law 11-2009 (Mooring, Tackle and Buoy Permits) be and is hereby scheduled for September 28, 2009.

Ayes: Allison, Robinowitz, Hofstetter, Savolt

Nays: None

Absent: Ryan

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Cleaning Services Agreement with Fullerton Service Industries

The cleaning service agreement with Fullerton Services Industries for the period of 9/1/2009 – 8/31/2010 is being filed for the record with the Clerk-Treasurer. Mr. Slingerland informed the Board that there was a lower bidder; however, they were not considered a responsible bidder. Mr. Slingerland informed the lowest bidder that if they are considered a responsible bidder next year, they may resubmit their bid for consideration.

B. Rate Change for Verizon's FIOS TV Premier Service

Mr. Slingerland received a letter from Verizon regarding the increase of their rates for subscribers who have FIOS TV only, not the package with the phone and internet.

On a different matter, Mr. Slingerland announced that the Downtown Issues Ad Hoc Committee will hold a public meeting next Tuesday, September 22, at 6 p.m. in the Courthouse and that any resident who has a suggestion/ideas, may email it to info@vomny.org or fax to 777-7760. There was also an email address published in the Mayor's last column in the Sound & Town and that address will work as well.

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that the Village is working with the Building Department, County and State Emergency Services Departments and Army Corps of Engineers on a workshop for residents on projects that residents can do to their homes to help mitigate flooding and simplifying the application process. Mr. Slingerland also stated that there are two applications pending with the DEC and Army Corps; one for use of the mud cat and a letter of jurisdiction allowing the Village to do basic hand cleaning of the rivers and streams. Mr. Slingerland announced that he received a response from the state notifying us that we passed the first step and our notice of intent has been passed along to the second steps for money to complete our All Hazard Mitigation Plan.

Mayor Savolt added that there are two projects pending up river from the Village; one in Harrison and the other in Scarsdale. Unfortunately, the hearings are on the same night. A member of the Board will attend these meetings. We have reached out to all pertinent agencies asking them to help us look over these projects so that they do not damage the Village. The proposed project in Harrison did not have a plan for retention. The Harrison Planning Board informed the applicant that they must have a 100% retention plan.

8. REPORT FROM CLERK-TREASURER

Mr. Fusco reported that his office received a letter of resignation from Council of the Arts member, Shira Weinstein. He thanked Ms. Weinstein for her service and encouraged any resident who is interested in serving, to please submit their resume.

9. REPORT FROM VILLAGE ATTORNEY

Ms. Insardi requests an Executive Session at the end of the meeting to discuss Sheldrake Estates and the Mamaroneck Beach & Yacht Club Case.

10. REPORT FROM POLICE CHIEF

The Chief informed the Board that retired Police Chief, Louis Lifrieri passed away recently. The Chief sent condolences from the Police Department to his wife and family. There was a moment of silence.

11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

The following minutes were submitted to the Board:

Planning Board – June 25 & July 9, 2009 (Tabled at last meeting)

ZBA – June 4 & July 22, 2009

BAR – August 4, 2009

12. COMMUNICATON TO THE BOARD II

Ms. Peggy Jackson of N. James Street appeared. Ms. Jackson stated that she was at the Harrison Planning Board office earlier today and was told by the secretary to the Planning Board that if Harrison Hamlet did not pass this session, it will pass at the next session. The Mayor is not sure if this is accurate information.

Ms. Mary Lou Greco of Center Avenue appeared as a member of the Board of Directors of Habitat for Humanity regarding the fundraiser that will be taking place at Molly Spillane's to benefit the building of Liz Covington's home. Ms. Greco informed residents that they may send in or drop off money the evening of the event as the event is sold out.

Ms. Lucia Tattavito of the Regatta appeared for clarification on when phone calls are received by the Police Department a report will be made. The Chief confirmed that reports can be filed without an officer visiting the apartment. Ms. Tattavito reported that she and five other residents of the Regatta met with the owner of Molly Spillane's and believes that progress was made. She informed the Chief that there is still an issue with motorcycles parking on the sidewalks. The Chief is aware and tickets are being given.

Mr. Slingerland reported that he also met with Mr. Hynes, owner of Molly Spillane's and they discussed turning off the television and speakers at midnight and that they could not begin showing outdoor movies at 11 p.m. as advertised. If they did, summons would be issued. He also gave Mr. Hynes the name of a noise mitigation engineer.

Mr. Walter Rogers appeared again as he did not get an answer to the sidewalk cafes on Mamaroneck Avenue and that tables and chairs are being put in the street, taking up three parking spaces. Mayor Savolt explained the sidewalk café code and enforcement of that code in the Village, which was passed in 1998 when Mr. Rogers was on the Board. Mr. Rogers is very concerned with the tables in the street outside of Café Mozart as he is afraid that the Village will be sued in case of an accident. Ms. Insardi informed Mr. Rogers that there are specific requirements set forth in the code regarding insurance and hold harmless agreements and that all necessary steps are taken to protect the Village.

Updates from the Board

Trustee Allison addressed the all pedestrian stop approved at the last meeting. He stated that there was a public hearing held where all opinions were heard. He also heard from a resident that this is the single best thing that the Board has done since he has been on the Board. Trustee Allison informed the residents that there were three children crossing with the crossing guard last Tuesday and a driver making a right turn almost ran them down. He feels that this all pedestrian stop is a blessing.

Trustee Robinowitz congratulated the Chamber of Commerce on their Celebrate Mamaroneck weekend. She also had copies of the newly printed "Mamaroneck Information" brochure produced by the Chamber. Trustee Robinowitz thanked Ivy Booker Strauss and her family, working with Rose Silvestro and Jennifer Graziano on this professional book.

Mayor Savolt also thanked the Chamber for the event and mentioned the new mural on the wall outside of CVS. She thanked all those responsible, including Sunny Goldberg, Laura Heiss, her brother, Village Paint and the students who helped paint it. Mayor Savolt noted the passing of Isabella Messina. Mrs. Messina was extremely active in the community especially in her Washingtonville neighborhood and her legacy continues today.

On motion of Trustee Hofstetter, seconded by Mayor Savolt:

RESOLVED that the Board of Trustees convene to Execute Session to discuss Shel Drake Estates and the Mamaroneck Beach & Yacht Club Case. It was noted that the Mayor will not participate in the Mamaroneck Beach and Yacht Club litigation discussion as she has recused herself from this matter.

Ayes: Allison, Robinowitz, Hofstetter, Savolt
Nays: None
Absent: Ryan

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