

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MAMARONECK HELD ON MONDAY, OCTOBER 12, 2010 AT 7:30 P.M. IN THE COURTROOM AT  
VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT: Mayor Norman S. Rosenblum

Trustees Louis N. Santoro  
Toni Pergola Ryan  
John M. Hofstetter  
Marianne V. Ybarra

Village Manager Richard Slingerland

Assistant Village Manager Daniel Sarnoff

Village Attorney Christie McEvoy-Derrico

Clerk-Treasurer Agostino A. Fusco

ABSENT: None

**PRESENTATION OF UNITED NATIONS PROCLAMATION**

Mr. Bloom appeared on the 65<sup>th</sup> Anniversary of the United Nations. Mayor Rosenblum presented Mr. Bloom with a proclamation supporting the Millennium Development Goals and declaring October 24, 2010 as United Nations Day in the Village. Mr. Bloom thanked the Board and the citizens of the Village of Mamaroneck for their continuous support.

**PRESENTATION OF FIRE DEPARTMENT AWARDS**

The Mayor and Deputy Mayor presented Service Awards to the following members of the Village of Mamaroneck Volunteer Fire Department:

Radames J. "Rod" Brendolan – 50 year Member

Lloyd T. "Bud" Wright – 60 year Member

Louis A. Santoro – 60 year Member

**PUBLIC HEARING ON PLL AA-2010 (Allow Dog Walking in Village Parks & Recognition of  
Goose Corps Dogs)**

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 12<sup>th</sup> day of October, 2010, at 7:30 p.m., or as soon thereafter as all parties

can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW AA-2010, a local law amending Chapter 260 (Parks) Section 260-3 (Prohibitions) of the Code of the Village of Mamaroneck to allow leashed dogs in the park.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law AA-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck and on the Village of Mamaroneck website.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF  
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco  
Clerk-Treasurer

Dated: October 1, 2010

Mayor Rosenblum stated that the Village seems fairly evenly divided on this issue by the number of emails and comments received. He also stated that the Recreation & Parks Commission is not in favor of the law as it is written. He suggested tabling the law to the next meeting as there are substantive changes that will be made, i.e. including all parks in the Village, not just Harbor Island Park. He asked residents to continue to send in their comments and if there is anyone in the audience that came to speak on this subject, that they may do so for the record.

Ms. Silvana Sathford of Prospect Avenue appeared. She would like to enjoy a walk in the park with her dog. She heard that some residents are not in favor of this law as they are afraid for their children. She lived in Manhattan for 20 years and dogs were welcomed in Central Park. There are other communities in Westchester that are dog friendly and she believes that Mamaroneck is not. She also feels that having dogs in the parks will help with the goose excrement. She suggested having a "dog park" within Harbor Island away from where the children play.

Ms. Bernadette Cimmino of 1121 Keeler Avenue appeared. She is in favor of dog walking in Florence Park on the pathway, as you now have to carry your dog through. As there are no children in this part of the park, she believes that it would be safe.

Mr. David Stiller of Park Avenue appeared. He read a statement, which was filed for the record. Mr. Stiller believes that this law will lead to numerous problems, including dead grass, due to dog urine. He does not believe that owner's will pick up dog feces and will allow the dogs to run free, which could

be dangerous. He also does not believe that walking dogs in the parks will help with the geese problem. He believes that the existing law has served the residents well and should remain in force.

Ms. Jean Randall of Jenson Avenue appeared in support of this law, as she has been yelled at and threatened by home owners when walking her dog in front of their homes.

Ms. Nancy Wasserman of Raleigh Road appeared to suggest having a committee investigate how other municipalities deal with dogs in parks as there are several neighboring municipalities that have dog parks.

Mr. Tom Cook of Osborne Avenue appeared. Mr. Cook stated that 39% of US families own dogs and as of today, there are no dogs allowed in any parks in the Village of Mamaroneck. He has to get in his car with his dog and drive to Manor Park in Larchmont. He believes that we are not serving our community. He is a member of the Parks & Recreation Department and they support having dogs allowed in all parks but Harbor Island. They also suggest trying it for one year and reviewing at that time.

Ms. Linda Latona of Cortland Avenue appeared in favor of the Proposed Local Law. She stated that New Rochelle charges a fee of \$50 for residents and \$250 for non-residents. There are also \$50 fines given to anyone in the dog park without a license. She feels that dog parks could be a source of revenue for the Village. As a mother, she would not want her children on a playground with dogs off leash. She believes that the Rushmore Avenue side of Harbor Island Park is underutilized, as other parts of Village parks are. She believes that there must be a middle ground for this law.

Mr. Bob Heiss of Rushmore Avenue appeared. He is a dog lover. He too cited the dog parks that work in Larchmont, New Rochelle and Rye. He also does not recall an incident of a dog on a leash chasing a child. He stated that there are dogs being walked in the west basin of Harbor Island already and he does not know of any problems occurring.

Mr. Bob Novick of Rushmore Avenue appeared. Mr. Novick is also in favor of the law and believes that there is a compromise that can be reached so that all residents are happy.

Sean and Ann Gormley appeared. Ms. Gormley believes that Harbor Island Park should be the only park where this is considered, not all parks in the Village. She stated that she lives near Florence

Park and that there are people who let their dogs off leash all the time at this park and that it is a problem. Mr. Gormley believes that Florence Park is unique as it is surrounded by homes. He does not believe that there is enough parking for the residents let alone residents who want to walk their dog. There are other residents who are also against this action. He also believes that the feces will not be picked up and this will not be enforced.

Ms. Hannah Pilossoph of Cortland Avenue appeared. Ms. Pilossoph is in favor of the law. She always picks up after her dog and she believes that the goose feces are an issue and having dogs in the area will discourage geese from flocking there. She believes that the current law discriminates against dogs and dog owners.

Trustee Hofstetter understands both sides of the issue. He suggested having dogs allowed at certain times of the days.

Trustee Ryan believes that the input was important and she also believes that the Parks & Recreation Commission did a study on where a dog park can be located. She suggested that we get a copy of that study.

Again, Mayor Rosenblum suggested that this Proposed Local Law be adjourned and brought up at a future meeting.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on PLL AA-2010 be and is hereby opened.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on PLL AB-2010 be and is hereby adjourned.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

PUBLIC HEARING ON PLL AB-2010 (Changes to Ethics Law)

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 12<sup>th</sup> day of October, 2010, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW AB-2010, a local law amending Chapter 21 (Ethics, Code Of) Section 21-3 (Definitions), Section 21-4 (Standards of Conduct), Section 21-12 (Review of Lists and Disclosure Statements), and Section 21-13 (Investigations) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law AB-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck and on the Village of Mamaroneck website.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF  
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco  
Clerk-Treasurer

Dated: October 1, 2010

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on PLL AB-2010 be and is hereby opened.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

Trustee Ryan thanked the Ethics Board for all of their hard work. She appreciates everything that they have done.

Mayor Rosenblum stated that the Ethics Board sent a proposed change to the law which is substantive and he therefore suggests that the hearing be adjourned.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on PLL AB-2010 be and is hereby adjourned.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

## PRESENTATION BY PATRICK SCIARRATA ON THE CHERRY BLOSSOM JAZZ FESTIVAL 2011

Mayor Rosenblum stated that a Mayor's Ad Hoc Committee has been formed to coordinate this effort. This is something that the Mayor has been thinking about for years and he is excited to see it come to fruition. Members of the Committee are Patrick Sciarrata, Michael Hynes, Laurence Krashes, Gerry Ryan and Mayor Rosenblum.

Mr. Patrick Sciarrata of Mamaroneck Avenue appeared. Mr. Sciarrata is the Executive Director of the Friendship Ambassadors Association, which was begun by the owner's of Readers Digest as a way to promote mutual understanding, by bringing people together through cultural exchange. This is something that he does for towns and villages throughout the world. The Festival is tentatively scheduled for June 15 through June 19, 2011. The original idea was to have the Festival during the cherry blossom blooming, as Mamaroneck has as many if not more cherry blossom trees as Washington DC; however, that time of year can be too cold, so it was decided to move to June. Mr. Sciarrata gave an overview of what is planned and how this will affect the Village. This event will bring residents together through cultural exchange as well as bring publicity and revenue to the Village. There will be events indoor and outdoor, including live theatre, film, dance and music. He does not see any negatives or downsides to having this event.

Trustee Ryan thinks that this idea is fascinating and as the Liaison to the Council of the Arts, which was established to bring cultural events to the Village, she would like to see the Council involved. She spoke with the Chair of the Council regarding this event and they have something planned that they believe would tie in perfectly with this. She would also suggest that a member of the Council be a liaison to this Ad Hoc Committee. Mr. Sciarrata agreed. He stated that Mamaroneck Shares will have a jazz inspired event at their Thursday night event in June, tying into this Festival.

Mayor Rosenblum asked that Agenda Item 5I be taken at this point as it is directly related to the Jazz Festival. The Board agreed.

5I. Authorization to Hold International Jazz Festival at Harbor Island Park

WHEREAS, a group of citizen volunteers has approached the Village and expressed their desire to celebrate the Village of Mamaroneck by establishing a Jazz Festival with events to be held at various venues throughout the Village which may potentially include Village-owned facilities to be tentatively held from Wednesday, June 15 – Sunday, June 19, 2011; and

WHEREAS, the Board of Trustees deems it important to the quality of life of the Village that we celebrate our community and the many residents and volunteers whose selfless dedication makes the Village of Mamaroneck one of the most desirable communities in Westchester County.

On motion of Trustee Hofstetter, seconded by Trustee Ybarra:

RESOLVED, that Wednesday, June 15 – Sunday, June 19, 2011 is herein tentatively established as the first annual "International Jazz Festival" in the Village of Mamaroneck; and be it further

RESOLVED, the Board of Trustees supports the concept of holding events at various venues throughout the Village, including village-owned facilities such as Harbor Island Park, in conjunction with private venues; and be it further

RESOLVED, that the Village Manager is hereby requested to provide administrative and logistical support to an Ad Hoc Committee to be appointed by the Mayor that will be charged with planning the first annual "International Jazz Festival".

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

**I. COMMUNICATION TO THE BOARD**

Mr. Stuart Tiekert of Beach Avenue appeared regarding the on-going problems with Pine Street. It has been nine years and running. He is happy that the Board took this up at a work session; however, he believes that there is misinformation. There are three basic issues; the first is that the street was built in compliance with the plan that the Planning Board approved, when the Village Engineer informed Mr. Tiekert that he relied upon a plan that the Planning Board did not approve. This plan was changed by one member of the Planning Board three months after the Planning Board approved it.

The second issue is that there is no way to get the water off of Pine Street without an easement from a neighbor. Mr. Tiekert believes that the right of way can be utilized to take the water off. The third point of misinformation is that the Certificate of Occupancy has no term or expiration date. Ms. Derrico stated that pursuant to state law, it should have an expiration date on it. Mr. Tiekert asked that the Board look at these issues before the next meeting; especially changing plans after they are approved, as there are many important applications before the Planning Board at this time. Mayor Rosenblum stated that this will be discussed with counsel. Mr. Tiekert also brought up the problem with the email system at the Village. Mr. Slingerland informed him that this is being fixed.

Ms. Doreen Roney of Highview Street appeared regarding Item 5N. Mayor Rosenblum asked Ms. Roney to please wait until the agenda item is discussed. Ms. Roney requested making her statement now. Her question is what a conceptual plan is as the Board will be voting on approving the expenditure of funds for a conceptual plan on Mamaroneck Beach & Yacht Club and specifically what the village wide interest in this conceptual plan is. Mayor Rosenblum stated that this will be covered during the discussion on this item. Trustee Ryan stated that she believes that comments can be made on any subject during this time. Mayor Rosenblum informed her that she is wrong, that comments on agenda items should be made when that item is open for discussion by the Board.

Mr. Sid Albert appeared. Mr. Albert is a candidate for Trustee. During the September meeting Mr. Conetta from the WJWW made a presentation and during that presentation, Mr. Albert asked for more transparency at the Water Works with advance notice of meetings; information on the website and using LMC to televise the meetings. On September 27, Mr. Albert sent Mr. Conetta a letter asking that certain information be posted on the website, the response to that request is that the WJWW would provide that information as required by FOIL. He does not believe that was an adequate response. He asked the Board to lobby the other members of the WJWW Board to provide advance notice of meetings, post agendas and televise their meetings as well as post to their site information on why rates were increased by 75%.

Trustee Ryan asked that an additional item, 5P be added to the agenda; that being a resolution asking the Mayor as a representative of this Board to petition the WJWW Board to provide transparency. Mayor Rosenblum stated that this is not necessary as the meetings are open.



5O. Addition of Agenda Item 5P

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that Agenda Item 5P be and is hereby added to the agenda of the Regular Board Meeting of October 12, 2010.

Ayes: Ybarra, Hofstetter, Ryan

Nays: Santoro, Rosenblum

5Q. Addition of Agenda Item

Trustee Hofstetter asked that Item 5R be added to the agenda for an advisory committee to look at land use in the Village. Trustee Hofstetter read the proposed resolution he would like added.

Mayor Rosenblum believes that it is duplicative of what has already been done and we are currently being advised by the Planning Board, Planner for Village of Mamaroneck and the Building Department. He feels that this is a waste of time. Trustee Hofstetter does not agree as the Village is looking at land use issues that are very important to the Village. Trustee Santoro asked what this would cost. Mr. Slingerland stated that the Village's Planner, Mr. Fish will be at the next work session to discuss these issues.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that Agenda Item 5R be and is hereby added to the Regular Meeting Agenda of October 12, 2010.

Ayes: Hofstetter, Ryan

Nays: Ybarra, Santoro, Rosenblum

2. APPROVAL OF MINUTES

A. Minutes of BOT Regular Meeting of September 13, 2010 (Including Public Hearings)

Trustee Ryan and Trustee Hofstetter had changes to the minutes, which were noted for the record and will be changed.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Minutes of the September 13, 2010 Regular Board Meeting with the amendments made be and are hereby approved.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

### 3. AUDIT OF BILLS

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Abstract of Audited Vouchers listed below dated October 12, 2010, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 254,117.75
Capital Fund	22,946.34
Mamaroneck Health Center	34.90
Historic Harbor Street Fair	1,480.99
Disability Insurance	1,493.10
Guarantee & Bid Deposits	1,000.00
Escrow Deposits	<u>11,033.20</u>
	\$ 292,106.28

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

### 5. NEW BUSINESS

Mayor Rosenblum stated that Item 5D will be taken next.

#### D. Awarding & Executing of Contract 2010-07 to Furnish and Deliver One New or Demonstration Low-Profile 100' Aerial Platform Fire apparatus

Chief Dean DeLitta appeared. Chief DeLitta gave a PowerPoint presentation on a new ladder truck, which included why the Village needs a new ladder truck and why the truck requested is such a good deal. Chief DeLitta explained that this process has been going on for a few years. Two years ago, a 1975 piece of apparatus was removed from the department, as it is recommended that anything older than 24 years should be taken out of service. Chief DeLitta explained why the Village requires two ladder trucks and why at least one of these should be a bucket truck. Our existing truck is 15 years old. When an apparatus gets to be close to 20 years old, it is recommended that this truck be moved to a

second position. The Chief would like to get the Village on a program to have apparatus purchased every certain amount of years so that we do not get into a position when several items would need to be replaced at one time. Chief DeLitta went over the bid process and comparison of bids returned. The cost to the Village would be \$845,000. The Chief showed price comparisons on this same apparatus at other communities. The reason why the Village would get such a good deal is that this manufacturer would like to get this "showpiece" truck in Westchester County so that other municipalities in the area could see the truck. Chief DeLitta showed a listing of the trucks purchased in neighboring communities since we purchased our last truck in 2001. He also compared the Village's Fire Department with Port Chester's as we are similarly sized; however, our budget is much lower. Other fire department budgets were looked at in comparison to ours.

Chief DeLitta thanked the Board for their consideration. A copy of the PowerPoint presentation has been filed for the record.

Trustee Hofstetter requested a brief Executive Session to discuss the bond issue for this fire truck.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees convene to Executive Session to discuss the bond issue for the new fire apparatus.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

The Board returned from Executive Session.

Trustee Santoro thanked the Fire Department for a great job on the presentation and on keeping the Village and residents safe.

Mayor Rosenblum stated that there is no other community in this area that has an all volunteer fire department. This Board turned in the lowest budget in years and not only did the Fire Department reach the goal of a 0% budget increase, they decreased their budget. He believes that this is a no brainer as it maintains the level of fire protection, which is rated as high as an all paid fire department.

WHEREAS, an item reviewed during the FY 2010/11 budget discussions was the purchase of a replacement aerial ladder truck for the Mamaroneck Volunteer Fire Department and was further discussed in greater detail at a Board of Trustees work session; and

WHEREAS, the Village Manager reports that he publicly advertised for the receipt of bids and sent notice of the contract to thirteen (13) vendors for Contract #2010-07 – Furnish and Deliver One (1) New or Demonstration Aerial Platform Truck; and

WHEREAS, on the bid opening date, October 1, 2010, two sealed bids were opened; and

WHEREAS, members of the Mamaroneck Volunteer Fire Department's Apparatus Committee, in pursuit of its due diligence responsibility, analyzed the bid responses to ensure conformance with the Village specifications, reviewed purchases of similar apparatus in other communities, spoke with manufacturers representatives and existing customers, and determined that the lowest responsible bid was received from Northeast Fire Equipment and Apparatus, 10 Stillman Avenue, New Haven, CT, 06473, in the amount of \$845,000 for an aerial platform truck constructed by Smeal Fire Apparatus.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED, that Contract # 2010-07 – Furnish and Deliver One (1) New or Demonstration Aerial Platform Truck be awarded to Northeast Fire Equipment and Apparatus, 10 Stillman Avenue, New Haven, CT, 06473, in the amount of \$835,000; and be it further

RESOLVED, that the Village Manager is herein authorized to execute Contract # 2010-07 on behalf of the Village of Mamaroneck with said Northeast Fire Equipment and Apparatus; and be it further

RESOLVED, that all costs associated with this purchase be charged to Fiscal Year 2010/11 Capital Budget Account #H11.3410; and be it further

RESOLVED, that the funding be provided by the adoption of a future bond resolution; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be required to effectuate this purchase.

Ayes: Ybarra, Santoro, Rosenblum

Nays: Hofstetter, Ryan

Trustee Hofstetter stated that he voted no because the Village has several resources that have to be dealt with and there are other facilities that need to be looked at, including Village Hall which is falling apart. This is not anything negative against the department. He asked that this be pushed back and not done at this time. He appreciates everything that the department does, but feels that we need to be more cautious with our resources.

Trustee Ryan stated that she supports the Fire Department and supported the new fire house as well as a new fire boat; however being a Trustee requires a balancing act. Many senior citizens cannot afford to stay here and the young people cannot afford to buy here. There are other entities which are waiting for things to be done, such as the Police Department Building where women were not anticipated to be police officers and as a result there is no changing area for them and they have to change in the hallway. She has struggled with this issue, but has decided to vote no.

E. Bond Resolution to Authorize the Borrowing of \$845,000 for the Acquisition of a Fire Truck

Trustee Santoro stated that in addition to this bond, information on manufacturing financing can be done. Mr. Fusco stated that purchasing the truck through manufacturing financing may be cheaper than bonding the money and an analysis can be done by the end of the week.

BOND RESOLUTION, DATED OCTOBER 12, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$845,000 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 A FIRE TRUCK 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 the acquisition of a fire truck, including 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 \$845,000, all in accordance with the Local Finance Law;

On motion of Trustee Santoro, seconded by Trustee Ybarra:

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 \$845,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of a fire truck, 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 \$845,000; (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 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 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty (20) years. The serial bonds authorized herein shall have a maximum maturity of twenty (20) 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 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: Ybarra, Santoro, Rosenblum

Nays: Hofstetter, Ryan

Trustee Hofstetter stated that he would like to clarify the statement made by the Mayor on the 0.35% tax increase. This was achieved by taking money from a different revenue stream into the budget. This will be difficult to do again and for that reason he voted no.



Trustee Ryan stated that she voted no for the reasons previously stated and that our rainy day funds have just about been depleted.

- A. Tax Certiorari Settlements
  - (1) 245 Halstead Avenue

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER 245  
HALSTEAD COPRPORATION FOR PROPERTY LOCATED AT  
245-251 HALSTEAD 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 Clerk-Treasurer has calculated that the cost to the Village is \$7,124.99 without interest; 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;

On motion of Trustee Ryan, seconded by Trustee Santoro:

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>
245 Halstead Corporation	245-251 Halstead Avenue	2005-2010

<u>Year</u>	<u>Present A/V</u>	<u>Amount of Reduction</u>	<u>Reduced A/V</u>
2005	\$15,000	\$4,030	\$10,970
2006	\$15,000	\$3,600	\$11,400
2007	\$15,000	\$3,350	\$11,650
2008	\$15,000	\$4,300	\$10,700
2009	\$15,000	\$3,900	\$11,100
2010	\$15,000	\$5,620	\$ 9,380

Ayes: Ybarra, Hofstetter, Ryan, Rosenblum  
 Nays: None  
 Abstain: Santoro

(2) 707 Fenimore Road

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER FENIMORE ROAD PROPERTIES FOR PROPERTY LOCATED AT 707 FENIMORE 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 the Village Clerk-Treasurer has calculated that the cost to the Village is \$52,322.17 without interest; 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;

On motion of Trustee Ryan, seconded by Trustee Ybarra:

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>
Fenimore Road Properties	707 Fenimore Road	2005-2010

<u>Year</u>	<u>Present A/V</u>	<u>Amount of Reduction</u>	<u>Reduced A/V</u>
2005	\$86,400	\$26,400	\$60,000
2006	\$86,400	\$26,900	\$59,500
2007	\$86,400	\$28,400	\$58,000
2008	\$86,400	\$33,650	\$52,750
2009	\$86,400	\$33,400	\$53,000
2010	\$86,400	\$33,400	\$53,000

Ayes: Ybarra, Hofstetter, Ryan, Rosenblum  
Nays: None  
Abstain: Santoro

(3) Palmer Terrace Co-Ops

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER  
PALMER TERRACE COOPERATIVE FOR PROPERTY LOCATED AT  
CORNER OF PALMER & ROCKALND AVENUES**

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 Clerk-Treasurer has calculated that the cost to the Village is \$226,829.31 without interest; 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;

On motion of Trustee Ryan, seconded by Trustee Ybarra:

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>
Palmer Terrace Cooperative	Corner of Palmer & Rockland Avenues	2006-2010

<u>Year</u>	<u>Present A/V</u>	<u>Amount of Reduction</u>	<u>Reduced A/V</u>
2006	\$538,500	\$110,650	\$427,850
2007	\$538,500	\$139,220	\$399,280
2008	\$538,500	\$185,290	\$353,210
2009	\$538,500	\$168,700	\$369,800
2010	\$538,500	\$168,700	\$369,800

Ayes: Ybarra, Hofstetter, Ryan, Rosenblum

Nays: None

Abstain: Santoro

B. Awarding & Executing Contract 2010-05 to Furnish & Deliver One or More Sanitation Vehicles

Mr. Larry Farcus of Munroe Avenue appeared to ask if the Village has looked at veggie or hybrid vehicles and if not, can we explore more environmentally friendly vehicles. Mr. Slingerland stated that the manufactures do not produce off line veggie vehicles. As far as hybrid vehicles are concerned, we will look at this as an alternative; however, at this point, diesel trucks are the most economical.

**RESOLUTION RE:  
AWARDING CONTRACT 2010-05 – FURNISH AND DELIVER ONE (1) OR MORE  
SANITATION VEHICLES**

WHEREAS, in the Fiscal Year 2010/11 Capital Budget and Plan, a request of \$195,000 is identified for the purchase of a Sanitation Truck; and

WHEREAS, the Village Manager reports that he publicly advertised for the receipt of bids on September 8, 2010 and sent notice of the contract to eight (8) vendors for Contract #2010-05 – Furnish and Deliver One (1) or More Sanitation Vehicles; and

WHEREAS, on the bid opening date, September 30, 2010, two bids were received with the lowest responsible bid received from Gabrielli Mack Sales and Service (Gabrielli), 333 Conner Street, Bronx, NY 11716, in the amount of \$183,550; and

WHEREAS, the Village has previously purchased sanitation vehicles through Gabrielli and has been satisfied with the quality of the vehicles provided.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that Contract # 2010-05 – Furnish and Deliver One (1) or More Sanitation Vehicles be awarded to Gabrielli Mack Sales and Service (Gabrielli), 333 Conner Street, Bronx, NY 11716, in the amount of \$183,550; and be it further

RESOLVED, that the Village Manager is herein authorized to execute Contract # 2010-05 on behalf of the Village of Mamaroneck with said Gabrielli Truck Service; and be it further

RESOLVED, that all costs associated with this purchase be charged to Fiscal Year 2010/11 Capital Budget Account #H11.8160; and be it further

RESOLVED, that the funding in the above amount be provided by the adoption of a future bond resolution; and be it further

RESOLVED, that the Village Manager is authorized to undertake such administrative acts as may be required to effectuate this purchase.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

C. Authorizing a Sole-source Award to Furnish & Deliver Downtown decorative Street Lamps

**RESOLUTION RE:  
SOLE SOURCE PROVIDER FOR SPRING CITY ELECTRICAL PRODUCTS**

WHEREAS, in order to enhance pedestrian and traffic safety on Mamaroneck Avenue, the Village is planning to install additional decorative street lamps at the Mamaroneck Avenue intersection with Spencer Place, Palmer Avenue and Prospect Avenue; and

WHEREAS, to help offset the Village of Mamaroneck's costs, Assemblyman George Latimer was able to secure a grant through the New York State Dormitory Authority and its Community Capital Assistance Program in the amount of \$50,000; and

WHEREAS, Village staff, working in conjunction with Westchester County, selected products manufactured by Spring City as the preferred model to be installed, specifically, a Ductile Iron 14' Arcadian Lamp Post with Redondo Beach Twin Cross Arm and (2) Villa Refractive Luminaries; and

WHEREAS, Spring City has one (1) authorized dealer for the New York City Metropolitan Area, Spectro Lume, 373E Rte. 46 West, Suite 230, Fairfield, NJ 07004; and

WHEREAS, Spectro Lume has provided the Village with a quote of \$7,832 per assembly, or approximately \$54,824 for seven (7) assemblies that the Village seeks to order; and

WHEREAS, because there is only one (1) authorized vendor of Spring City products for this area, it is not possible to achieve optimal pricing through the solicitation of sealed bids and it is appropriate that Spectro Lume be specified as a sole source provider in order to move forward with this project.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that Spectro Lume is herein identified as a sole source provider for Spring City products; and be it further

RESOLVED, that the Village Manager is herein authorized to order seven (7) Ductile Iron 14' Arcadian Lamp Post with Redondo Beach Twin Cross Arm and (2) Villa Refractive Luminaries at the quoted price of \$7,832 per assembly, or approximately \$54,824 for all seven assemblies; and

RESOLVED, that all costs associated with said purchase be charged to FY 2010/11 Capital Account # H11.5182 in the amount of \$50,000 and FY 2010/11 General Fund Account # A.5182.0411; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be required to effectuate this purchase.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

D. Heard Earlier

E. Heard Earlier

F. Retention of Bankruptcy Attorney in Sheldrake Lofts v. Village of Mamaroneck

WHEREAS, there is a need for legal Counsel with respect to Sheldrake Estate Condominiums LLC, et al. v. Village of Mamaroneck, et al. (Bankr. SDNY Adv. Proc. No: 10-08424-rdd); and

WHEREAS, the Board of Trustees has received and reviewed the retainer agreement from McCullough, Goldberger & Staudt (dated October 5, 2010).

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

THEREFORE BE IT RESOLVED, that the Board of Trustees authorizes the Village Manager to retain McCullough, Goldberger & Staudt as Village counsel to handle Sheldrake Estate Condominiums LLC, et al. v. Village of Mamaroneck, et al. on an as-needed basis in accordance with the terms of the retainer agreement.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

- G. Resolution Reopening Twenty (20) Year Retirement Plan §384-d for Police Officers S. Fraioli and D. Lanza

**RESOLUTION RE:  
AUTHORIZATION TO “REOPEN” RETIREMENT AND SOCIAL SECURITY LAW  
SECTION 384-D OF THE RETIREMENT SYSTEM**

WHEREAS, the collective bargaining agreement between the Village of Mamaroneck and the Police Benevolent Association of the Village of Mamaroneck provides for the Retirement and Social Security Law (“RSSL”) §384-d Retirement Plan, commonly referred to as the 20-year retirement plan; and

WHEREAS, by function of the RSSL, Village police officers who do not expressly enroll in the RSSL §384-d plan within one (1) year of the employment date, default to the RSSL §375-j Retirement Plan, commonly referred to as the improved career plan; and

WHEREAS, Police Officers Scott Fraioli and Dominick Lanza, upon employment with the Village of Mamaroneck Police Department were enrolled in the default plan, RSSL §375-j; and

WHEREAS, Police Officers Scott Fraioli and Dominick Lanza are desirous of enrolling in the RSSL §384-d Retirement Plan and the Village is willing to accommodate their enrollment and participation in said plan; and

WHEREAS, the past service cost to enroll Police Officers Fraioli and Lanza in the RSSL §384-d plan has been currently estimated by the New York State Police and Fire Retirement System at approximately \$165,000; and

WHEREAS, special legislation to “reopen” the RSSL §384-d plan for Police Officers Fraioli and Lanza was enacted into law by the State Legislature and signed into law by the Governor, and incorporated into Chapter 517 of the Laws of 2010, in order to permit Police Officers Fraioli and Lanza’s enrollment into said retirement plan.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that the governing board of the Village of Mamaroneck, does hereby assume additional cost required to provide the opening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 517 of the Laws of 2010.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

H. Discussion of the Harbor Island Park Tree & Memorial Plan

Mr. Slingerland stated that the issue was raised by some Board Members and the Harbor Island Conservancy to have only cherry trees in the cherry tree grove and also the issue with monuments that are in the park. There is a memorial circle by the beach entrance where the monuments can be moved. It was decided to get a program and plan together by meeting with the Tree and Parks & Recreation Committee for a future work session.

Mr. Sid Albert of Fenimore appeared again. There is a plaque on a rock at the end of Fenimore Road that is in disrepair.

I. Heard Earlier

J. Authorization for Chamber of Commerce to Close Mamaroneck Avenue

#### RESOLUTION

Authorization for Chamber of Commerce’s use of Hook & Ladder Firehouse on Sunday, October 24, 2010 and closure of Mamaroneck Avenue from Halstead Avenue to Route 1

WHEREAS, the Village of Mamaroneck has received a request from the Chamber of Commerce for the use of the Hook & Ladder Firehouse on Sunday, October 24, 2010 for their Halloween Spooktacular; and



WHEREAS, the Chamber is also requesting the closure of Mamaroneck Avenue from Halstead Avenue to Route 1 from 4:30 pm until 10:30 pm for a Halloween Parade.

On motion of Trustee Santoro, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby approves the request from the Chamber of Commerce to close Mamaroneck Avenue for a Halloween Parade and to turn Hook & Ladder Firehouse into a Haunted House on Sunday, October 24, 2010 from 4:30 pm until 9:30 pm; and

BE IT FURTHER RESOLVED that such approval is subject to the Chamber of Commerce providing the Village of Mamaroneck with a certificate of insurance naming the Village as an additional insured.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

K. Authorization of Date to Hold Historic Harbor Street Fair

**RESOLUTION RE: HISTORIC HARBOR STREET FAIR 2011**

WHEREAS, beginning in 2003, the Historic Harbor Street Fair has evolved into an important annual event in the Village of Mamaroneck attracting residents, vendors and individuals from around the region; and

WHEREAS, the coordinators of the Historic Harbor Street Fair have requested that the Historic Harbor Street Fair for 2011 be held on Sunday, June 5, 2011.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED, that Village of Mamaroneck Board of Trustees herein grants permission to hold the Historic Harbor Street Fair 2011 on Sunday, June 5, 2011.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

L. Acceptance of Chamber of Commerce Contribution to the Heithaus Walkway Project

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RESOLUTION REGARDING  
ACCEPTANCE OF CHAMBER OF COMMERCE CONTRIBUTION

WHEREAS, The Mamaroneck Chamber of Commerce held a 50/50 Raffle in which \$1,190 was raised; and

WHEREAS, The Mamaroneck Chamber of Commerce has graciously requested to donate their share in the amount of \$595 to the Heithaus Walkway Project.

On motion of Trustee Ryan, seconded by Trustee Santoro:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation of \$595 from the Mamaroneck Chamber of Commerce for use on the Heithaus Walkway Project; and be it further

RESOLVED, that the Board of Trustees hereby thanks the Mamaroneck Chamber of Commerce for their generosity to the Community.

Ayes: Hofstetter, Ybarra, Ryan, Santoro, Rosenblum

Nays: None

M. Addition of Agenda Item 5N

WHEREAS, in accordance with the BOT Rules of Procedure, any item or items added to the agenda after the agenda was prepared, finalized and posted on the Village's website requires a vote.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED that Agenda Item 5N, authorization for expenditure of funds for BJJ to prepare conceptual plans for the Mamaroneck Beach & Yacht Club Planning Board application, be and is hereby added to the October 12, 2010 Board of Trustee Regular Meeting Agenda.

Ayes: Ybarra, Santoro, Rosenblum

Nays: Hofstetter, Ryan

N. Authorization for Expenditure of Funds for BFJ to Prepare Conceptual Plans for the MBYC Planning Board Application

Trustee Hofstetter asked why this wouldn't come from the Planning Board budget. Trustee Ryan asked if this doesn't set a bad precedent, by spending Village funds for a project being brought to a committee. She thought that there could be an interactive program done so that the Board could see what different plans for the Yacht Club would look like. The Mayor believes that this would be a very effective tool to see what the plan will look like. The Mayor suggested that this be tabled until it is confirmed whether or not the Planning Board has money in their budget. Trustee Hofstetter doesn't understand how this could be done at this point as the application is not complete. Trustee Hofstetter also feels that the cost of this should come from the \$15,000 escrow held on this application by Mamaroneck Beach and Yacht. Ms. Derrico stated that the experts stated that it would cost approximately \$10,000 to complete their reviews and as it was determined to have Mamaroneck Beach and Yacht Club submit \$15,000 in escrow, there may be enough money to cover this cost. The Board may want to approve this only after the escrow is exhausted and only for a certain amount and that the conceptual plan only is done when the plans are finalized. Trustee Ryan asked for confirmation on who requested this conceptual plan be done. Mayor Rosenblum stated that the Planning Board asked for this. The Mayor agreed that the escrow funds available should be used before the Board of Trustees is asked to approve additional funds.

Ms. Doreen Roney of Highview Street appeared. Ms. Roney watched the last Planning Board meeting and they did not request that a conceptual plan be prepared. Ms. Roney asked if the Planning Board needs to make a formal request to this Board. She does not understand what method was used to determine that there is a Village wide interest in this application as this was part of the resolution. Ms. Roney believes that the job of the Planning Board is to determine if an applicant's plan is compliant with Code and laws, not to take someone's plan and move things around. Ms. Roney also stated that according to our Code, attorney fees can be paid for out of escrow. Ms. Derrico stated that in her experience, paying attorney fees out of escrow have not been the custom or practice.

Mr. Dan Natchez appeared. He is president of the Shore Acres Property Owners Association and a life long resident. He believes that there has been a misstatement of facts made and misconceptions. Mr. Natchez stated that the resolution is misleading as it states that the court has limited the expenditure on the escrow amount and that is not true. The escrow amount was negotiated by and agreed upon by the Village and the Yacht Club and made part of the stipulation. Mr. Natchez feels that there are many areas that need to be reviewed in regard to the SEQRA determination and that \$15,000 will not cover these reviews. Mr. Natchez informed the Board that the "sketch up" only

prepares a 3-D model of what is planned; it does not move things around and look at alternatives, that is done with a different program. Mr. Natchez also feels that the resolution is wrong as it states that the Village will pick up the tab of whatever is spent above what has been stipulated and this is against Code and the Board would be in violation.

Mr. Slingerland suggested this be tabled to the next work session so that the issues raised can be dealt with. The Board agreed.

P. Request to Westchester Joint Water Works Board

WHEREAS, the Village of Mamaroneck residents have recently experienced an inordinate increase in water rates; and

WHEREAS, educating the taxpayers as to how Westchester Joint Water Works functions would be beneficial in understanding present and future needs and plans.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

THEREFORE BE IT RESOLVED that a formal request of the Westchester Joint Water Works Board be made by Mayor Rosenblum, the Village of Mamaroneck Board Member that requires Westchester Joint Water Works to use its website to post advance notice of meetings, to post agendas, to post relevant information regarding projects and their costs that will affect the Village residents and to arrange for Westchester Joint Water Works Board meeting to be televised by LMC-TV.

Ayes: Hofstetter, Ryan, Santoro

Nays: Ybarra

Abstain : Rosenblum

Mayor Rosenblum stated that some of these requests are already being looked at by the WJWW Board.

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Correspondence from Brake the Cycle

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

- B. File for the Record – Agreement with WSP Sells for Design & Engineering Services for the Jefferson Avenue Bridge Replacement Project

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

**7. FLOOD MITIGATION REPORT**

Mr. Slingerland reported that he met with the contractor and toured the areas that need to be cleaned out. One location may be changed out as there is much more silt to be removed at the Fenimore Avenue Bridge than at the Hillside location. This work will begin at the end of the month. Coordination of the clean up at the Beaver Swamp Brook is being looked at with FEMA and SEMO and three quotes will be obtained. Mr. Slingerland has talked with Mr. Alteri, the Town's Administrator and the Gardens Lake dredging is almost done. Additional information has been supplied to FEMA and the Army Corps to support the grant request to fund removal of obstructions in the Mamaroneck River, namely the Road to Nowhere. If this information is not accepted, the Village may have to explore another project.

**8. REPORT FROM CLERK-TREASURER**

Mr. Fusco reported that Mr. Michael Hynes has resigned from the Mamaroneck Avenue Task Force.

**9. REPORT FROM VILLAGE ATTORNEY**

Ms. Derrico stated that Local Law 21, 2010 has been filed with the Secretary of State.

**10. REPORT FROM POLICE CHIEF**

None

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

- A. HCZM – April 21, 2010 & May 19, 2010

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the April 21 and May 19, 2010 minutes of the Harbor and Coastal Zone Management Zone Commission be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Committee for the Environment – June 15, 2010

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the June 15, 2010 minutes of the Committee for the Environment be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Planning Board – July 22, 2010

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the July 22, 2010 minutes of the Planning Board be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Planning Board Special Meeting – September 7, 2010

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the September 7, 2010 minutes of the Planning Board Special Meeting be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Updates from the Board

Trustee Hofstetter informed residents that there will be a Budget Committee meeting on Monday at 7 p.m. On Saturday from 10 a.m. to 3 p.m. Mamaroneck Avenue School is having a tag sale to raise money for new playground equipment. Trustee Hofstetter stated that the County build out analysis on where there are opportunities to build in the Village did not take into account land that they determined unusable as it is in the flood zone, but is already being built on. Trustee Hofstetter suggested that the County be made aware of this building so that they can revise their analysis.

Trustee Santoro reminded residents of the Swearing In Ceremony of the Police Chief and Lieutenant to take place tomorrow at the American Legion. The annual fishing rodeo took place on

Monday. It was a nice turn out. Trustee Santoro commended the Village of Mamaroneck Fire Department for their assistance with a very large fire in the Town this past weekend.

Trustee Ryan informed residents that the Committee for the Environment purchased five kilowatt machines, which measure how much energy a particular appliance uses. These are located in the library and can be checked out as you would a book.

Trustee Ybarra had nothing to report.

Mayor Rosenblum reported that he received correspondence from R.A.D.A.R. regarding their national program to safely dispose of prescription drugs, in which the Village of Mamaroneck will participate. The Mayor would like to alert the residents about a dog that was taken on Mamaroneck Avenue and that fortunately he was recovered as someone took down the license plate of the person that took him. There seems to be a rash of dog knapping and the dogs are sold for experimentation. Mayor Rosenblum informed residents that Chocolations has moved its location to Boston Post Road and they will be having a grand opening on Saturday. The Mayor received another warning about a scam. If you see a baby carriage and you think that a baby might be left in it, do not stop. Just call the police as people are being hurt when they stop.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive Session to discuss collective bargaining and on going litigation on the Blood Brothers site, a request by the Ethics Board and issues with Waste Management.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

### ADJOURNMENT

There being no further business to come before the Board, on motion duly made and seconded, the meeting was adjourned.

PREPARED BY:  
SALLY J. ROBERTS,  
SECRETARY

RESPECTFULLY SUBMITTED BY:  
AGOSTINO A. FUSCO,  
CLERK-TREASURER