

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON THURSDAY, MAY 27, 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	Lieutenant James Gaffney
ABSENT:	Clerk-Treasurer	Agostino A. Fusco

**PRESENTATION OF MAYOR, MANAGER & POLICE CHIEF FOR A DAY**

Mayor Rosenblum stated that at a recent school fundraiser, three students bid on and won the privilege to be Mayor, Deputy Mayor, Village Manager and Police Chief for a day. The children spent time at Village Hall and the Police Station today and had dinner with Mayor Rosenblum, Village Manager Slingerland and Sgt. Regan Kelly (in Chief Flynn's absence). The Mayor asked the children to open the meeting and lead the pledge of allegiance.

Proclamations were presented to Zachery Fisher, Mayor for a Day; Jacob Fisher, Deputy Mayor for a Day; Mackenzie Leonard, Village Manager for a Day and Riley Leonard, Police Chief for a Day, thanking them for their interest shown in local government.

**PRESENTATION BY SPORTIME (Taken out of order)**

Mr. Claude Okin, CEO of Sportime gave a brief history of the relationship between Sportime and the Village of Mamaroneck which began in 1999, when the Village sent out an RFP for an operator to take over the operation of the tennis courts at Harbor Island Park. Since that time, a Master Plan for the Harbor was done and Sportime was asked to come up with a plan to move the tennis courts out of the middle of the park to behind the sewage treatment plant on the Boston Post Road. Mr. Okin stated that a couple of weeks ago, Sportime met with the leaders of the different sport leagues that use the fields in the park to insure that their concerns were known and their needs met in the new plan. With that information, Sportime went back to their architects to try and be as responsive as possible to the concerns raised. A picture of the park as it exists today was shown. The originally proposed facility in the current location was shown. Mr. Okin stated that this facility in this location has been approved as part of their license agreement with the Village. As this blocked the center of the park, Sportime was asked to come up with a plan behind the treatment plant. There were two renditions shown; the first shows the fields the way they exist today, including four baseball/softball fields, four soccer fields, nine tennis courts, 482 parking spaces and 21 parking spaces for cars w/trailers. The second rendition was done after Sportime met with the sports league leaders; this includes more creative and overlapping uses of fields. There are five soccer fields and multiple variations of their use, which raises the number as high as nine. Sportime's goal was to achieve an improvement in field availability and use with no loss of field availability and use. The next slide shown was of the facility with a relocated and rotated baseball field, which adds one extra field to the facility. In this plan, the lights and transformers do not move. An additional multisport feature has been added, which was part of the tennis RFP. Parking is

increased by two spaces and as the asphalt parking lot in the center of the park will be lost; those spaces will have to be recaptured in the lot behind the treatment plant. There is an outflow pipe and construction easement that the County holds, which the Village tried to get reconsidered. Sportime needed to design their courts and multisport facility so that these easements can be accessed. A design scheme for the clubhouse was shown, which includes second story viewing, small snack bar, small pro shop and locker rooms. The investment in this new facility, which will be paid for by cash flow of the facility is between six and eight million dollars.

Trustee Hofstetter asked why there can't be eight courts and a smaller multisport facility. Mr. Okin stated that the multi sport can be moved to one end; however, that would leave all of the courts together as a monolith and the clubhouse would be over the effluent pipe. Mr. Okin also stated that he believes that the size of the multisport is the size that was previously approved, but he would have to confirm. Trustee Hofstetter stated that as the Village is being asked to finance the project, he believes that not all of this has to be done at the same time. Mayor Rosenblum stated that the project will be funded by the cash flow. Mr. Okin stated that the Village is not being asked to finance the project, but to issue an improvement bond as the finance fee for a private business to borrow money is extremely high. Trustee Hofstetter is still concerned that the footprint is substantially bigger. Mr. Okin stated that it is only one tennis court bigger. He explained that due to the cost of the service of debt on this improvement project and the Village wanting to maintain its license fee received, they need to increase their revenue to be able to accomplish these goals.

Mayor Rosenblum read for the record the letter from the Westchester County Commissioner regarding the county's easements.

Ms. Randi Robinowitz of Lawn Terrace appeared. She asked if the drainage of the fields will be improved during the construction. Mr. Okin stated that the goal of the current plan is to make all of the green space usable all of the time. Ms. Robinowitz asked if the sports leagues are comfortable with the new plan. Mr. Okin is not sure as he has not heard from them, nor are they at the meeting tonight. He believes that their concerns were addressed. Ms. Robinowitz thanked Mr. Okin for the work done changing the plans and she believes that this project is over due. She also believes that having the Village bond the funds for this project makes sense as they can borrow the money at a much lower rate and Mr. Okin pointed out that it is difficult for them to finance a project that the Village owns.

Trustee Ryan understands Trustee Hofstetter's concerns regarding the financing; however, she believes that the Village as well as Sportime will be protected.

#### **PUBLIC HEARING ON PLL P-2010 (AMENDING CHAPTERS 240 & 260)**

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on Proposed Local Law P-2010 be and is hereby open.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Slingerland gave an overview of the law, which is to make sure that individuals using the boat ramp pay the fee no matter what time of day they put their boat in the water. Establishment of penalties for people parking without paying the fee will be the same amount as the parking fee. Mr. Slingerland stated that it is much less costly to purchase a seasonal pass than to pay the daily fee.

Mayor Rosenblum asked if a mandatory fine could be put into the law showing legislative intent. Mr. Slingerland stated that it could; however, the law would have to be re-noticed and another public hearing held. Mayor Rosenblum suggested doing this in the future on this law and others.

Trustee Hofstetter and Trustee Ryan both stated that this has been an ongoing issue and they are glad to see it being addressed.

Trustee Santoro stated that the Harbor Master informed him that if this law was in effect last Saturday, another \$860 in revenue would have been collected.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Public Hearing on Proposed Local Law P-2010 be and is hereby closed.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Santoro, seconded by Trustee Ryan:

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

**LOCAL LAW NO. 15-2010**

A local law to amend Chapter 240 – Management of Coastal Zone, Harbor and Watercraft; Chapter 260 – Parks; and 326 Vehicles and Traffic, to establish additional regulations for vehicles parking in relation to the use of the Harbor Island Boat Ramp, and general parking permit regulations within Harbor Island Park.

BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:

Section 1.

The new language for Chapter 240, Article IV – Municipal Docks, Section 240, 18-A, Permits, (8) is enacted as follows:

(8) Ramp use and related parking regulations for the vehicles of boaters using the ramp shall apply as follows:

- A. A parking permit is required for vehicles from January 1 through December 31 each year, except when closed for special events held at Harbor Island Park including, but not limited to, the Firemen's Parade, the Antique Car Show and the Harbor Fest/Street Fair.
- B. A daily or seasonal ramp use permit issued by the Village of Mamaroneck is required.
- C. The ramp use permit, ramp service charge and rack fees shall be as set forth in Chapter A-347, Fees.
- D. Parking summonses for vehicles parking for use of the ramp without the applicable permits may be issued as further detailed in Chapter 240-25, Chapter 326-39 and Chapter 326-66.

Section 2.

New Language is added to Chapter 240, Article VII – Enforcement, Section 240, 25 B. (3) is enacted as follows:

- (3) Penalties for parking of vehicles in relation to use of the Harbor Island Boat Ramp and other permit parking areas designated in Harbor Island Park shall be subject to the enforcing authority as defined under 240-25 A., with further provisions as set forth under Chapter 326 Vehicles and Traffic, Article VI, Parts 39 and 66.

Section 3.

New Sections K. and L. regarding parking permits are added to the Village Code on Parks, Chapter 260, Section 5, entitled, "Vehicles" as follows:

- K. Parking permit areas are established within the Harbor Island Park, with fees set forth in Chapter 347 of the Village Code for such permits, with penalties as set forth in Chapter 326-66.
1. Parking permits are required for all vehicles parking for the following uses and the following time frames:
    - a. Parking for use of the Harbor Island Boat Ramp from January 1 through December 31.
    - b. Parking for use of the Harbor Island Beach starting on the Saturday immediately preceding Memorial Day through Labor Day.
  2. Parking permits may be required for trips originating from and returning to Harbor Island Park may be required for special events and trips, at rates established by the Village Manager.
- L. Exceptions to parking permit requirements within Harbor Island Park may be authorized by the Village Manager upon request.

Section 4.

New Language is added to Chapter 326, Article IV, Section 39 – Permit Parking Areas, and a new Section G. is enacted as follows:

326-39 G – Harbor Island Park Permit Parking Area and Requirements

Harbor Island Park is hereby established as an area where a permit is required for parking in relation to use of the Harbor Island Boat Ramp, the Harbor Island Beach, and the Sports and Tennis Facilities. Specially designated parking areas for vehicles with boat trailers are established for use of the Harbor Island Boat Ramp, defined by appropriate signage along the roadway and parking area between Boston Post Road and the Harbor Island Pavilion. Rules and regulations for use of these areas apply as further set forth in Chapter 240 Management of Coastal Zone, Harbor and Watercraft and Chapter 260 Parks.

Section 5.

The new language for Chapter 326, Article VII – Penalties for Offenses, Section 66 – Permit Parking Areas, Part A. is enacted as follows:

- A.
1. Any person violating any of the provisions of Article IV of this chapter, except § 326-39 G and § 326-49 G 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.
  2. Any person violating the provisions of § 326-39 G as it relates to the vehicle-only spaces may, upon conviction, be punished for an offense of parking a vehicle without a permit for a 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.
  3. Any person violating the provisions of § 326-39 G may, upon conviction, be punished for an offense of parking a vehicle with or without a boat trailer in a designated boat trailer space without a permit for a first offense by a fine not exceeding \$30, for the second offense by a fine not exceeding \$45 and for any subsequent offense by a fine not exceeding \$60.

Section 6.

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 7. 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

**PUBLIC HEARING ON PLL Q-2010 (AMENDING CHAPTERS 348, 342, 186 & 294)**

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law Q-2010 be and is hereby open.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Slingerland stated that during the discussion and adoption of the Stormwater Law in March and April, several comments were made to review the state's model law to assure that our law adequately addressed the provisions in the state's model law. There were plans that due to clerical error were not included in our law. These include requirements to have stormwater plans as part of subdivision and zoning applications, site plans approved by the Planning Board and establishes provisions that address inspection provisions, performance and maintenance guarantees, record keeping and enforcement and penalties.

Trustee Ryan had issue with the uses of shall versus may. She noted several places where she would prefer to see the word shall in place of may. Trustee Ryan went over the places in the law where she believes these changes should be made. Mr. Slingerland stated that he will review these changes with the building inspector.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on Proposed Local Law Q-2010 be and is hereby adjourned to the June 14, 2010 Regular Board Meeting.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

**I. COMMUNICATION TO THE BOARD**

Ms. Joan Shapiro of Claflin Avenue appeared representing the committee for access to Harbor Island Park for dogs. They would like access to the park year round. The dogs would be leashed and picked up after. She believes that having dogs in the park would help with the geese population. The committee would also be willing to pay a small fee for this privilege. Mayor Rosenblum stated that this is not the first time this has been brought up and he believes this should be discussed. Trustee Ryan stated that this was talked about in work session and some of the concerns were that when dogs see fast movement, they can get excited and may get off their leash and harm a child. Her sense was that there was concern regarding the liability to the Village. Ms. Derrico did some research on this subject and the Board will revisit this at a future work session.

Mr. Peter Ybarra of Standish Place appeared. Mr. Ybarra is the husband of Trustee Ybarra and was at the meeting to propose a dog park in Harbor Island Park in the west basin area. This area is away from the ball fields and is not suited for ball playing. Mr. Ybarra also collected 69 signatures in two days from people in the park that support this effort. There are three homes that would need to be blocked, by perhaps something natural.

Mr. Charles Watson of Stonybrook Avenue appeared. Mr. Watson has met with Mr. Slingerland and Mr. Sarnoff regarding the debris and dam in the brook. He appreciates the recent

efforts made by the Village to clean out the debris; however, the water is at about 8 inches and is not moving very much. As this is a breeding ground for mosquitoes, he would like to see the debris and dam cleaned out so that there is no standing water. Mr. Slingerland stated that it is not clear if the Village can do this work on private property. Mr. Slingerland also stated that the fixing of the walls surrounding the brook could possibly be done using money received from FEMA due to the storm damage done this past spring. He is looking into this to see if it is an eligible expense.

Ms. Maureen Rosa of Stonybrook Avenue appeared. She has been living in this home since 1971 and there has never been a problem with flooding. There is now a flooding problem due to the work done in Harrison and the debris that has fallen in the brook. She has now been told that the brook is on her property and she is responsible for fixing the wall, even though on her survey it shows that they do not own the wall. Back in 1989, the Village took responsibility for the wall and made repairs. Ms. Rosa signed papers at that time. Trustee Ryan asked if Ms. Rosa could get a copy of these papers to the Village Manager. Ms. Rosa does not know who to go to regarding this problem. Mayor Rosenblum stated that he would like a definitive opinion if a municipality has the legal right to go into a river or brook to make repairs if it is in the best interest of the Village and concerns the health, safety and welfare of its residents.

Mr. Michael Tietze of Stonybrook Avenue appeared to ask if the residents are allowed to hire a contractor to remove the boulders in the brook. Mr. Slingerland stated that he should check with the building department to see if a permit is required.

2. APPROVAL OF MINUTES

- A. Minutes of BOT Regular Meeting of April 26, 2010 (Including Public Hearings)  
Tabled to the next Regular Meeting.
- B. Minutes of BOT Regular Meeting of May 19, 2010 (Including Public Hearings)  
Tabled to the next Regular Meeting.

3. AUDIT OF BILLS

On motion of Trustee Santoro, seconded by Trustee Ryan

RESOLVED that the Abstract of Audited Vouchers listed below dated May 27, 2010, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$321,641.78
Capital Fund	11,400.00
Ambulance Fund	2,749.40
DARE Program	261.10
Mamaroneck Health Center	54.00
Historic Harbor Street Fair	4,323.51
Escrow Deposit	10,038.00
	<u>\$ 350,467.79</u>

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

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Resolution Authorizing Village Manager to Execute Agreement for Liability & Worker's Compensation Insurances

Mr. Slingerland stated that the Village put our current carriers on notice regarding our intent to obtain bids for both liability and workers compensation insurance. Mr. Slingerland thanked Mr. Impastato of FOA & Sons for their work on this. He also stated for the record that the Village's umbrella policy has been changed from \$10 million per incident to \$20 million per incident, increasing the Village's protection. Mr. Impastato answered the Board's questions regarding dividends.

WHEREAS, since Fiscal Year 2001/02, on an annual basis, the Village of Mamaroneck has utilized the services of an insurance consultant to solicit quotes for its various insurances among which include all applicable liability insurances and a separate Workers Compensation policy; and

WHEREAS, through this annual quotation process, the Village has been able to reduce its overall insurance costs which stands in contrast to most municipalities whose experience has been that their insurance premiums have increased during this same period; and

WHEREAS, in the Fiscal Year 2010/2011 Budget, the Village Board appropriated \$1,138,965 for its various liability insurances and Workers Compensation policy; and

WHEREAS, in keeping with this practice, the Village Manager directed the Village's insurance consultant to solicit quotes for Fiscal Year 2010/2011 and in an attempt to increase competition, the Village, after a presentation at a Village Board work session, separately solicited a quote from the New York Municipal Insurance Reciprocal (NYMIR); and

WHEREAS, since receiving all finalized quotes, Village staff, in pursuit of its due diligence responsibility, has engaged in a detailed analysis which includes a review of price, insurance coverage limits, deductibles, financial stability of insurance providers, services/programmatic offerings and speaking with other municipal clients to gauge their experience and determine their level of satisfaction; and

WHEREAS, based on its due diligence analysis, Village staff has identified Travelers as the preferred provider for all applicable liability insurances based on their quote of \$420,071 and the level of services provided and New York State Insurance Fund as the preferred provider for Workers Compensation insurance based on their quote of \$534,308 with the potential for dividend repayments of between 20% and 50%, depending on the experience of the Workers Compensation pool the Village will join and the level of service provided for a cumulative total of \$954,379;

On motion of Trustee Santoro, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED, that the Village Manager is herein authorized to retain Travelers to provide all applicable liability insurances for the Village of Mamaroneck in the amount of \$420,071 and undertake such administrative acts as may be necessary to effectuate this action including the execution of any and all contracts and making the payments necessary to retain such coverage; and be it further

RESOLVED, that the Village Manager is herein authorized to retain New York State Insurance Fund to provide Workers Compensation Insurance for the Village of Mamaroneck in the amount of \$534,308 and undertake such administrative acts as may be necessary and effectuate this action including the execution of any and all contracts and making the payments necessary to retain such coverage.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Schedule Public Hearing on PLL R-2010 (Zoning – Patios)

Mr. Slingerland stated that there are still questions and issues with this proposed law, therefore, he suggests tabling to a future meeting. The Board agreed and tabled.

C. Schedule Public Hearing on Proposed Local Law S-2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that a Public Hearing on Proposed Local Law S-2010 be and is hereby scheduled for June 14, 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

D. Resolution Authorizing Village Manager to Execute Agreement with Legal Counsel for Ethics Board

**RESOLUTION**

**AUTHORIZING AN AGREEMENT WITH WORMER, KIELY, GALEF & JACOBS LLP**

WHEREAS, The Village of Mamaroneck has received a Letter of Engagement from Wormer, Kiely, Galef & Jacobs, LLP to provide legal advice and counsel to the Village of Mamaroneck Board of Ethics on issues arising out of the Board of Ethics' investigation, hearing and determination of a certain complaint dated April 7, 2010; and

WHEREAS, the retention does not involve the representation of either the Village or Board of Ethics in litigation in any Federal or State Court; and

WHEREAS, Lester D. Steinman will be the attorney in charge of this engagement, but may call on partners, associates, or legal assistants to work on the engagement; and

WHEREAS, Mr. Steinman's current billing rate is \$400.00 per hour, however, the hourly billing rate for this engagement will be capped at a discounted rate of \$320.00 per hour; and

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:



NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Manager to enter into a Letter of Engagement with Wormer, Kiely, Galef & Jacobs, LLP to provide legal advice and counsel to the Village of Mamaroneck Board of Ethics on issues arising out of the Board of Ethics' investigation, hearing and determination of a certain complaint dated April 7, 2010; and

BE IT FURTHER RESOLVED, that the Village of Mamaroneck is herein authorized to undertake any further administrative acts as may be required pursuant to the terms of the agreement.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- E. Resolution Authorizing Village Manager to Execute Agreement with Environmental Consultants for the Village

**RESOLUTION  
AUTHORIZING AN AGREEMENT WITH CREATIVE HABITAT CORP.**

WHEREAS, The Village of Mamaroneck has information and qualifications from Sven Hoeger, President of Creative Habitat Corp; and

WHEREAS, Mr. Hoeger's fee is \$95/hour (portal to portal) and rates for additional services will be provided upon request; and

WHEREAS, laboratory fees are typically charged on an expenses reimbursed basis.

On motion of Trustee Ybarra, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Manager to enter into an Agreement for Services with Sven Hoeger, President of Creative Habitat Corp; and

BE IT FURTHER RESOLVED, that the Village of Mamaroneck is herein authorized to undertake any further administrative acts as may be required pursuant to the terms of the agreement.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- F. Resolution Authorizing Vehicle & Traffic Regulations Code Changes to Chapter 326, Section 80, Parking Prohibited at all Times

WHEREAS, on April 14, 2010 the Board of Traffic Commissioners recommended the following amendment to CHAPTER 326, SECTION 80, of the Code of the Village of Mamaroneck to the Board of Trustees; and

WHEREAS, the Traffic Commissioners determined that prohibition is necessary due to vehicles parking in these areas, which block residents from exiting the driveway of 507 Revere Road; and

WHEREAS, the Board of Trustees discussed this recommendation at their May 17, 2010 Work Session;

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the following amendment to Chapter 326, Section 80 of the Code of the Village of Mamaroneck, adopted by the Board of Traffic Commissioners at their April 14, 2010 meeting be and is hereby approved:

SECTION 80            PARKING PROHIBITED AT ALL TIMES

By adding to Chapter 326, Section 80, Schedule XIII:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Revere Road	East	The entire width of the roadway (dead-end) at the dead-end abutting the railroad
Revere Road	South	From the dead-end to the driveway of 510 Revere Road
Ayes:	Ybarra, Hofstetter, Ryan, Santoro, Rosenblum	
Nays:	None	

G. Resolution Authorizing Village Manager to Execute Agreement for Web Payment Feature

WHEREAS, the Village of Mamaroneck executed an agreement with Complus Data Innovations, Tarrytown, NY, for parking citation management services and among the programs offered by Complus through this agreement is access to a third-party, web-based credit card system for parking ticket payments; and

WHEREAS, Village staff reviewed this program with Complus and the Board of Trustees and based on this review, it is recommended that the Village take advantage of this web-based program for parking ticket payment.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

NOW THEREFORE BE IT RESOLVED, that the Village Manager is authorized to complete all necessary paperwork and documentation to provide access to Complus' third-party, web-based parking ticket payment application.

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

H. Board Adoption of Negative Declaration under SEQRA for CCAP Grant for Jefferson Ave.

WHEREAS, the Village of Mamaroneck will receive \$400,000 from the New York State Dormitory Authority through its Community Capital Assistance Program (CCAP) to be used for engineering and design services for the replacement of the Jefferson Avenue Bridge; and

WHEREAS, the receipt of funds is conditioned upon a review of the project in accordance with the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, staff has prepared a Short Environmental Assessment Form (SEAF) for the Village Board of Trustees review for the design & engineering services of the Jefferson Avenue Bridge Replacement Project.

On motion of Trustee Santoro, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED that after careful examination of the information submitted on the Short Environmental Assessment Form, the Village Board of Trustees determines that the proposed action is an Unlisted Action will not have a significant negative impact on the environment.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

I. Resolution Authorizing the Closure of Mamaroneck Avenue between Spencer & Prospect for the Mamaroneck Shares Event

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

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

WHEREAS, all three events will be held on Mamaroneck Avenue, transforming it to a pedestrian mall from Spencer Avenue to Prospect Avenue starting at 7 p.m.; and ending at 11 p.m.

WHEREAS, Mamaroneck Shares has requested that commencing at 6:45 p.m., Mamaroneck Avenue from Spencer Avenue to Prospect Avenue be closed to vehicular traffic on June 24, July 29 and August 19, 2010.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

NOW THEREFORE BE IT RESOVLED that the Board of Trustees hereby approves the closure of Mamaroneck Avenue from Spencer Avenue to Prospect Avenue for the Mamaroneck Shares events to take place on June 24, July 29 and August 19, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

J. Resignation of HCZM Member

WHEREAS, on May 19, 2010 the Board of Trustees received an email from Mr. Steven Goldstein resigning his position as Chair and Commissioner on the Harbor & Coastal Zone Management Commission.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Board of Trustees be and hereby accepts Mr. Goldstein's resignation and thanks him for his time served on the Commission.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

The Board thanked Mr. Goldstein for his service.

K. Appointment of HCZM Member

WHEREAS, there is an open position on the Harbor & Coastal Zone Management Commission with the resignation of Mr. Steven Goldstein; and

WHEREAS, Mr. George Belsito has graciously volunteered to serve.

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED that Mr. George Belsito be and is hereby appointed to the Harbor & Coastal Zone Management Commission to fill an unexpired term, such term to expire at the Annual Organizational Meeting in December, 2010.

Before this motion was voted on, Trustee Ryan made a motion to appoint Mr. Nicholas Allison to fill the unexpired term on the Harbor & Coastal Zone Management Commission, which was seconded by Trustee Hofstetter. Trustee Ryan also stated that according to Robert's Rules of Order, when two motions are made, the second is voted on first. Both Trustee Ryan and Trustee Hofstetter believe that Mr. Allison would make a great addition to the Commission and that he has had his resume in and showed his interest in November of 2009. Trustee Hofstetter also finds it interesting that there is an urgency to fill positions on this Board, when there are other Boards and Commissions that have openings and people interested in filling those opening, but nothing has been done. Trustee Santoro asked why Mr. Allison was not nominated last month to fill the open position on the HCZM Commission. Trustee Hofstetter stated that his name was brought up at the last meeting. Trustee Ryan stated that she was reminded that Mr. Allison was interested as he sent his resume in again in the last few weeks and that is why she did not make a motion to appoint him at the last meeting.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that Mr. Nicholas Allison be and is hereby appointed to the Harbor & Coastal Zone Management Commission to fill an unexpired term, such term to expire at the Annual Organizational Meeting in December, 2010.

Ayes: Hofstetter, Ryan

Nays: Ybarra, Santoro, Rosenblum

RESOLVED that Mr. George Belsito be and is hereby appointed to the Harbor & Coastal Zone Management Commission to fill an unexpired term, such term to expire at the Annual Organizational Meeting in December, 2010.

Ayes: Ybarra, Ryan, Santoro, Rosenblum

Nays: Hofstetter

6. **REPORT FROM VILLAGE MANAGER**

A. File for Record – Village of Mamaroneck MS4 Program – March 29, 2010 Notice of Violation Letter, terminated by NYSDEC

Mr. Slingerland stated that all the risk of violations and fines have been withdrawn. He thanked Mr. Sarnoff and his staff for their work on this and Trustee Ryan for her help with documentation.

B. File for Record – Agreement between the Village of Mamaroneck and Complus Data Innovations, Inc.

- C. File for Record – NY State Energy Research & Development Authority – RFP 1613 Agreement
- D. File for Record – Mutual Aid & Rapid Response Plan Agreement between the VOM PD and County of Westchester
- E. File for Record – Ad for Mary Louise Cox as it appeared in Arts Award 2010
- F. Communication received from Verizon regarding changes to Verizon's FIOS TV service premium package
- G. Communication received from Cablevision for slight decrease in the rate for Business Basic Service

7. FLOOD MITIGATION REPORT

Mr. Slingerland stated that 18 residents signed up for and participated in the Village wide clean up this past Saturday. The Department of Public Works reported that they collected 8 yards of garbage, 1 yard of recyclable cans and bottles, ½ ton of bulk metal, 7 tires and 1 ton of yard waste. Mr. Slingerland thanked Habitat for Humanity for all of their volunteers. Mr. Slingerland reported that his office is processing the application with the county for the stream permit. There are provisions that require insurance and hold harmless agreements. The grant applications to the county are also being worked on, although the county is short on cash.

Mr. Slingerland stated that he and Mr. Sarnoff recently attended the NY State City County Management Association Annual Conference in Ithaca. As president he set up the workshops for additional tools, ideas and processes to make governments more efficient and effective. It was a successful conference and he is looking forward to putting those ideas into action to save the Village money in the future. Mr. Slingerland reported that he was made aware that Recreation received three quotes for plantings at Harbor Island Park; one bid was from Antonio Recca, family of Carlo Recca who is on two of the Village's committees and that Mr. Recca is a principal in the company. Mr. Slingerland would like to discuss this with the Board at the next work session.

8. REPORT FROM CLERK-TREASURER

A. GP Parking Reminder

Mr. Fusco reminded residents that General Parking (GP) expires on May 31, 2010 and that renewals are for sale in the Clerk-Treasurer's office.

B. Tax Reminder

Mr. Fusco informed residents that first half Village property tax is due on or before July 1<sup>st</sup>. Tax bills were mailed to residents this week and payments may be made by mail or by coming in to Village Hall.

C. Resignation of Recreation and Parks Commission Member

Mr. Fusco read a letter of resignation from the Recreation Commission from Mr. Howard Jordan. The Board thanked Mr. Jordan for his service.

Mayor Rosenblum stated that the Recreation Commission would like for Mr. Dave Trizano to re-join the Commission and that he is willing to serve. The Mayor asked that the Board review the rule that states when a committee member can rejoin that committee after their term has expired. The Board asked that any resident interested in serving on this Commission please send in their resume.

9. REPORT FROM VILLAGE ATTORNEY

A. Filing of Local Law II-2010 with the Secretary of State

Ms. Derrico stated that this Local Law was filed on May 4, 2010.

10. REPORT FROM POLICE CHIEF

None

11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Board of Architectural Review – April 6, 2010

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

RESOLVED that the April 6, 2010 minutes of the Board or Architectural Review be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Zoning Board of Appeals – March 4, 2010

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

RESOLVED that the March 4, 2010 minutes of the Zoning Board of Appeals be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Zoning Board of Appeals – April 1, 2010

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

RESOLVED that the April 1, 2010 minutes of the Zoning Board of Appeals be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Traffic Commission – April 14, 2010

On motion of Ybarra, seconded by Trustee Hofstetter:

RESOLVED that the April 14, 2010 minutes of the Traffic Commission be and are hereby approved:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Planning Board – April 22, 2010

On motion of Ybarra, seconded by Trustee Hofstetter:

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

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Updates from the Board

Trustee Ryan reported on the grand opening ceremony held at the Hispanic Resource Center. They had a wonderful turnout. Trustee Ryan was at Plaza Avenue for the Village clean-up. She thanked Mr. Slingerland for all of his work in the river. She saw a family of ducks, some fish and two big snapping turtles in the river, an indication that the rivers are cleaner than they had been in the recent past. Trustee Ryan congratulated the DARE graduates from the elementary schools. Trustee Ryan stated that the winter farmers market is over and asked that residents support other open markets in the area. Finally Trustee Ryan reported that the Committee for the Environment is now collecting digital cameras for recycling. These may be dropped off at Village Hall.

Trustee Hofstetter reminded residents of the Memorial Day events coming up in the next week.

Trustee Santoro reported that the Recreation Commission has begun a co-ed volleyball league. There is also a basketball league which will play at Columbus Park. Trustee Santoro stated that Flag Day will be celebrated at the Elks Club on Friday, June 10.

Mayor Rosenblum reminded residents of the upcoming Historic Harbor Street Fair that will take place on Sunday, June 6 at 11 a.m. to 5 p.m.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive Session to discuss personal issues.

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