

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, SEPTEMBER 28, 2009 AT 8:00 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

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

Mayor Savolt informed the community that Trustee Robinowitz was absent from the meeting due to the sudden death of her father. The Mayor offered the condolences of the community and informed residents that expressions of sympathy may be sent to Trustee Robinowitz' home.

**1. COMMUNICATION TO THE BOARD**

Ms. Sue Odierna of Munro Avenue appeared. Ms. Odierna represents the Heathcote Hills Neighborhood Association and stated that there is a yearly mosquito problem in the neighborhood every September. Although the problem has not been resolved, the responses she has received from the Mayor, Village Manager and Trustee Hofstetter have been timely and helpful. Ms. Odierna appreciates the new meeting format and being able to address the Board at the beginning of the meeting. She also feels that the meetings are more civil and professional. She gave kudos to Chief Flynn, the police department, EMS and fire departments who were very responsive to her husband after he had a bike accident this past week.

Mr. John Latona of Courtland Avenue appeared. Mr. Latona also lives in the Heathcote Hills neighborhood and was present to speak about the mosquito problem. He has killed hundreds of mosquitoes in his home. Mr. Latona has background on the Long Island Sound and marshes as he is a teacher and teaches on these subjects. He informed the Board that there is a large ditch that has developed between the pathway and marsh at the west basin. He believes this could be contributing to the problem. He is willing to help anyway he can.

Mayor Savolt stated that the County Department of Health was at Mr. Latona's home and set traps so that the species of mosquito can be determined, which will help identify the source and a plan of action.

Louis Santoro of Palmer Terrace appeared. Mr. Santoro is a candidate for Trustee in November. Mr. Santoro asked for a moment in silence in memory of Jack Mayne. He also asked about the status of the Westchester County Senior award. Mayor Savolt informed him that the Village of Mamaroneck tried to enter Jack posthumously, but the county would not allow it. Mr. Santoro asked for a follow up on the basketball league in Columbus Park. He had copies of Recreation Committee minutes from February 2009 which confirmed that the league was underwritten by the Village and he believes the

Village did not receive any money for it. Mr. Slingerland informed Mr. Santoro that this league has been operating for years and even though the Village does not receive any money, they also do not pay anything for this program. The Village does receive money from other sponsored programs; however they also have expenses to run these programs. Mr. Slingerland stated that all of the policies and procedures regarding these programs are going to be reviewed.

Trustee Ryan, liaison to the Recreation Committee reiterated that the programs are going to be reviewed.

Ms. Marianne Robino Ybarra appeared. Ms. Ybarra is also a candidate for Trustee in the November election. Ms. Ybarra asked for an update on the permits for use of the Mudcat. Mr. Slingerland stated that the permits have been filed with the DEC and Army Corps of Engineers and he is waiting for their approval. Ms. Ybarra also asked about the contract between the Army Corps and DEC. Mr. Slingerland stated that changes to this contract are still be negotiated.

Mr. Jim Bilotta of Shore Acres Drive appeared. His family owns the property at 564 Mamaroneck Avenue. Mr. Bilotta asked for an update on the Blood Brothers project and the lawsuit against the Village. Ms. Insardi informed Mr. Bilotta that a suit was instituted by the principal of this project. A settlement was attempted, which was unsuccessful. Ms. Insardi stated that it is very early in the case and she will keep residents informed at significant junctures in the case. Mr. Bilotta asked Mr. Slingerland about the stone wall at Hoyt Avenue. He has sent letters to the Building Department regarding this and has had no response. Mr. Slingerland asked for copies of all these letters and promised Mr. Bilotta a response.

## 2. APPROVAL OF MINUTES

### A. Minutes of BOT Work Session of September 8, 2009

Ms. Insardi had a revision under the Executive Session. The reason for the Session was put in one part of the minutes, but not in the resolution. This will be amended.

On motion of Trustee Ryan, seconded by Trustee Allison:

RESOLVED that the Minutes of the BOT Work Session of September 8, 2009, as amended, be and are hereby approved.

Ayes: Allison, Hofstetter, Ryan, Savolt

Nays: None

Absent: Robinowitz

### B. Minutes of Public Hearing of September 14, 2009 on PLL 10-2009

On motion of Trustee Hofstetter, seconded by Trustee Allison:

RESOLVED that the Minutes of the Public Hearing of September 14, 2009 on PLL 10-2009 be and are hereby approved.

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

C. Minutes of BOT Regular Meeting of September 14, 2009

On motion of Trustee Hofstetter, seconded by Mayor Savolt,

RESOLVED that the Minutes of the Board of Trustee Regular Meeting of September 14, 2009 be and are hereby approved.

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

3. AUDIT OF BILLS

Trustee Allison disclosed that he is receiving a \$120 refund for a tap class that did not take place at the Recreation center.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated September 28, 2009, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$322,320.28
Capital Fund	28,188.24
Trust & Agency	5,787.50
	<u>\$ 356,296.02</u>

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

4. OLD BUSINESS

A. Resolution for Home Rule Legislation to correct Pension System Matter

Unfortunately, the bill number was not received on this litigation and it will have to be tabled to a future meeting.

5. NEW BUSINESS

A. Authorization for Village Manager to Execute Agreement with Howard Lampert, P.E.

Mr. Slingerland gave background on this agreement. The Mayor stated that this will enable the Village to apply for a grant of approximately \$400,000. Trustee Ryan stated that another company gave a quote of \$90,000 for the same work product.

On motion of Trustee Ryan, seconded by Trustee Allison:

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AGREEMENT WITH  
HOWARD L. LAMBERT, P.E.

WHEREAS, it has been determined that the Village of Mamaroneck has thirteen (13) traffic signals eligible to receive Transportation Improvement Program (TIP) funds from the New York State Department of Transportation and;

WHEREAS, the Board of Trustees has received and reviewed a proposal from Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant to prepare complete plans and specifications for the traffic signals, at the rate of \$125.00 per hour.

NOW THEREFORE BE IT RESOLVED, the Board of Trustees authorizes the Village Manager to retain Howard L. Lampert, P.E. to prepare plans and specifications for 13 traffic signals in the Village of Mamaroneck for a total aggregate amount not to exceed \$16,000.00.

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

B. Authorization for Village Manager to Execute Agreement with Dolph Rotfeld Engineering

Mr. Slingerland stated that as part of the CDBG project for new sidewalks on the north side of Route 1, from Spruce to Mt. Pleasant, the NY State DOT requires that a qualified engineering inspector be on the project. The money paid to Mr. Rotfeld will be part of the Village's match of the grant. Mr. Slingerland also stated that there was lower bidder; however, they did not have any experience on CDBG work. He was also not sure if they were legitimate and supportable.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AGREEMENT WITH  
DOLPH ROTFELD ENGINEERING, P.C.

WHEREAS, The New York State Department of Transportation requires the Village of Mamaroneck to provide construction inspection and administration of a Community Development Block Grant (CDBG) funded Sidewalk Improvement Project to Boston Post Road and;

WHEREAS, the Board of Trustees has received and reviewed a proposal from Dolph Rotfeld Engineering, P.C. who has provided similar services for other municipalities in Westchester County and has the ability to coordinate with the various jurisdictional government agencies needed to complete this project, and;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees authorizes the Village Manager to retain Dolph Rotfeld Engineering for construction inspection and administration of Boston Post Road Sidewalk Project for a total aggregate amount not to exceed \$44,000.00.

Ayes: Allison, Hofstetter, Ryan, Savolt

Nays: None

Absent: Robinowitz

C. Approval of Requests for Tree Donations (1) Carpino & (2) Werbin

Mr. Slingerland stated that two residents have requested that trees be planted in the Harbor in memory of a family member.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLUTION AUTHORIZING THE ACCEPTANCE OF TREE DONATIONS

WHEREAS, the Village of Mamaroneck has received two requests for tree donations to be planted at Harbor Island Park; and

WHEREAS, approval is required by Mayor and Board pursuant to New York State Law.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation of a Bradford Pear tree from John Carpino and Dogwood tree from Connie Werbin to be planted at Harbor Island Park under the Village of Mamaroneck Tree/Bench Donation Program, at an estimated value of three hundred dollars (\$300) for each tree.

Ayes: Allison, Hofstetter, Ryan, Savolt

Nays: None

Absent: Robinowitz

D. Authorization to Transfer Funds from Mamaroneck Cares to American Red Cross

On motion of Trustee Ryan, seconded by Mayor Savolt:

AUTHORIZATION TO RELEASE FUNDS AND CLOSE ACCOUNT

WHEREAS, on September 7, 2005 a group of concerned citizens, under the authorization of then Mayor Philip Trifiletti, began an organization to help the victims of Hurricane Katrina, named Mamaroneck Cares; and

WHEREAS, on September 12, 2005, the Board of Trustees recognized this organization and allocated \$500 to the cause; and

WHEREAS, additional funds have been received by the Village and held in a trust fund; and

WHEREAS, the Board of Trustees has decided to close out this fund and send the donations collected to the New Orleans branch of the American Red Cross;

NOW THEREFORE BE IT RESOLVED, that Board of Trustees authorizes the monies collected to help the victims of Hurricane Katrina in the amount of \$2,241.60, be sent to the New Orleans Chapter of the American Red Cross; and

BE IT FURTHER RESOLVED that the Mamaroneck Cares Trust Fund, T.9725 be and is hereby closed.

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

E. Authorization for Capital Fund Bond Resolution

Mr. Fusco stated that there are six capital projects previously authorized to be funding by a future bond, that have been consolidated into one Bond Anticipation Note in the amount of \$534,800. The Bond Resolutions follow.

On motion of Trustee Allison, seconded by Mayor Savolt:

**BOND RESOLUTION, DATED SEPTEMBER 28, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$63,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF A VEHICLE AND (II) THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT.**

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of a vehicle (\$25,000) and (ii) the acquisition of equipment for the police department (\$38,000), in and for the Village, together with preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$63,000, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$63,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or classes of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes, or classes of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of a vehicle, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$25,000 for which \$25,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The acquisition of equipment for the police department, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$38,000 for which \$38,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$63,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to sell, issue and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds issued pursuant to this bond resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) to all such

serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized herein, to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for



the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of serial bonds issued under this bond resolution or any other provisions hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds and bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized herein, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and

bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution will take effect immediately upon its adoption by the Board of Trustees of the Village.

Ayes: Allison, Hofstetter, Ryan, Savolt

Nays: None

Absent: Robinowitz

On motion of Trustee Allison, seconded by Mayor Savolt:

**BOND RESOLUTION, DATED SEPTEMBER 28, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$30,900 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER SYSTEM.**

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Village's water system, including improvements to the Larchmont Plant and the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$30,900, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$30,900, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to the Village water system, including improvements to the Larchmont Plant and including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$30,900; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of forty (40) years; and

(e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after

the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 8. This bond resolution will become effective immediately upon its adoption by the Board of Trustees.

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

On motion of Trustee Allison, seconded by Mayor Savolt:

**BOND RESOLUTION, DATED SEPTEMBER 28, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$125,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE.**

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of machinery and apparatus for construction and maintenance, including the acquisition of a compactor and the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$125,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$125,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of machinery and apparatus for construction and maintenance, including the acquisition of a compactor and the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$125,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of fifteen (15) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions

for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 8. This bond resolution will become effective immediately upon its adoption by the Board of Trustees.

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

On motion of Trustee Allison, seconded by Mayor Savolt:

**BOND RESOLUTION, DATED SEPTEMBER 28, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$315,900 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO HVAC SYSTEMS AND (II) THE ACQUISITION OF IMPROVEMENTS TO WATERWAY DRAINAGE IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to HVAC systems (\$40,000) and (ii) the acquisition of improvements to waterway drainage (\$275,900), in and for the Village, including the acquisition of any preliminary and

incidental costs related thereto, at a total estimated cost not to exceed \$315,900, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$315,900, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or classes of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes, or classes of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of HVAC improvements, including the acquisition of any preliminary and incidental costs related thereto, at an estimated maximum cost of \$40,000 for which \$40,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The acquisition of improvements to waterway drainage, including the acquisition of any preliminary and incidental costs related thereto at an estimated maximum cost of \$275,900 for which \$275,900 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$315,900; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein,



and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of ten (10) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk/Treasurer is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk/Treasurer shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental

Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for

purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk/Treasurer, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk/Treasurer.

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

F. Authorization for Transfer to Capital Fund

Mr. Fusco stated there were Capital Projects in fiscal year 2008-2009 that need additional funding, as these projects went over budget.

On motion of Trustee Hofstetter, seconded by Trustee Allison:

WHEREAS, during the fiscal year ended May 31, 2009, the purchase and installation of several capital projects resulted in project fund deficits. To fund these deficits, a \$93,000.00 transfer will be required from the General Fund to the Capital Fund;

NOW THEREFORE BE IT RESOLVED THAT based on the above, the following fund transfer and budget amended be and is hereby approved.

General Fund

A5990 Appropriated Fund Balance:  
 A.0000.5990 Appropriated Fund Balance \$93,000.00

A9600 Appropriations  
 A.9950.0904 Transfer to Capital Projects Fund \$93,000.00

Capital Project Fund

H.0500 Revenues – Interfund Transfer:  
 H.0500.5031 Transfer from General Fund \$93,000.00

H.9600 Appropriations:

H5110.0395	Fenimore Road Improvements	51,700.00
H08.3120.0308	Police Communication Console	20,500.00
H09.5110.0360.0002	Street Reconstruction	12,600.00
H09.5410.0360.0003	Fenimore Road Improvements	4,200.00
H08.8120.0309	Sewer System Remediation	2,300.00
H08.8120.0308	The Parkway Drainage Project	800.00
H08.7110.0245	2008 Pickup Truck	500.00
H5110.0302	Street Resurfacing 2001-02	300.00
H08.5410.0308	Sidewalks & Curbs 2007-08	100.00
		\$93,000.00

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

H. Reschedule October 12 Regular Board Meeting (Taken out of Order)  
 On motion of Trustee Ryan, seconded by Trustee Allison:

WHEREAS, the Board of Trustee Regular Meeting scheduled for Monday, October 12, 2009 falls on Columbus Day; and

WHEREAS, the Village offices will be closed as this is a National Holiday.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustee Regular Meeting scheduled for Monday, October 12, 2009 be and is hereby rescheduled to Tuesday, October 13, 2009.

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

G. Schedule Public Hearing on PLL 12-2009

Ms. Insardi informed the Board that this is a Proposed Local Law to expedite the process of land use board applications going forward more quickly by having escrow required at the time the application is submitted. As it now stands, escrow can be established at the applicant's first hearing, which results in an application being held over so that it may be reviewed by consultants. In many cases, these applications do need to be reviewed by experts, i.e. engineers, environmental planners. In the past, we have asked the applicants to voluntarily provide escrow at the time an application is

submitted, so that it may be reviewed before their first meeting. This change will require that an escrow account be set up when an application is submitted.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that a Public Hearing on Proposed Local Law 12-2009 be and is hereby scheduled for October 13, 2009.

Ayes: Allison, Hofstetter, Ryan, Savolt

Nays: None

Absent: Robinowitz

## 6. REPORT FROM VILLAGE MANAGER

Mr. Slingerland reported on the Taylors Lane site. We have been coordinating with the DEC on the Leachate removal on the site. The plan will be submitted next week and a public meeting will be held in the Courtroom on September 14, 2009 at 2 p.m.

Mr. Slingerland also reported on the change of the meters around the train station. The change will take place on October 8<sup>th</sup>.

Mr. Slingerland reported that the County will be starting their improvements on Palmer Avenue in the next week or so. Flyers will be sent to residents.

Mr. Slingerland reported on an E-waste day on Saturday, October 3<sup>rd</sup> at the salt shed on Fenimore Road.

## 7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that the stream cleaning permits are with the DEC and Army Corps. The Army Corps has asked for additional information, which he has provided.

There is information due on the All Hazard Plan Mitigation Grant application the first week of October, which Mr. Slingerland's office will be submitting.

Mr. Slingerland reiterated that the contract between the DEC and Army Corps is still in negotiations after the State asked for revisions. There will be an informational meeting held by the Army Corps to update all involved when the contract is finalized.

Mr. Slingerland reported that federal monies for remediation given to the Village by Congresswoman Lowey are being reviewed by FEMA. Mr. Slingerland is in contact with Mrs. Lowey's office regarding this. He will contact FEMA to try and move it along.

Mayor Savolt reported on the two upstream projects planned. The Scarsdale Planning Board postponed their meeting on their project on Mamaroneck Road. Mayor Savolt and Trustee Ryan attended the Harrison Planning Board Meeting. Trustee Ryan reported that several months ago the Mayor wrote of the concern the Village has if this project is built without 100% water retention on the

site. The Harrison Planning Board advised Trustee Ryan that this land is owned by the Straight Gate Church and that Bishop Powell insisted that 100% retention of a 100-year flood be part of that project. Trustee Ryan thanked all residents who participated in these meetings, the Strait Gate Church and the Harrison Planning Board for assuring that 100% of the water is retained. The project, with this retention plan has been approved and will be moving forward.

**8. REPORT FROM CLERK-TREASURER**

None

**9. REPORT FROM VILLAGE ATTORNEY**

Ms. Insardi requests an Executive Session at the end of the meeting to discuss Santangelo v. Village of Mamaroneck.

Ms. Insardi also reported that Local Law 7-2009 has been filed with the Secretary of State.

Ms. Insardi informed the residents that on September 21, the Westchester County Supreme Court Justice acted on the motion to dismiss the Article 78 proceeding on the Mamaroneck Beach and Yacht Club v. Galvin case. The Yacht Club does have the right to appeal; however, Ms. Insardi believes it is unlikely. This decision will be posted on the Village's website. There are two remaining cases with the Mamaroneck Beach & Yacht Club.

**10. REPORT FROM POLICE CHIEF**

The Chief stated that a reward in the amount of \$12,500 has been posted for any information leading to the arrest of person(s) on the murder of Steven Spina. This money was raised by M r. Spina's family and friends. Anyone who has information may call Crimestoppers.

**11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES**

The following minutes were submitted to the Board:

- A. BAR – August 20, 2009
- B. Parks & Recreation – February 11, March 11, April 17 & August 3, 2009
- C. Board of Traffic Commissioners – August 12, 2009
- D. Planning Board – July 23, 2009

**12. COMMUNICATON TO THE BOARD II**

Mr. Jim Bilotta of Shore Acres Drive appeared regarding the approval for Dolph Rotfeld. He asked if this went out to bid. Mr. Slingerland stated that it did not go out to bid. Mr. Slingerland has worked with this firm before, the county finds him acceptable and the price was reasonable. Mayor Savolt informed the residents that the State does not require the Village bid out professional service contracts.

Updates from the Board

Trustee Ryan reported on a dinner she attended at Rye Neck High School for the exchange students from Assisi, Italy. She also informed residents of the upcoming Recreation events; the fishing rodeo and teen Halloween Dance.

Trustee Hofstetter reported on the Ambulance District. They held a meeting to review the annual budget and are looking at raising the fees that they charge, due to what the insurance companies pay. The Mamaroneck EMS encourages residents to volunteer. A new ambulance will have to be acquired in the not too distant future. Trustee Hofstetter asked those who are interested in donating to this cause, to please contact the Ambulance District.

Trustee Hofstetter also reported on the County's Housing Settlement meeting that he and Mayor Savolt attended.

Mayor Savolt reported on this meeting. She was assured by the County Executive that there will be no new taxes or assessments on anyone in the Village for housing anywhere else. Mayor Savolt informed residents that the week of October 4<sup>th</sup> is financial planning week and on October 6 and 7, county residents can call 211 with any financial questions during the hours of 4-8 p.m.

Mayor Savolt congratulated Bishop Wayne Powell on his 25<sup>th</sup> Anniversary at Straight Gate Church. The Mayor also congratulated Matthew Green who became an Eagle Scout this past weekend.

On motion of Trustee Allison, seconded by Trustee Hofstetter:

RESOLVED that the Board of Trustees convene to Execute Session to discuss the case of Santangelo v. the Village of Mamaroneck.

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

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