

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, JULY 19, 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
Police Department Chief Edward Flynn
Clerk-Treasurer Agostino A. Fusco
ABSENT: None

PRESENTATION OF MAYOR FOR A DAY

Mayor Rosenblum presented Lauren Kroell, who served as Mayor, with a proclamation thanking her for the interest she has shown in our local government process.

PRESENTATION OF HIETHAUS WALKWAY PLANS

This item was tabled to the August 16, 2010 Regular Meeting.

Mayor Rosenblum announced that there would be the addition of an agenda item; 50, Authorizing the serving of alcohol at a Coast Guard barbeque being held in Harbor Island Park. The Mayor also asked that the Board review a decision submitted by the Ethics Board.

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the review and acceptance of the report submitted by the Ethics Board be and is hereby added to the July 19, 2010 Regular Meeting agenda:

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

PUBLIC HEARING ON PLL U-2010 (AMENDING CHAPTER 326, ARTICLE III, PARKING TICKET PENALTIES AND OFFENSES)

Mr. Sarnoff gave history on the proposed local law and reviewed the changes made since the last public hearing on June 28. The reason behind the proposed amendment is to clarify the penalty section as it exists in the code. The language in this section is somewhat ambiguous and difficult to interpret. These changes will clarify this section. Trustee Ryan requested that the new penalty timing be printed on the tickets. Mr. Slingerland stated that this can be hand written on the existing tickets and printed on the ticket with the printing of the next batch.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the public hearing on Proposed Local Law U-2010 be and is hereby closed:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOVLED that Proposed Local Law U-2010 be and is hereby adopted and shall read as follows:

LOCAL LAW NO. 19-2010

A local law amending Article VII (Penalties for Offenses) Section 65 (Miscellaneous penalties), Section 66 (Permit parking areas) and Section 67 (Metered parking zones) of Chapter 326 (Vehicles and Traffic) of the Code of the Village of Mamaroneck

Section 1. *Section 65 (Miscellaneous Penalties) Part C of Chapter 326 (Vehicles & Traffic) is hereby deleted in its entirety and replaced with the following language:*

§ 326-65. Miscellaneous penalties.

- A. Every person convicted of a violation of § 326-6 or 326-7 of this chapter shall, for a first conviction thereof, be punished by a fine of not more than \$100. For a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$200. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$350. In lieu of or in addition to such fine, a sentence of imprisonment for not more than 30 days may be imposed for a second or third conviction within 18 months.
- B. In addition to any penalty provided by the Vehicle and Traffic Law, any person violating any of the provisions of § 326-4 or Article III of this chapter shall, upon conviction, be punished for the first offense by a fine not exceeding \$20, for the second offense by a fine not exceeding \$30 and for any subsequent offense by a fine not exceeding \$40, except for those violations as indicated in Subsections D, E and F below.
- C. In addition to subsection B above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 15 days but on or before 30 days of summons being issued: double the original fine.
 - (2) If paid after 30 days but on or before 45 days of summons being issued: double of Subsection C(1).
 - (3) If paid after 45 days of summons being issued: double of Subsection C(2).

Section 2. *Section 66 (Parking permit areas) Part B of Chapter 326 (Vehicles & Traffic) is hereby deleted in its entirety and replaced with the following language:*

§ 326-66. Permit parking areas.

- A. Any person violating any of the provisions of Article IV of this chapter, except § 326-49G and H, may, upon conviction, be punished for the first offense by a fine not exceeding \$20, for the second offense by a fine not exceeding \$30 and for any subsequent offense by a fine not exceeding \$40.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:

- (1) If paid after 15 days but on or before 30 days of summons being issued: double the original fine.
- (2) If paid after 30 days but on or before 45 days of summons being issued: double of Subsection B(1).
- (3) If paid after 45 days of summons being issued: double of Subsection B(2).

Section 3. Section 67 (Metered parking zones) Part B of Chapter 326 (Vehicles & Traffic) is hereby deleted in its entirety and replaced with the following language:

§ 326-67. Metered parking zones.

- A. Any person violating any of the provisions of Article V of this chapter, except §§ 326-59G and 326-61, may, upon conviction, be punished for the first offense by a fine not exceeding \$20; and for the second offense within a twenty-four-hour period by a fine not exceeding \$30; and for any subsequent offense within a twenty-four-hour period by a fine not exceeding \$40.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 15 days but on or before 30 days of summons being issued: double the original fine.
 - (2) If paid after 30 days but on or before 45 days of summons being issued: double of Subsection B(1).
 - (3) If paid after 45 days of summons being issued: double of Subsection B(2).

Section 4. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 5. This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

I. COMMUNICATION TO THE BOARD

Mayor Rosenblum stated that at tonight's meeting a public hearing on the proposed bike law in the Village will be scheduled for the August 16 meeting. He has asked Mr. David Wilson, President of the Westchester Cycle Club to make a brief statement on the proposed local law and asked that other residents in attendance please hold their comments to the public hearing in August.

Mr. David Wilson, President of the Westchester Cycle Club appeared. He is also President of the Bike/Walk Alliance of Westchester County. This alliance is associated with the East Coast Greenway which goes through the Village of Mamaroneck. He urged the Board to not place the public hearing on the agenda for August as the law in its proposed state needs quite a bit of work. He applauds the Board for looking at the law as it now exists as it could be improved upon. Mr. Wilson believes that the new bike parking ordinance seems the most onerous. The way it is written, it would prevent riders from coming into the downtown area due to the parking restrictions. Many riders stop at a store and simply lean their bicycle next to or near the store and many do not carry locks. He also

believes the penalties are too harsh, giving our Village the reputation of being the least bike friendly in the county. Mr. Wilson stated that he would be glad to work with the Village on this ordinance.

Mr. Slingerland addressed some of the inaccuracies that were in an article posted in the Journal News regarding this proposed local law. He stated that this is something that has been worked on since last summer and the goal is to make the Village more bike friendly; not more restrictive. Mr. Slingerland reviewed some of the changes to the existing law.

Trustee Hofstetter believes that Section 112.2A should be removed as he does not agree with what the "commercial district" refers to. He also has a problem with this as it would prohibit children from riding their bikes to school, if they cannot ride on the sidewalk. Trustee Ryan encouraged all residents to send in what they feel would be a fair law, as the Board would like for it to represent the community.

Mr. Lee Wexler of Munro Avenue appeared. Mr. Wexler agrees that the existing law is out of date. He does not understand why bikers cannot ride two abreast on the Boston Post Road, as the state law reads that bikers may never ride more than two abreast. He believes that it might be best to leave things out that are redundant with the state law, to avoid confusion. Mr. Slingerland stated that most, if not all references to the state vehicle and traffic laws have been deleted.

Ms. Susan Odierna appeared. She is also concerned about the law prohibiting biking on the sidewalk in the commercial area, as she has school aged children riding their bikes to school. She believes that there should be a common sense approach to this and parents should instruct their children to give the right of way to pedestrians and if the sidewalk is crowded, to walk their bikes.

Ms. Karen Weisberg, resident of the Town of Mamaroneck appeared as she bikes through the Village daily. She encouraged the Board to allow for bikes to be put somewhere where they can be protected during a rain event.

2. APPROVAL OF MINUTES

A. Minutes of BOT Regular Meeting of June 14, 2010 (Including Public Hearings)

These minutes were tabled to the next meeting.

3. AUDIT OF BILLS

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Abstract of Audited Vouchers listed below dated July 19, 2010, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$ 834,079.52
Capital Fund	29,994.45
Historic Harbor Street Fair	2,025.00
Harbor Island Improvement	32.77
Mamaroneck Health Center	849.15
Guarantee & Bid	13,528.82
	<u>\$ 880,509.71</u>

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Schedule Continuation of Public Hearing on PLL W -2010 (Bike and other Non-motorized Devices Law)

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that a Public Hearing on Proposed Local Law W -2010 be and is hereby scheduled for August 16, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be a **Type II Action** not subject to the State Environmental Quality Review Act (SEQRA).

Ayes: Ybarra, Ryan, Santoro, Rosenblum

Nays: Hofstetter

Trustee Hofstetter voted no as he believes that the law should be in its final form on the Village website before the public hearing.

B. Schedule a Public Hearing on PLL Y-2010 on Establishing Alternate Member Positions for the Planning and Zoning Boards

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

RESOLVED that a Public Hearing on Proposed Local Law X-2010 be and is hereby scheduled for August 16, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be a **Type II Action** not subject to the State Environmental Quality Review Act (SEQRA).

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Schedule a Public Hearing on PLL Y-2010 on the Proposal to Eliminate Term Limits for Volunteer Boards and Commissions in the Village of Mamaroneck

Trustee Hofstetter stated that he is not in favor of this as there are many residents who serve for upwards of 10 years and he believes that it is a good thing to have new eyes looking at things. Trustee Ryan asked that she receive something in writing from the Village Attorney regarding the reasoning behind this proposed change. She would also like to be assured that the Village Attorney is reviewing the proposed local laws and that the laws on the website are the final versions. Trustee Hofstetter also

believes it would be beneficial to the community to note the date that a law was revised on the draft proposed local laws.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that a Public Hearing on Proposed Local Law Y-2010 be and is hereby scheduled for August 16, 2010; and

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be a **Type II Action** not subject to the State Environmental Quality Review Act (SEQRA).

Ayes: Ybarra, Ryan, Santoro, Rosenblum

Nays: Hofstetter

D. Resolution Considering the Authorization for a Stipulation and Settlement of Claim

Trustee Hofstetter asked if the claims against the other defendants have been dropped. Ms. Derrico stated that yes that is part of this settlement. Trustee Hofstetter stated that as he was not at the last Executive Session at which this was discussed, he has some reservations.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village to enter into a stipulation and settlement of claim in regard to the matter of Comblo vs. the Village of Mamaroneck. This matter is based on an amount to be finalized with the insurance company, with payment to the insurance carrier at a sum not to exceed our deductible under the policy, including applicable legal fees that the village has already paid in this regard, which is at a total global expense to the Village in an amount not to exceed one hundred and fifty thousand dollars (\$150,000), the deductible; and

BE IT FURTHER RESOLVED that the Village Manager be and is hereby authorized to execute the Settlement Agreement, on behalf of the Village, in connection with the pending settlement of Litigation and all other pending litigation and claim of any nature commenced by a former member of the Mamaroneck Police Department, Joseph Comblo.

Ayes: Ybarra, Ryan, Santoro, Rosenblum

Nays: Hofstetter

E. Resolution accepting a Donation from Patch for Family Fun Summer 2010 Event

WHEREAS, the Village of Mamaroneck Recreation Department's annual "Family Fun Night" is scheduled for Sunday, July 18, 2010 from 7:00 p.m. to 9:00 p.m.; and

WHEREAS, the Village has received a donation of \$350.00 from the Patch to offset expenses of this Admission Free event.

On motion of Trustee Ybarra, seconded by Trustee Ryan:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation of \$350.00 from the Patch in support of Family Fund Night 2010 nunc pro tunc and thanks them for their generosity to our community.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

F. Resolution Accepting the Donation of a Tree from Mayor Rosenblum

WHEREAS, Mayor Norman Rosenblum has donated funds to plant a Maple tree in Harbor Island Park at no cost to the Village.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation of a Maple tree from the Mayor at a total estimated value of \$290.00.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

G. Request to Serve Alcohol at Picnic from LMC-TV

WHEREAS, the Village of Mamaroneck's Recreation Department has received a request from LMC-TV to hold their volunteer/employee picnic on the back deck of the Pavilion near the beach on Friday, July 30, 2010 from 3:00 p.m. to 10:00 p.m. with a rain date of August 2, 2010; and

WHEREAS, they have requested to serve alcohol along with their picnic luncheon; and

WHEREAS, according to Village Code §92.7, permission must be granted by the Village Board of Trustees.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

BE IT RESOLVED that the Village Board hereby grants permission to LMC-TV to serve alcohol at their volunteer/employee picnic to be held on Friday, July 30, 2010, at Harbor Island Park; and

Be if further RESOLVED, that such permission is subject to LMC-TV providing the Village with a Certificate of Insurance naming the Village as an additional insured.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

H. Request from Chamber of Commerce to Hold Annual "Picnic in the Park" on September 26, 2010

WHEREAS, the Village of Mamaroneck has received a request from the Chamber of Commerce to hold their annual "Picnic in the Park" in Columbus Park on Sunday, September 26, 2010 from 1:00 p.m. until 5:00 p.m.; and

WHEREAS, the Chamber of Commerce must provide the Village of Mamaroneck with a certificate of liability insurance naming the Village as an additional insured.

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees approves the Chamber's request to hold the "Picnic in the Park" in Columbus Park on September 26, 2010.

BE IT RESOLVED, that said approval is subject to the Chamber of Commerce providing the Village of Mamaroneck with a certificate of liability insurance prior to the event.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

I. Amendment to Chapter 236 Vehicles & Traffic – Eliminating Time Limit for Meters on Jefferson and Van Ranst

WHEREAS, at their work session meeting of July 12, 2010, the Village Board reviewed the fees for parking spaces within Metered Parking Zones 1, 2(a), 2(b) and 3 located on Jefferson Avenue and Van Ranst Place; and

WHEREAS, Metered Parking Zones 1, 2(a), 2(b) and 3 provide for a twelve hour limit with a minimum charge of \$2.50 for the first ten (10) hours and \$0.25 for each additional hour and because of this minimum charge, it is believed that these spaces are underutilized as there is a disincentive for motorists who may want to use these parking spaces for shorter durations; and

WHEREAS, based on this review, it is appropriate to eliminate the existing \$2.50 minimum charge for 10 hours of parking in favor of a standard rate of \$0.25 per hour to encourage greater utilization of these parking spaces;

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED, that Chapter 326 (Vehicle & Traffic), 54 (Fees) of the Code of the Village of be and is hereby amended as follows.

Section 54, Fees

Add:

A. A fee of \$0.25 per hour to a maximum of 12 hours, is hereby established for parking in Metered Parking Zones 1, 2(a) and 3, and in the seventh through 22nd spaces commencing from Sheldrake Place in Metered Parking Zone 2(b).

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

J. Appointments to Tree Committee

Trustee Hofstetter asked why other residents who expressed an interest in joining this committee by sending in their resume were not considered. He also believes that one of the residents being appointed this evening asked not to be appointed. Trustee Santoro stated that he spoke with Mr. Goetze and at the time last asked, he could not fit this into his schedule; however, his schedule has changed and he can now commit the time and is looking forward to serving. Trustee Ryan stated that she believes that all residents who submit their resumes are owed the courtesy of having their resumes reviewed. She believes that it is a disservice not to look at all candidates and she will therefore abstain from voting on this. She also stated that in addition to knowing that at least one resume was in the file for longer than that of the individual being appointed and it had not been reviewed, the Board also needs to try to make sure as many different village neighborhoods are represented on these various boards and commissions as possible. In her opinion, that was not happening with the Tree Committee and there was a perfect opportunity if the resume in the file had been reviewed as the resident lives in Orienta. Trustee Hofstetter stated that while he will vote in favor of this, he disagrees with the process. Mayor Rosenblum as the former Chair of the Tree Committee completely supports the two residents being appointed and he feels that the comments are political in nature.

WHEREAS, there are currently two vacancies on the Tree Committee and the Village Board, at its Work Session of July 12, 2010 reviewed potential appointments to fill these vacancies; and

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED, that the following individuals are hereby appointed to the Tree Committee:

Danny Goetze – Term to expire in December 2010

Sarah Robertson – Term to expire in December 2012

and be it further

RESOLVED, that Len Tallevi is hereby appointed Chairman of the Tree Committee.

Ayes: Ybarra, Hofstetter, Santoro, Rosenblum

Nays: None

Abstain: Ryan

K. Expansion of Authorized Area for Mamaroneck Shares to Reach from Rt. 1 to Halstead Avenue

WHEREAS, Mamaroneck Shares is a community action, non-profit organization dedicated to providing services and programs at risk members of the community; and

WHEREAS, Mamaroneck Shares planned three events for the summer of 2010 that embrace family, festival, ethnic food and fun; and

WHEREAS, by resolution dated May 27, 2010, the Village Board granted the request of Mamaroneck Shares that commencing at 6:45 p.m., Mamaroneck Avenue from Spencer Avenue

to Prospect Avenue be closed to vehicular traffic transforming it to a pedestrian mall on June 24, July 29 and August 19, 2010; and

WHEREAS, based on the success of the first event, Mamaroneck Shares and the Village of Mamaroneck believe that the pedestrian mall should be extended for the length of Mamaroneck Avenue between Halstead Avenue and Boston Post Road (NY Rte 1) to provide for additional entertainment, activities and events.

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED, that the Board of Trustees hereby approves the closure of Mamaroneck Avenue from Halstead Avenue to Boston Post Road (NY Rte 1) for the Mamaroneck Shares events to take place on July 29 and August 19, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

L. Addition of Three Publications to List of Official Publications

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED that The Journal News, The Sound and Town Report, Soundview Rising, The Loop, Patch, and Westchester Hispano be and are hereby designated as the official newspapers and publications of the Village of Mamaroneck for the ensuing official year.

BE IT FURTHER RESOLVED that representatives of The Journal News, The Sound and Town Report, Soundview Rising, The Loop, Patch, and Westchester Hispano be authorized to attend all meetings of the Board of Trustees with representatives being granted the right in its sole discretion to use any and all information learned during the course of such meetings as it and it alone may deem proper and which comply with New York State Law.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

M. Resolution Scheduling a Special Meeting to be Held on August 2, 2010

WHEREAS, by resolution dated June 14, 2010, the Village Board set its summer meeting schedule as follows:

Work Sessions will be held on July 12, 2010 and August 9, 2010 at 5:30 p.m. in the conference room at the Regatta;

Regular Meetings will be held on July 19, 2010 and August 16, 2010 at 7:30 p.m. in the courtroom at 169 Mt. Pleasant Avenue.

and

WHEREAS, because of the twenty-eight (28) calendar days between the July and August regular meetings and the twenty eight (28) calendar days between the August and September regular meetings (to be held September 13, 2010), it presents a challenge to the Village in processing payments and compensating its vendors in a timely fashion; and

WHEREAS, in order to process payments and compensate vendors the Village Board can amend its previous summer meeting schedule for the purpose of scheduling a "Bills Only" meeting to be held in public sessions with the sole item on the agenda being the audit of bills and approval of payments.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Summer Meeting Schedule for the Board of Trustees is hereby amended as follows:

Add:

Bills Only Meetings will be held on August 2 and August 30, 2010 at 5:30 p.m. in conference room at the Regatta.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

N. Addition of Agenda Item 5O

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 5O, Resolution authorizing the Coast Guard Auxiliary to serve alcohol at their BBQ to be held on Wednesday August 4, 2010, be and is hereby added to the July 19, 2010 Board of Trustee Regular Meeting Agenda.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

O. Resolution Authorizing the Coast Guard Auxiliary to Serve Alcohol at their BBQ

WHEREAS, the Village of Mamaroneck's Recreation Department has received a request from the Coast Guard Auxiliary to hold their Auxiliary Division BBQ at the Coast Guard building on Wednesday, August 4, 2010 beginning at 6:00 p.m.; and

WHEREAS, they have requested to serve alcohol along with their BBQ; and

WHEREAS, according to Village Code §92.7, permission must be granted by the Village Board of Trustees.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

BE IT RESOLVED that the Village Board hereby grants permission to the Coast Guard Auxiliary to serve alcohol at their BBQ to be held on Wednesday, August 4, 2010, at the Coast Guard building in Harbor Island Park; and

Be if further RESOLVED, that such permission is subject to the Coast Guard Auxiliary providing the Village with a Certificate of Insurance naming the Village as an additional insured.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

P. Report from Ethics Board

Mayor Rosenblum stated that in the event that the Ethics Board is asked to render a decision and that decision is submitted to the Board of Trustees, the Board needs to review the decision and either accept or reject it. The Ethics Board was asked to render a decision in the hiring of Trustee Santoro's son as a seasonal employee and if this hiring was in violation of the Ethics Code. Mayor Rosenblum read the decision, which has been filed for the record. The Ethics Board opined that this hiring did not constitute a violation of the Ethics Code or of the NY State Municipal Law.

Mr. Slingerland gave the history of this hiring and the questions asked of the Ethics Board. Mr. Slingerland also explained his reasoning behind the hiring of Trustee Santoro's son. It was his belief, that seasonal employees are not considered full time.

On motion of Trustee Ryan, seconded by Trustee Ybarra,

RESOLVED that the report read into the record by Mayor Rosenblum from the Ethics Board, dated July 15, 2010 on the hiring of Trustee Santoro's son, Nick Santoro, be and is hereby accepted by the Board of Trustees.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter thanked the Board of Ethics for their diligence in this matter. He asked that the recommendations requested by the Ethics Board be adopted as soon as possible and that this is discussed at the next work session. Trustee Ryan also thanked the Ethics Board for their time. She believes that this shows that the system does work and that a fair and equitable finding was submitted by the Board. Trustee Santoro publically thanked the Ethics Board for the many hours spent addressing this matter. He stated that they have proved, once again, their dedication to the Board. He also stated that although some residents may have a different opinion on this matter, from the beginning this process was handled in the most professional and courteous matter. Mayor Rosenblum believes that the legal expense incurred in the process was not necessary as the Village Attorney has the capability, command and experience to have handled this matter. He does not believe that neither she nor the Chair of the Board should have recused themselves as, in his opinion; there was no conflict of interest. The Board decided to discuss the recommendations at their next work session. Ms. Derrico stated that she will get on this immediately; working with the Ethics Board.

6. REPORT FROM VILLAGE MANAGER

- A. Correspondence from Mamaroneck School Foundation for Village's Support of "Night in Casablanca"

Mr. Slingerland read the correspondence for the record.

- B. File for Record – Stipulation of Agreement for Parks Department Weekend Work Hours w/CSEA

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

- C. File for Record – Release and Assignment for Fidelity & Co. of Maryland for Payment of \$10,000 Claim

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

- D. Knox Box Compliance Announcement

Mr. Slingerland stated that a notification will be sent out to all businesses and multi-family homes required to have an emergency entry key box regarding this requirement.

- E. Correspondence from Peter F. Grunthal regarding Harbor Master and West Basin

Mr. Slingerland read the correspondence for the record.

- F. Correspondence from American Red Cross regarding June 26 fire at 525 Halstead Avenue

Mr. Slingerland read the correspondence for the record.

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that he and Mr. Furey, the Village's consulting engineer, are working with Mr. Sarnoff and Mr. Iacovelli to prepare specifications for the bid to clean the Sheldrake and Mamaroneck Rivers this summer. In reference to the Beaver Swamp Brook obstructions, the Village has received a grant in the amount of \$8,000 to begin this work. The Village is working with FEMA to receive additional grant monies to complete this work. Mr. Slingerland reported that he, Mr. Sarnoff, Ms. Jackson and the Mayor met with the County Board of Legislators regarding the County Stormwater District Legislation. The Village submitted comments on this legislation, which is based on legislation that was drafted by LISWIC. Lastly Mr. Slingerland reported that the Department of Public works has continually cleaned the Mamaroneck River grates; however, after the recent heavy downpour there was no water going through the grates behind the WJWW. He believes that this is due to the minimum amount of rain received this summer. If the situation does not improve, the Board may consider a mandatory water restriction.

8. REPORT FROM CLERK-TREASURER

None

9. REPORT FROM VILLAGE ATTORNEY

- A. Filing of Local Laws 16, 17 & 18-2010 with the Secretary of State

Ms. Derrico stated that these Local Laws were filed on July 1, 2010.

10. REPORT FROM POLICE CHIEF

None

II. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Board of Ethics – June 1 and June 23, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the June 1 and June 23, 2010 minutes of the Board of Ethics be and are hereby approved:

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

B. Planning Board – May 13, May 24 and June 24, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the May 13, May 24 and June 24, 2010 minutes of the Planning Board be and are hereby approved:

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

C. Board of Traffic Commissioners – May 12 and June 9, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the May 12 and June 9, 2010 minutes of the Board of Traffic Commissioners be and are hereby approved:

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

D. Flood Mitigation Committee – March 23, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the March 23, 2010 minutes of the Flood Mitigation Committee be and are hereby approved:

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

E. Parks and Recreation Committee – May 26, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the May 26, 2010 minutes of the Parks and Recreation Committee be and are hereby approved:

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

Updates from the Board

Trustee Santoro reminded residents of the Mamaroneck Shares event to take place on July 29th. Trustee Santoro thanked Rosanne Saracino and her staff for the successful Family Fun Night, which took place yesterday at Harbor Island Park.

Trustee Ybarra stated that she attended a baseball tournament fundraiser in memory of Stephen Spina. All proceeds will be put in a scholarship fund for his daughter. Trustee Ybarra thanked the Parks Department for keeping the parks looking so good.

Trustee Ryan reported that there is a tentative date for the Martin Luther King, Jr. celebration. It is scheduled to be held on January 12, 2011. Trustee Ryan also attended Family Fun night and had a wonderful time. Trustee Ryan notified residents of the upcoming Council of the Arts events to take place at Harbor Island Park.

Mayor Rosenblum reminded residents that there will be a “dunk the Mayor” booth at the Mamaroneck Shares event. He invited all to come out and dunk him.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive Session to discuss ongoing litigation.

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