

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, NOVEMBER 23, 2009 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

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

1. COMMUNICATION TO THE BOARD

Ms. Mary Lou Greco of Center Avenue appeared on behalf of Habitat for Humanity regarding an event on December 19 from 8 a.m. to 3 p.m. at Liz Covington's house to try to get it completed. She asked for anyone interested to please volunteer for this event. They can sign up via the internet and at Pizza Gourmet, who has graciously offered to feed all volunteers at the event.

Ms. June Ottinger of The Crescent appeared to follow up on a public hearing to adopt the revision to the FIRM map which includes her home. Mr. Slingerland stated that the request has been received and there is currently a 90-day process which the Village is waiting to be completed and after that time, there will be something to present to the Board.

Ms. Elsa Puerto Rubin of Shore Acres Drive appeared to thank the outgoing Board members for all of the great work they have done during their time in office and the personal sacrifices made.

2. APPROVAL OF MINUTES

A. Minutes of BOT Work Session of November 2, 2009

On motion of Trustee Ryan, seconded by Trustee Allison:

RESOLVED that the Minutes of the BOT Work Session of November 2, 2009, be and are hereby approved.

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

B. Minutes of BOT Regular Meeting of November 9, 2009

On motion of Trustee Robinowitz, seconded by Trustee Hofstetter,

RESOLVED that the Minutes of the Board of Trustee Regular Meeting of November 9, 2009, be and are hereby approved.

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

C. Minutes of BOT Work Session of November 16, 2009

On motion of Trustee Ryan, seconded by Trustee Allison:

RESOLVED that the Minutes of the BOT Work Session of November 16, 2009, be and are hereby approved.

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

3. AUDIT OF BILLS

Mr. Slingerland stated that he will confirm that the duplicate payment made to Staples is not a duplicate but just the same amount paid on two separate bills.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Abstract of Audited Vouchers listed below dated November 23, 2009, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 473,201.59
Capital Fund	26,116.27
Trust	297.50
Agency	6,403.00
	<u>6,403.00</u>
	\$ 506,078.39

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

4. OLD BUSINESS

A. None

5. NEW BUSINESS

A. Professional Services Agreement with Woodard & Curran

Mr. Slingerland stated that this is for the next step of remediation at the Taylors Lane site, the scope of work which has been defined by the DEC. Mr. Slingerland recommended that the funding for this project will be from the future issuance of a bond. He also stated that 75% of the cost of this project will be reimbursed by the state and no work will begin until the state assistance paperwork is filed.

RESOLUTION
FOR PROFESSIONAL SERVICES AGREEMENT
WITH WOODARD & CURRAN

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

WHEREAS the Village of Mamaroneck is interested in entering into an agreement with Woodard & Curran for structural design and oversight of the Interim Remedial Measure Work Plan Implementation (IRMWP) and installation on the Taylors Lane Site based on the scope of work established and required by the NYS DEC; and

WHEREAS it will take Woodard & Curran approximately nine hundred and forty five (945) total person hours to complete this work for an amount not to exceed \$299,400.00, without additional authorization from the Board; and

WHEREAS the Board of Trustees is supportive of the proposal which was discussed at the November 16, 2009 work session; and

WHEREAS the Village of Mamaroneck will be eligible to recoup up to 75% of the cost of this work from New York State;

NOW THEREFORE BE IT RESOLVED that Village Manager Richard Slingerland is hereby authorized to enter into agreement with Woodard & Curran for building design and oversight of the Interim Remedial Measure Work Plan Implementation (IRMWP) and installation on the Taylors Lane Site as required by the DEC.

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

B. Resolution to Consolidate Two Parking Spaces in Front of 228 Valley Place

Mr. Slingerland informed the Board that this was referred by the Traffic Commission. Mr. Slingerland is normally not in favor of removing a parking space, but after visiting the site and talking with the home owner, he recommends this change.

RESOLUTION
TO ELIMINATE ONE PARKING SPACE,
BY CONSOLIDATING TWO PARKING SPACES
IN FRONT OF 228 VALLEY PLACE
AS RECOMMENDED BY THE TRAFFIC COMMISSION

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorize the elimination, by consolidation of two (2) spaces into one (1), in front of 228 Valley Place, so that the driveway owners of adjacent properties, and properties across the street, may be better able to utilize their driveways; and

BE IT FURTHER RESOLVED, that the Village Manager is authorized to take the necessary and appropriate actions to effect this change on the street of Valley Place in the Village of Mamaroneck.

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

C. Authorization to Execute Inter-municipal Agreement for Waste Disposal

This item was tabled to a later meeting.

D. Award of Police Uniform Contract

Mr. Slingerland stated that the original bid was in June; however because of an alternative proposed during the bid process, the specifications were changed and put out to re-bid. This was sent

out to the two first bidders. The responsible bidder from the first time lowered their price by 3% and won the bid.

On motion of Trustee Ryan, seconded by Trustee Allison:

RESOLUTION
AUTHORIZING THE AWARD OF CONTRACT NUMBER 09-02-A
FOR THE POLICE UNIFORMS

WHEREAS, The Village of Mamaroneck issued a Notice to Bidders and Request for Bids for Contract 09-02-A for the Police Uniforms Contract for the Village of Mamaroneck; and

WHEREAS, this contract was the result of a re-bid of this contract for expanded specifications to allow an alternative bid, due to the opportunity noted in the original bid for and alternative that was substantially lower (approximately 10%) than the uniforms and tailoring services specified, and the re-bid was necessary to allow for other tailoring companies to bid on the expanded specifications.

WHEREAS, a public notice for the re-bid was duly published on Thursday, October 29, 2009, in the Gannett Westchester Newspaper, an official newspaper of the Village of Mamaroneck; and

WHEREAS, during the notice period the two (2) companies that originally bid were sent the contract documents and plans; and

WHEREAS, at 10:00 a.m. E.S.T., on Thursday, November 12, 2009, the Village of Mamaroneck publicly opened and read one (1) proposal (it must be noted that the potential low bidder from the first bid round did not re-bid this round, even though the specifications were expanded to allow for the products they proposed); and

WHEREAS, on reviewing the proposals, the base bids were as follows:

	Total Bid
1. New England Uniform Company of Danbury, CT	\$42,670.90

WHEREAS, Village Manager Richard Slingerland has determined that the lowest responsible bid that meets requirements is the New England Uniform Company of Danbury, CT.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby award contract 09-02-A for the purchase of Police Uniforms- this is a unit-price contract, and the Village only pays for items actually purchased by the Village's employees to New England Uniform Company of Danbury, CT, at the base total approximate base bid price for this unit price bid in the amount of forty two thousand six hundred seventy dollars and ninety cents (\$42,670.90) as provided in the bid and contract; and be it

FURTHER RESOLVED, that the Village Manager is authorized to sign this contract and the appropriate Village officers are authorized to take the necessary and appropriate actions to effect his contract for these items and services.

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

E. Award of Fire Boat Bid

Mr. Slingerland stated that the current fire boat is approximately 30 years old and inadequate as it is basically a lobster fishing boat. The Chiefs became aware of a boat being sold by Sea Tow which is much faster and able to carry fire repression equipment. The Board previously authorized the RFP process requesting bids for a work boat, with was published and sent out to bid. Only one bid was received by Sea Tow for \$35,000. The boat is only one year old and for a new boat of this quality the price would be \$70,000. The boat also comes with a trailer which would allow it to be taken out in the winter and put in whenever needed during the winter or during a flood. The current boat is too big to remove and is locked in during the winter due to ice. The Fire Department and Village Manager recommends purchasing this boat.

Chief DeLitta stated that the Village of Mamaroneck Fire Department covers the coast from Stamford to the Bronx and the coast of Long Island which was part of the grant agreement with the Federal government several years ago. He also stated that it will cost approximately \$10,000 to outfit the boat with fire suppression equipment. Mr. Slingerland stated that he is hoping that the Village can use funds from the sale of the ladder truck and old fire boat to outfit the new fire boat. Chief DeLitta informed the residents that they will be eligible for grants as they will now be able to get to rescue calls that they could not get to with the current boat. Chief DeLitta thanked the Board on behalf of the Department for their consideration.

RESOLUTION
AUTHORIZING THE AWARD OF RFP
FOR A NEW WORK BOAT TO BE USED BY THE FIRE DEPARTMENT

On motion of Trustee Allison, seconded by Trustee Ryan:

WHEREAS, the Village Of Mamaroneck Issued A Request for Proposals for a New or Used 22-foot Anvil Aluminum Tuff Boat, or approved equal; and

WHEREAS, a public notice for the RFP was duly published on Friday, November 13, 2009, in the Gannett Westchester Newspaper, an official newspaper of the Village of Mamaroneck; and

WHEREAS, at 11 a.m. E.S.T., on Friday, November 20, 2009, the Village of Mamaroneck publicly opened and read one proposal; and

WHEREAS, on reviewing the proposal, the base bid was as follows:

	Total Bid
1. Sea Tow of Mamaroneck New York,	\$35,000.00

WHEREAS, Village Manager Richard Slingerland has determined that the only responsible bid that meets requirements is Sea Tow of Mamaroneck, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby award this contract for the purchase of a Used 22-foot Anvil Aluminum Tuff Boat, to Sea Tow of Mamaroneck, NY at the total approximate bid price for this purchase in the amount of thirty-five thousand dollars (\$35,000.00) as provided in the bid and contract; and be it

FURTHER RESOLVED, that the Village Manager is authorized to sign this contract and the appropriate Village officers are authorized to take the necessary and appropriate actions to effect a contract for the purchase of these items and services.

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

F. Tax Certioraris

(1) McMichaels Boating Center

Ms. Insardi stated that this was discussed in work session and settlement of this matter is being recommended at a cost of \$30,088 for tax years 2005 – 2009.

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER
 MCMICHAEL BOATING CENTER FOR PROPERTY LOCATED AT
 447 EAST BOSTON POST ROAD

On motion of trustee Robinowitz, seconded by Trustee Ryan:

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 the Village Assessor has calculated that the approximate cost to the Village is \$30,088; 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>
MCMICHAEL BOATING CENTER	447 EAST BOSTON POST ROAD	2005-2009

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2005	\$65,900	\$45,365	\$20,535
2006	\$65,900	\$44,278	\$21,622
2007	\$65,900	\$43,240	\$22,660
2008	\$65,900	\$39,884	\$26,016
2009	\$65,900	\$41,280	\$24,620

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

(2) Monica Dri

Ms. Insardi stated that this was also discussed at work session and settlement is recommended in the amount of \$1,157 for tax year 2009.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER
 MONICA DRI FOR PROPERTY LOCATED AT
 732 PROSPECT AVENUE

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 the Village Assessor has calculated that the approximate cost to the Village is \$1,157; 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>
MONICA DRI	732 PROSPECT AVENUE		2009
<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2009	\$12,700	\$8,600	\$4,100

Ayes: Allison, Robinowitz, Hofstetter, Ryan, Savolt

Nays: None

6. **REPORT FROM VILLAGE MANAGER**

A. File for Record – Child Passenger Safety Program CPS – 2010 Mamaroneck Village PD

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

B. File for Record – 2010 Tentative Special Franchise Assessments and Full Values

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

C. United Way 211 Call

Mr. Slingerland announced that this is a free confidential help line for residents. This is for a non-emergency need.

D. Cablevision

Mr. Slingerland stated that the Village was notified of rate changes by Cablevision. There will be rate increases effective December 1, 2009.

Mr. Slingerland reported on the Turkey Trot, where he helped with registrations and also ran. There were 438 runners. Mr. Slingerland also reported on the fall training of the New York State City/County Managers Association he attended today at SUNY Albany. Discussed was the expansion and enhancement of government services using web 2.0.

Mr. Slingerland also reported that the southbound surface of I-95 has been resurfaced.

Unfortunately, there were two accidents on the northbound side of I-95 and a letter will be sent to the Thruway Authority regarding this.

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that the Village's package has been resubmitted to the DEC and they will be contacting the Village. As Mr. Slingerland has not heard from them, he will be following up. Mr. Slingerland will also follow up on the dredging permits sent to the county as he has not heard back. Mr. Slingerland also stated that he has heard from the Town of Rye regarding their interest in moving forward on the replacement of the Jefferson Avenue Bridge, the project of which has been approved by the Army Corps of Engineers.

Mayor Savolt reported on the letter sent to the Village of Scarsdale Planning Board asking that the Village of Mamaroneck be considered an interested party to the 80 Garden Road project.

8. REPORT FROM CLERK-TREASURER

A. Reminder of Second Half Taxes

Ms. Roberts reminded residents that second half Village taxes are due by December 31, 2009. She also thanked the outgoing Board members for their work done on behalf of the Village.

9. REPORT FROM VILLAGE ATTORNEY

Ms. Insardi thanked the outgoing Board members and stated that it has been a pleasure to work with the entire Board. She has continually been impressed with their long hours and effort put into the job and she thanked them for the opportunity to serve the Village of Mamaroneck.

10. REPORT FROM POLICE CHIEF

None

11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

The following minutes were submitted to the Board:

- A. Planning Board – October 22, 2009
- B. ZBA – September 3, 2009
- C. ZBA – October 1, 2009

Mr. Slingerland presented the outgoing members of the Board with Certificates of Appreciation. He also thanked them for the opportunity to serve and for all of their hard work and dedication.

12. COMMUNICATON TO THE BOARD II

None

Updates from the Board

Trustee Hofstetter also thanked the Mayor and Trustee Robinowitz for their work in the process of hiring of the Village Attorney as he feels this is extremely important and believes it will be pointed to for many years as something that was good for the Village. He also thanked Trustee Allison for stepping in when former Trustee Murphy resigned.

Trustee Ryan thanked the American Legion Post 90 for their Veterans Day program. She also reported on the Animal Wisdom performance sponsored by the Council of the Arts the day before at

the Emelin Theatre. Trustee Ryan announced that the USO fundraiser will take place on Saturday, November 28th. The money raised will be sent to the USO to purchase phone cards for our service people serving overseas. The Tree Lighting Ceremony will take place on December 6 at the Pavilion at Harbor Island Park and there will be a trip to the Metropolitan Museum on December 29 sponsored by the Recreation Department. Trustee Ryan also announced the 23rd annual program in celebration of Dr. Martin Luther King on January 13, 2010 at the Emelin Theatre and that any nominees for persons or organizations who exemplify the spirit of Dr. King should be sent to the Town Supervisor at the Town of Mamaroneck.

Trustee Ryan also thanked the outgoing Board members for their support and their talents and the hard work done on behalf of the residents. She stated that she will miss them and that it was a pleasure working with them.

Trustee Allison thanked the residents for the opportunity to serve and to meet the residents and learn more about the community he lives in.

Trustee Robinowitz stated that a little over two years ago she did not like the direction in which the Village was going and she therefore decided to run for Trustee. She believes that the Village is in better shape and going in the right direction. A surplus has been added to the reserve account and the 2009-2010 fiscal year has come in on target and within budget. She enjoyed working with the members of the Board and the Village staff. She also recognized Len Verrastro, former Village Manager. Lastly, she thanked the Village volunteers for their work and the residents for the opportunity to serve.

Mayor Savolt recognized the dignitaries in the audience and thanked them for coming. Mayor Savolt has enjoyed working closely with the Town of Mamaroneck, Village of Larchmont and Town/Village of Harrison. Mayor Savolt thanked the voters for giving her the opportunity to serve. She also thanked the Village staff for their support. Priorities were set and they did the best they could to get them done. Communication was improved with a weekly column and revamped website. She is most proud of hiring the new Village Manager and Village Attorney. There is still a lot to be done and she wished everyone luck.

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