

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, MAY 10, 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 (arrived 8:15 p.m.)
Police Department Lieutenant James Gaffney
ABSENT: Clerk-Treasurer Agostino A. Fusco

CONTINUATION OF PUBLIC HEARING ON PLL L-2010 (ZONING CODE & SUBDIVISION REGULATIONS)

On motion of Trustee Ryan, seconded by Trustee Ybarra:

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

Ayes: Ybarra, Ryan, Santoro, Rosenblum

Nays: Hofstetter

Mayor Rosenblum stated that the posted proposed law did not include section 342-16 on landscaping guidelines. This will be severed and brought up at a later time. Mr. Slingerland stated that the section on structures will also have to be severed as it references section 342-16 and there are still issues on this that have to be worked out. The Board agreed to hold a public hearing on the structures issue at the June 14, 2010 Regular Meeting.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on the Proposed Local Law dealing with the section on structures in the zoning code be and is hereby scheduled for the Board of Trustees Regular Meeting of June 14, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that the Board received comments from residents, one of which stated that the law needs to be introduced by a legislator and there are specific posting and noticing requirements. She is concerned that the procedures were not followed. Trustee Hofstetter asked for an opinion on this from the Attorney; however, she had not yet arrived. Mr. Slingerland stated that in speaking with the Pace Municipal Law Center and NYCOM, in effect, all laws are introduced by the entire Board of Trustees. Mr. Slingerland believes that at this level of government, it is not necessary to have a specific legislator named as introducing the law.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on Proposed Local Law L-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 L-2010, with the two sections severed as referenced above, be and is hereby adopted and shall read as follows:

LOCAL LAW NO. 12-2010

A local law amending Chapter 342 (Zoning) and Chapter A348 (Subdivision Regulations) of the Code of the Village of Mamaroneck by amending Section 342-3 (Terms defined), Section 342-14 (Building projections), Section 342-21 (One-Family Residence Districts), Section 342-26 (Parking Districts), Section 342-29 (Office Districts), Section 342-30 (General Commercial Districts), Section 342-31 (Central Commercial Districts), Section 342-32 (Manufacturing Districts), Section 342-33 (Parking Districts), Section 342-35 (Marine Recreation District), Section 342-36 (General Marine-Commercial District), Section 342-56 (Schedule of Off-Street Parking Requirements; joint parking), Section 342-77 (Application Procedure), Section 342-94 (Procedures; public hearings, notice and records), and Section A348-6 (Public Hearings)

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1. The Sections of Chapter 342 (Zoning) as indicated above and Section A348-6 (Public Hearings) of Chapter A348 (Subdivision Regulations) are hereby amended to read as follows: Section 342-3 (Terms defined):

HOME IMPROVEMENT DESIGN CENTER – A facility providing professional design services and/or sale of home improvement-related products including, but not limited to, cabinetry, tile and counter materials, appliances and furniture, provided that sales are conducted in an on-site showroom.

INDOOR RECREATION FACILITY – An indoor facility providing accommodations for a variety of individual, organized or franchised sports, including but not limited to baseball, basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, squash, handball or swimming. Such facility may also provide health and fitness club facilities and martial arts instruction facilities. Support functions accessory to the principal use include a food and drink kiosk and sales desk for sports, health or fitness items associated with the facility.

Section 342-14 (Building projections):

- A. Projecting architectural features (horizontal). The space in any required yard shall be open and unobstructed, except for the ordinary projection of the windowsills, bay windows, belt courses, cornices, eaves, exterior stairs and other architectural features; provided, however, that such features shall not project more than three feet into any required yard, but not closer than five feet to the property line. The sum total of such projections in any one yard shall not exceed 25% of the overall dimension of the wall from which they project.
- C. Fences, walls or retaining walls shall be constructed with the finished side facing outward from the property, and shall not exceed six feet in height, except:
 - (1) On a corner parcel, placed beyond the front or side building lines, they shall not exceed four feet in height.
 - (2) An additional six inches in height may be allowed, at the discretion of the Building Inspector, to provide for necessary distance between the grade and the bottom of the fence, for greater flexibility in mounting.
 - (3) Where required pursuant to Article XI.
 - (4) Where approved in conjunction with a special permit granted under Article X.

Section 342-21 (One-Family Residence Districts):

- B. Permitted accessory uses. The following uses are permitted in R-20, R-15, R-10, R-7.5, R-6 and R-5 One-Family Residence Districts only in conjunction with a permitted principal use:
 - (9) Fences, walls or retaining walls pursuant to § 342-14.

Section 342-26 (Parking Districts):

B. Accessory uses. The following accessory uses are permitted in residential P Parking Districts only in conjunction with a permitted principal use:

- (2) Fences, walls or retaining walls pursuant to § 342-14.

Section 342-29 (Office Districts):

B. Permitted accessory uses. The following uses are permitted in O-1 Office Districts only in conjunction with a permitted principal use:

- (4) Fences, walls or retaining walls pursuant to § 342-14.

Section 342-30 (General Commercial Districts):

B. Permitted accessory uses. The following accessory uses are permitted in C-1 General Commercial Districts only in conjunction with a permitted principal use:

- (2) Fences, walls or retaining walls pursuant to § 342-14.

Section 342-31 (Central Commercial Districts):

B. Permitted accessory uses. The following accessory uses are permitted in C-2 Central Commercial Districts only in conjunction with a permitted principal use:

- (2) Fences, walls or retaining walls pursuant to § 342-14.

Section 342-32 (Manufacturing Districts):

A. Permitted principal uses.

(1) The following are the only principal uses permitted in M -1 Manufacturing Districts:

- (c) Printing and publishing.
- (d) Off-street parking lots or garages.
- (e) Business, professional or governmental offices and banks.
- (f) Research laboratories.
- (g) Any municipal uses of the Village of Mamaroneck.
- (h) Transformer stations and customary accessory uses, subject to § 342-43.
- (i) Retail uses, including restaurants, within 150 feet of the center line of Fenimore Road.

B. Permitted accessory uses. The following accessory uses are permitted in M -1 Manufacturing Districts only in conjunction with a permitted principal use:

- (2) Fences, walls or retaining walls pursuant to § 342-14.
 - (a) Fences installed in conjunction with a special permit for a motor vehicle repair/body shop may be a maximum of seven feet in height.

C. Special Permit Uses

The following uses are permitted by special permit of the Planning Board in accordance with the standards and procedures of Article X:

- (1) Home Improvement Design Center
- (2) Indoor Recreation Facility
- (3) Art and film studios and dance and music instruction
- (4) Adult uses

- (5) Motor vehicle filling/service stations, public garages and motor vehicle repair/body shops, subject to the standards and procedures of Article VII and the respective requirements of §§ 342-46.1 and 342-46.2 of this chapter and all applicable federal, state, county and local laws, rules and regulations.

Section 342-33 (Parking Districts):

B. Permitted accessory uses. The following accessory uses are permitted in nonresidential P Parking Districts only in conjunction with a permitted principal use:

- (2) Fences, walls or retaining walls, pursuant to § 342-14.

Section 342-35 (Marine Recreation District):

B. Permitted accessory uses. The following accessory uses are permitted in MR Marine Recreation Districts only in conjunction with a principal permitted use:

- (7) Fences, walls or retaining walls pursuant to § 342-14, except that fences of not less than 3/4 open construction shall be permitted up to 12 feet in height around tennis courts and other similar facilities.

Section 342-36 (General Marine - Commercial District):

B. Permitted accessory uses. The following accessory uses are permitted in MC-1 General Marine - Commercial Districts only in conjunction with a permitted principal use:

- (6) Fences, walls or retaining walls, pursuant to § 342-14.

Section 342-56 (Schedule of Off-Street Parking Requirements; joint parking.)

A. Schedule of Off-Street Parking Requirements. Off-street parking spaces shall be provided as follows:

Use	Minimum Number of Spaces
Home improvement design center	3 for each 1,000 square feet of gross floor area
Indoor recreation facility	4 for each 1,000 square feet of gross floor area

Section 342-77 (Application procedure)

E. Notice.

- (1) Whenever site plan approval of the Planning Board is sought by an applicant, the applicant, in addition to any other notice required by law, shall notify, in writing, all property owners within 200 feet of any boundary line of the proposed site affected by the pending application.
- (3) Every applicant that submits an application for site plan approval to the Planning Board must post one notification sign on the property which is the subject of said application at least 10 days prior to the scheduled hearing date and must maintain the posted sign in place until the Planning Board has rendered its final decision approving or denying said application. The sign shall be erected not more than 10 feet from the front yard boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of the sign so erected shall be positioned no less than 2.5 feet and no more than three feet above the ground. If the sign's visibility is obscured by vegetation, the applicant must cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the front yard of the property does not abut a public road, a sign shall be posted in a location that can readily be seen by the public. A sign erected under this provision must be removed within 10 days after the Planning Board has rendered its final decision approving or denying said application.

Section 342-94 (Procedures; public hearings, notice and records):

B. Notice.

- (2) Every applicant that submits an application for a variance to the Board of Appeals must post one notification sign on the property which is the subject of said application at least 10 days prior to the scheduled hearing date must maintain the posted sign in place until the Board has rendered its final decision approving or denying said application. The sign shall be erected not more than 10 feet from the front yard boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of the sign so erected shall be positioned no less than 2.5 feet and no more than three feet above the ground. If the sign's visibility is obscured by vegetation, the applicant must cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the front yard of the property does not abut a public road, a sign shall be posted in a location that can readily be seen by the public. A sign erected under this provision must be removed within 10 days after the Board has rendered its final decision approving or denying said application.

Section A348-6 (Public hearings):

- A. Whenever subdivision approval of the Planning Board is sought by an applicant, the applicant, in addition to any other notice required by law, shall notify, in writing, all property owners within 200 feet of any boundary line of the proposed site affected by the pending application.
 - (1) The notification referred to in Subsection A hereof shall consist of a complete and accurate copy of the subdivision application submitted, the date(s) of any public hearing scheduled and a brief description of the nature of the proposed application. The notification shall be served personally or by certified mail, return receipt requested, upon all affected property owners at least 10 days prior to the scheduled hearing date, and an affidavit of service shall be filed with the Secretary of the Planning Board at least five days prior to the scheduled hearing date. In the event that service is effectuated by certified mail, then the return receipt shall be submitted to the Planning Board at the first hearing date.
 - (2) Failure to comply with any of the provisions hereof shall be a basis for denying any approval sought by the applicant.
- B. A public hearing shall be held by the Planning Board on any application for approval of a subdivision plat. Notice of such hearing shall be published by the Planning Board in one issue of the official newspaper of the village and posted in at least three prominent places in the village at least five days preceding the date of the hearing.
- C. The subdivider shall display prominently on his property, for one week preceding the date of public hearing, at least one sign two feet by three feet in size and carrying a legend prescribed by the Village Planning Board announcing the public hearing. The sign shall be in full public view from the street and not more than 30 feet therefrom.
- D. The Planning Board may, in its discretion, hold public hearings on any other matters coming before it.
- E. At any public hearing held by the Planning Board on any application or other matter, any interested person present may be heard in support of or in opposition to such application or other matter. All applicants may appear in their own behalf or be represented by an agent or attorney.

SECTION 2. 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 3. 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, Ryan, Santoro, Rosenblum
Nays: Hofstetter

On motion of Trustee Ybarra, seconded by Trustee Ryan:

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

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Slingerland stated that cross references and amendment dates do not have to be entered into the law, as General Code, our code publisher takes care of that. As this law does have cross references and dates, those may be redacted by General Code before publication. Mr. Slingerland gave an overview of the law, which changes minimum requirements for lot lines and extends the amount of time that construction needs to begin on a site plan before it becomes void from two years to two and one-half years. It also evokes the State's quality review process over the Village's.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

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

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Ryan, seconded by Trustee Ybarra:

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

LOCAL LAW NO. 13-2010

A local law deleting Chapter 168 (Environmental Quality Review) and amending Chapter 342 (Zoning) of the Code of the Village of Mamaroneck by amending Section 342-38 (Schedule of Minimum Requirements for Nonresidential Districts) and Section 342-83 (Expiration and demolition)

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1.

Article I of Chapter 168 (Environmental Quality Review) is hereby deleted in its entirety. Article II will remain unchanged, and Chapter 168 will be renamed "Critical Environmental Areas."

As a result of this deletion, the following chapters will be affected as follows:

Chapter 1 (General Provisions), Section 1-2 (Distribution of local laws, ordinances and resolutions):

Derivation Table		
(Sections providing for severability of provisions, repeal of conflicting legislation and effective dates which are covered by provisions of this local law have been omitted from the Code, and such sections are indicated as "omitted" in the table which follows.)		
New Number (chapter, title, Article, section)	Old Number (source)	Adoption or Amendment Date
Chapter <u>168</u> , Critical Environmental Areas		
Article <u>I</u> , Critical Environmental Areas	L.L. No. 15-1980	11-10-1980
§ <u>168-10</u> Footnote Omitted	Sec. 1 Sec. 2 Sec. 3	Amended 12-17-1984 by L.L. No. 34-1984

Chapter 20 (Environment, Committee for):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Chapter 126 (Building Construction):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Chapter 186 (Flood Damage Prevention; Erosion and Sediment Control):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Chapter 192 (Freshwater Wetlands):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Chapter 240 (Management of Coastal Zone, Harbor and Watercraft):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Section 240-5 (Definitions):

ACTIONS

Either Type I, Type II or unlisted actions as defined in the State Environmental Quality Review Act.

Section 240-28 (Coastal Assessment Form):

- A. For direct agency actions, the agency shall complete, and for approval of an action, the agency shall cause the applicant to complete, a coastal assessment form (CAF). The CAF shall be completed prior to the agency's determination of the environmental significance pursuant to the State Environmental Quality Review Act.

Chapter 342 (Zoning):

GENERAL REFERENCES

Critical Environmental Areas — See Ch. 168.

Section 342-38 (Schedule of Minimum Requirements for Nonresidential Districts) of Chapter 342 (Zoning) is hereby amended to read as follows:

Village of Mamaroneck
SCHEDULE OF MINIMUM REQUIREMENTS FOR NONRESIDENTIAL DISTRICTS

1	2	3	4	5	6		8	9	10	11	12	13
					Maximum Building Height		Minimum Required Yards					
District	Minimum Lot Area	Minimum Lot Width and Frontage (feet)	Maximum Building Coverage (percentage of lot area)	Maximum Floor Area Ratio	Stories	Feet	Front (feet)	Side (feet)	Rear (feet)	Off-Street Parking	Off-Street Loading	Other Requirements
O-1 Office	3 acres	300	25%	0.5	3	45	50	50	50	As required by Article VIII ⁶	As required by Article VIII ⁶	§ 342-16
C-1 General Commercial	--	50	50% ⁴	0.8	3	40	10 ³	None ¹ ₂	45 ²	As required by Article VIII ⁶	As required by Article VIII	Notes 4, 5 and § 342-16
C-2 Central Commercial	--	--	--	2.0 ¹²	4 ¹⁰	45 ¹⁰	None ³	None ¹ ₂	None ¹ ₂	7	None	Note 4 and § 342-16

M-1 Manufacturing	10,000 square feet	50	50 ⁴	1.0	3	45	None ³	None ^g	None ^h	As require d by Article VIII	As require d by Article VIII	Note 4 and § 342-16
P Parking	5,000 square feet	50	10%	--	3	35	Minimum of 3 feet and maximum of 20 feet, as determined by the Planning Board			As require d by Article VIII	As require d by Article VIII	§ 342-16 (Preceding standards apply only to P District)
MR Marine Recreation	1 acre	150	20%	0.15	3	40	25	20	30	As require d by Article VIII	As require d by Article VIII	Notes 15, 16, 19 and 20 and § 342-16
MC-1 General Marine- Commercial	None	50	50%	1.0	3	40	10	5 ^{13,14}	45 ^{14,17}	As require d by Article VIII	As require d by Article VIII	Notes 15 and 16 and § 342-16
MC-2 Central Marine- Commercial	None	50	50%, except for tiered developme nt, which shall be: Below mean curb level: 80% Above mean curb level: 50%	2.0	3 measure d from mean curb level	40 measure d from mean curb level	10	5 ^{13,14}	45 ^{14,17}	As require d by Article VIII	As require d by Article VIII	Sec. 413 and Notes 15, 16 and 18 and § 342-16

NOTES:

¹ Where a lot line coincides with or is within 45 feet of the boundary of a residence district, the required yard shall be 25 feet in width or depth, whichever term is appropriate. In all other cases, the yard, if provided, shall be at least five feet in width or depth, as appropriate. These provisions shall not apply to any property adjacent to a P District.

² Yard may be reduced to not less than 10 feet, provided that there are no openings in any wall facing the adjoining residence district and no parking, loading or unloading or other activities of any kind are conducted in such reduced yard. These provisions shall not apply to any property adjacent to a P District.

³ In the case of corner lots, the Planning Board shall establish reasonable setbacks from the street under the provisions of § 342-79. A minimum front yard of 10 feet shall be maintained along Fenimore Road.

⁴ No new construction or addition to existing construction and no new or expanded use shall be permitted which will reduce the area of land immediately surrounding any residential structure on the same lot to less than 5,000 square feet per dwelling unit.

⁵ Except twenty-foot minimum where access to parking is via the side yard.

⁶ Parking or loading in front yards or within 10 feet of any street or lot line is prohibited. Parking and loading areas in the open shall, except for points of ingress and egress, be screened as required by the Planning Board in the site plan procedure of Article XI.

⁷ None for existing floor space, but as required by Article VIII for any new floor space constructed.

⁸ Except that the rear yard setback may be reduced to zero feet for property within the Marine Zone for the sole purpose of permitting structures to be used for the hauling and launching of boats.

⁹ In addition, no non-water-dependent uses shall be permitted unless a minimum of 1.0 floor area ratio shall be utilized for one or more water-dependent uses. No non-water-dependent uses shall be permitted below the mean curb level. No water-dependent use in existence on the effective date of establishment of Marine Zone shall be converted to a non-water-dependent use.

¹⁰ Within the C-2 District, no ground level floor space with frontage on Mamaroneck Avenue shall be used for residential occupancy. The maximum height of a building within the C-2 District may be six stories and 60 feet if it meets the requirements of Article XV for below-market-rate housing. These provisions shall not apply to any application which received final site development plan approval from the Village of Mamaroneck on or before August 1, 1988.

¹¹ A minimum yard of 10 feet shall be required for any property adjacent to the Sheldrake River, unless this requirement is modified or waived by the Planning Board.

¹² Within the C-1 and C-2 Districts, the maximum floor area ratio may be increased in accordance with provisions of Article XV for below-market-rate housing.

¹³ Where a lot line coincides with or is within 45 feet of the boundary of a residence district, the required yard shall be 45 feet in width or depth, whichever term is appropriate. In all other cases, the yard, if provided, shall be at least five feet in width or depth, as appropriate. These provisions shall not apply to any property adjacent to a P District.

¹⁴ Yard may be reduced to not less than 10 feet, provided that there are no openings in any wall facing the adjoining residence district and no parking, loading or unloading or other activities of any kind are conducted in such reduced yard. These provisions shall not apply to any property adjacent to a P District.

¹⁵ No new construction or addition to existing construction and no new or expanded use shall be permitted which will reduce the area of land immediately surrounding any residential structure on the same lot to less than 5,000 square feet per dwelling unit.

¹⁶ Except twenty-foot minimum where access to parking is via the side yard.

¹⁷ Except that the rear yard setback may be reduced to zero feet for property within the Marine Zone for the sole purpose of permitting structures to be used for the hauling and launching of boats.

¹⁸ In addition, no non-water-dependent uses shall be permitted unless a minimum of 1.0 floor area ratio shall be utilized for one or more water-dependent uses. No non-water-dependent uses shall be permitted below the mean curb level. No water-dependent use in existence on the effective date of establishment of Marine Zone shall be converted to a non-water-dependent use.

¹⁹ Uses within the MR District shall provide a minimum of 25% of the lot area as open space. Such open space may include grass and landscaped areas open to the sky, and beach that lies within the property line, and shall not include land under water, tennis courts or other similar courts, paved recreation or parking areas, or courtyards or decks.

²⁰ See § 146-7 of Chapter 146, Coastal Management, for Long Island Sound setback requirement.

Section 342-83 (Expiration and demolition) of Chapter 342 (Zoning) is hereby amended to read as follows:

- A. A site plan shall be void if construction is not started within one year and completed within two and one-half (2 ½) years of the date of the final site plan approval, except that such site plan approval may be renewed by the Planning Board at its discretion

SECTION 2. 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 3. 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 O-2010 (AMENDING THE CODE TO ENACT A NEW LETTER OF MAP REVISION [LOMR])

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 10th day of May, 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 O-2010, a local law amending the Village Code to enact a new Letter of Map Revision (LOMR) enacted by FEMA, in order to remain active in the NFIP as required by FEMA and the NYS DEC for the Village of Mamaroneck, covering the Long Island Sound from Glen Island to the Byram River.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law O-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: May 3, 2010

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law O-2010 be and is hereby opened:

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum stated that there should be one change to the law, which is to change where it states that flood insurance studies and maps can be found. It should state the Building Department and not the office of the Village Engineer.

On motion of Trustee Ybarra, seconded by Trustee Ryan:

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

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

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

LOCAL LAW 14-2010

A local law amending the Village Code Chapter 186 to enact a new Letter of Map Revision (LOMR) enacted by FEMA, in order to remain active in the NFIP as required by FEMA and the NYS DEC for the Village of Mamaroneck, covering the Long Island Sound from Glen Island to the Byram River.

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1. Chapter 186, Section 3, B. of (Flood Damage Prevention; Erosion & Sediment Control) is deleted in its entirety, and a new Chapter 186, Section 3, B. is hereby adopted as follows:

§ 186-3. Applicability; basis for establishing areas of special flood hazard; interpretation; penalties for offenses.

B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard for the Village of Mamaroneck, Community Number 360916, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map Panel Numbers 36119C0353F, 36119C0354F, and 36119C0361F, whose effective date is September 28, 2007, and any subsequent revisions to these map panels that do not affect areas under our community's jurisdiction.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Westchester County, New York, All Jurisdictions" dated September 28, 2007, as amended by Letter of Map Revision, Case Number 10-02-0681P.
- (3) Letter of Map Revision, Case Number 10-02-0681P, amending Panel 36119C0353F of the Flood Insurance Rate Map.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at the Village of Mamaroneck Building Department.

SECTION 2. 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 3. 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

REPORT ON AND FILING OF VILLAGE OF MAMARONECK ANNUAL MS-4 REPORT

Mr. Slingerland stated that this Report is available in the Village offices and has been reviewed by the Board of Trustees at the May 3 Work Session.

Mr. Keith Furey, Village Consulting Engineer gave an overview of the requirements and of the MS-4 Report. As the filing date is in June, it will be signed and filed as of today. The Board thanked Mr. Furey for his work.

1. COMMUNICATION TO THE BOARD

Mr. Bill Weinstein of Greenhaven Road appeared. He was at the meeting as he was told that funds have been received by the DEC for use on the Taylors Lane site. He is concerned that the pond on Village land adjoining his property which appeared one year after completing the capping of the dump site at Taylors Lane contains the same contaminates that flow from the site. The pond was tested in

1984 and the health department determined that the water is contaminated. He has been waiting for this to be corrected for eight years. Mr. Slingerland gave a brief history of this issue. Mr. Slingerland stated that Mr. Furey has been working with the DEC and a contract for Taylor's Lane is on tonight's agenda. Mr. Furey stated that the overall remedial action taking place has a two fold goal; to prevent the offsite migration of contaminates towards Migid pond and to prevent the offsite migration of contaminates towards Greenhaven Road. The approach approved by the DEC is the placement of an extraction well to collect Leachate, which will prevent the water from running laterally. This Leachate will be piped to the sanitary sewer and treated there. The well should relieve the pressure and the standing water should no longer be influenced by Leachate and the water should no longer be contaminated. If this does not work, other measures will be investigated. The construction period will take approximately nine months and we should know if this action will work within three to four months.

2. APPROVAL OF MINUTES

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

3. AUDIT OF BILLS

Trustee Hofstetter asked that the Village Attorney, as a consultant, turn in itemized statements. Mayor Rosenblum stated that she is under contract that does not require an hourly billing statement. Ms. Derrico believes that this not a bad idea; however, as with the Village Prosecutor and Zoning Board Attorney, they are paid a monthly stipend and do not provide an itemized statement for their work. She does, however, prepare and provide several monthly reports that show exactly what she is working on. It would be extremely onerous to write down in ten minute increments what is being done; however she is willing to provide whatever is needed to answer any questions he or any other Board member may have.

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated May 10, 2010, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$242,043.92
Trust Fund	296.06
Trust & Agency	<u>9,141.82</u>
	\$251,481.80

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

4. OLD BUSINESS

- A. Authorization for Village Manager to Execute Agreement with State DEC for Taylors Lane Site

Mr. Slingerland stated that there is a typographical error on the report. It reads that the Village will be receiving \$463,000,000. and as much as we would like that, the actual amount is \$463,800.

RESOLUTION

AUTHORIZATION FOR VILLAGE MANAGER TO EXECUTE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRNMENTAL CONSERVATION FOR TAYLOR'S LANE COMPOSTING SITE

WHEREAS, the Village of Mamaroneck has applied for State Assistance to develop corrective measures for the build-up and migration of contaminated ground water which has moved off-site and is impacting adjacent residential properties located in the Greenhaven Road, Old Boston Post Road and Taylors Lane vicinity of the Village as identified by the New York State Department of Environmental conservation as Site Number 360021; and

WHEREAS, the remedial design will involve all tasks necessary to implement corrective measures identified for this site including pre-design activities, preparation of a remedial design report, implementation of the corrective measures of the Site Management Plans, submittal of a construction completion report, as-built drawings and any appropriate public participation; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) has determined that the estimated cost of remediation of this site is \$618,400.00 of which 75% of the costs will be eligible for reimbursement under the State Assistance Contract; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Village of Mamaroneck has determined that is desirable and is in the public interest and benefit under this law to enter into a contract with the State.

On motion of Trustee Ryan, 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 contract with the NYS DEC Division of Environmental Remediation for a Municipal State Assistance Contract as it pertains to the Taylor's Lane Composting Site No. 360021; and

BE IT FURTHER RESOLVED, that the Village Manger 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

5. NEW BUSINESS

A. Resolution Authorizing a Stipulation of Settlement and Release, Payment under the Stipulation

**RESOLUTION
AUTHORIZING A SETTLEMENT, RELEASE AND PAYMENT OF CLAIM**

On motion of Trustee Ryan, seconded by Trustee Ybarra:

BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck hereby authorize the settlement and release of claim in the matter of Insardi, based on the receipt of the release, and the withdrawal of all claims against the Village and all past and current individuals and officers of the Village; and

BE IT FURTHER RESOLVED, that the Village Manager, the Clerk/Treasurer and all other appropriate officials and officers of the Village of Mamaroneck are authorized to take the necessary and appropriate actions to effect this settlement agreement and to make payment of the settlement amount of five thousand dollars (\$5,000).

Ayes: Ybarra, Hofstetter, Ryan

Nays: Santoro, Rosenblum

Trustee Hofstetter believes that this is something that could have been avoided and is sorry that it came to this.

Trustee Santoro stated that he is not going to be pressured into something like this; something that has never been done before. Also, the amount of time wasted on this issue is unbelievable, and that is why he voted no.

Mayor Rosenblum stated that on a pragmatic basis he can understand why the three Trustees voted in favor of this; however, he believes that sometimes you have to go with your conscience, choosing principle over pragmatism. He finds the payment has no basis and should therefore not be done. He also feels that it does not behoove the Village to pay this, just because it is easier.

B. Resolutions(s) Authorizing Vehicle & Traffic Regulation Code Changes

(1) Reverse original recommendation made and keep Highland Drive a two-way street

WHEREAS, on January 25, 2010, the Board of Trustees adopted the following amendment to Chapter 326 (Vehicle & Traffic), Section 71 (Schedule IV-One Way Street) of the Code of the Village of; and

SECTION 71 ONE WAY STREETS

By adding to Chapter 326, Section 71, Schedule IV:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Highland Drive	West	From Maple Ave. to Fenimore Rd.

WHEREAS, the Traffic Commission has reconsidered this recommendation and asked that the Board of Trustees rescind this amendment adopted on January 25, 2010 and keep Highland Drive a two-way street;

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED, that the amendment to Chapter 326 (Vehicle & Traffic), Section 71 (Schedule IV-One Way Street) of the Code of the Village of Mamaroneck adopted on January 25, 2010 adding Highland Drive as a one-way street, be and is hereby rescinded.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

(2) Rescind No Stopping on Washington St., from Old White Plains Road

WHEREAS, on April 14, 2010 the Board of Traffic Commissioners recommended the following amendments to CHAPTER 326, SECTIONS 86 and 80 of the Code of the Village of Mamaroneck to the Board of Trustees; and

WHEREAS, the Traffic Commission determined that prohibition is necessary due to difficulty experienced by drivers of fire apparatus when trying to navigate the intersection ; and

WHEREAS, the Board of Trustees discussed these recommendations at their May 3, 2010 Work Session,

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the following amendment to Chapter 326, Sections 86 and 80 of the Code of the Village of Mamaroneck, adopted by the Board of Traffic Commissioners at their April 14, 2010 meeting be and are hereby approved:

Schedule XIX NO STOPPING

Rescind:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
-----------------------	-------------	-----------------

Washington Street	North	From Old White Plains Road to a point 20 feet west thereof
-------------------	-------	--

-and-

Section 80, Schedule XIII

PARKING PROHIBITED AT ALL TIMES

Add:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
-----------------------	-------------	-----------------

Washington Street	North	From Old White Plains Road to a Point 60 feet west thereof
-------------------	-------	--

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Resolution Authorizing Water Rate Increases

RESOLUTION AUTHORIZING AN INCREASE FOR THE WESTCHESTER JOINT WATER WORKS (WJWW) CUSTOMERS IN THE VILLAGE OF MAMARONECK

WHEREAS, upon review, it has been determined that for WJWW customers in the Village of Mamaroneck there is a gap between expenses for water consumption in the Village of Mamaroneck, and the revenues provided by customers for water purchased in the WJWW system; and

WHEREAS, in addition to this gap, for 2009 there was an operating deficit between the expenses for purchase, distribution and treatment of water, and the revenues collected by the Westchester Joint Water Works from water rates charged to water users in the Village of Mamaroneck; and

WHEREAS, the Village has calculated a rate that should be sufficient to close this gap between expenses and revenues has been calculated for an increase of seventy five percent (75%) above current rates, in order to resolve deficits, and to cover current and immediately pending capital projects necessary for the safe and effective operation of the water system.

On motion of Mayor Rosenblum, seconded by Trustee Santoro:

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Mamaroneck that the water rates for WJWW customers in the Village of Mamaroneck shall be increased as follows:

	Current Rates	combined rates	Proposed Rates at 75% increase to be adopted 5/10/2010	combined rates
Block 1 – Service Charge	\$14.00		\$24.50	
Block 2 – first 2,200 cubic feet (c.f.) water per month, or 26,400 c.f./year	\$2.52		\$4.41	
Block 3 – next 5,000 c.f. water per month, or 60,000 c.f./year	\$2.83		\$4.95	
Block 3 Surcharge	\$0.88	\$3.71	\$1.54	\$6.49
Block 4 – all water usage above 7,200 c.f./month, or 86,400 c.f./year	\$3.25		\$5.69	
Block 4 Surcharge	\$1.29	\$4.54	\$2.26	\$7.95

BE IT FURTHER RESOLVED, that these new rates shall take effect with the next water billing to be issued for WJWW customers in the Village of Mamaroneck, NY, including May, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Resolution Authorizing Chamber of Commerce to Hold Sidewalk Sales

**RESOLUTION
AUTHORIZATION FOR THE CHAMBER OF COMMERCE TO HOLD
SIDEWALK SALES**

WHEREAS, the Chamber of Commerce held Sidewalk Sales on April 29, 30 and May 1, 2010; and

WHEREAS, the Chamber of Commerce has advertised in the Town Planner to hold Sidewalk Sales on May 24 - 26, September 23 -25 and October 14-16, 2010; 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; and

WHEREAS, the approval of sidewalk sale days must be authorized by the Village Board of Trustees.

On motion of Trustee Ybarra, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees approves the dates for the Chamber of Commerce Sidewalk Sales as advertised in the Town Planner; and be it further

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 commencement of Sidewalk Sale days; and be it further

RESOLVED, that stores wishing to participate in the Sidewalk Sales that are not members of the Chamber of Commerce must furnish the Village with a Certificate of Insurance naming the Village of Mamaroneck as an additional insured; and be it further

RESOLVED, that for the September 2010 and October 2010 Sidewalk Sales, all participating stores must furnish the Village with a Certificate of Insurance naming the Village of Mamaroneck as an additional insured.

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

E. Resolution Authorizing Designated Polling Places in the Village

**RESOLUTION
TO AUTHORIZE DESIGNATED POLLING PLACES IN THE VILLAGE OF MAMARONECK**

WHEREAS, the Westchester County Board of Elections has requested the use of Volunteer's Fire House, Halstead Manor Fire House, Columbia Firehouse, the new Headquarters Firehouse, and the Village of Mamaroneck Emergency Medical Service Building as polling locations for the September 14, 2010 Primary Election and the November 2, 2010 General Election; and

WHEREAS, the County has requested a resolution from the Board of Trustees granting permission for the usage of the above named premises for the purpose of polling locations; and

WHEREAS, the County will provide the Village of Mamaroneck with a Certificate of Insurance for each location.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

NOW THEREFORE BE IT RESOLVED that the Westchester County Board of Elections request for the use of Volunteer's Firehouse, Halstead Manor Fire House, Columbia Firehouse, the new Headquarters Firehouse and the Emergency Medical Service Building as polling locations is hereby granted; and be it further

RESOLVED, that the Village facilities named above are designated as polling locations for the Primary Election to held on September 14, 2010 and the General Election to be held on November 2, 2010.

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

F. Schedule Public Hearing on PLL P-2010 (Amending Code to implement Harbor Island Parking Plan for Boat Ramp & Beach)

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED that a Public Hearing on Proposed Local Law P-2010 be and is hereby scheduled for May 27, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency and this matter has been determined to be an **Unlisted Action** and the Board of Trustees has reviewed a short form EAF and determined that there are no negative environmental impacts.

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

G. Schedule a Public Hearing on PLL Q-2010 (Adoption of Additional Provisions for Administration and Enforcement of new Stormwater Law)

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED that a Public Hearing on Proposed Local Law Q-2010 be and is hereby scheduled for May 27, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency and this matter has been determined to be an **Unlisted Action** and the Board of Trustees has reviewed a short form EAF and determined that there are no negative environmental impacts.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

H. Resolution Amending Meter Fees along Van Ranst & Jefferson Avenues near Train Station

RESOLUTION

AMENDING THE VILLAGE CODE CHAPTER 326-54 A. TO CHANGE THE METER RATES IN METERED PARKING ZONES 1, 2(a), 2(b) and 3 WHICH CHANGES THE PARKING METER RATES FOR JEFFERSON AVENUE, VAN RANST AVENUE & PLAZA AVENUE FROM \$0.50 AN HOUR TO \$0.25 AN HOUR

On motion of Trustee Santoro, seconded by Trustee Ybarra:

BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, that the Village Code Chapter 326-54 is hereby amended as follows:

Section 1 – That the current language in 326-54A. is deleted, and replaced with the following language:

§ 326-54. Fees.

A. A fee of \$2.50 for a minimum of 10 hours, or any fraction thereof, and \$0.25 per hour for each additional hour in excess of 10 hours to a maximum of 12 hours, 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

I. Resolution Setting Non-resident Camp Fees

RESOLUTION

ADOPTING UPDATED FEES FOR VILLAGE OF MAMARONECK DAY CAMP FOR THE 2010 SEASON

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

RESOLVED that the following fees are adopted in relation to the Village Code, Chapter A-347-3, (4), Day Camp Fees (~~Strikethrough~~ denotes items being deleted, proposed language is underlined), as follows:

ARTICLE III, Fees Not Related to Code
§ A347-3. Harbor Island fee schedule; tennis fees in other parks.

(4) Day camp.

(a) ~~2009~~ 2010 early registration:

- [1] Kindergarten: \$639.
- [2] Grades 1 - 6: \$714.
- [3] Grade 7 - 9: \$794.
- [4] Early drop-off: \$110.

(b) ~~2009~~ 2010 regular registration:

- [1] Kindergarten: \$729.
- [2] Grades 1 - 6: \$804.
- [3] Grade 7 - 9: \$884.
- [4] Early drop off: \$140.
- [5] Multiple child discount: \$25.

NOTE: Nonresidents may attend the day camp at ~~the same registration fees as residents~~ fee rates that include an additional surcharge of \$200 per child. Ninth grade campers may attend the day camp at the same registration rate as 7th and 8th grade campers.

Early registration deadline ends Friday, May 7th.
Camp regular registration deadline ends Friday, June 4th.
Non-residents may only register starting Monday, May 10th.

BE IT FURTHER RESOLVED, that this change will take effect immediately adoption by the Board of Trustees.

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

J. Appointments to Committee for the Environment

RESOLUTION

APPOINTMENT OF MEMBERS TO THE COMMITTEE FOR THE ENVIRONMENT

WHEREAS, at the March 22, 2010 Regular Board of Trustees Meeting, the Board enacted a change in the number of members of the Committee of the Environment increasing it from seven to eleven; and

WHEREAS, because of that change there are four open slots on the Committee; and

WHEREAS, Katherine Hiller, Michaela Zeuss and Katherine Kaneko and Ann Breen Metcalfe have graciously volunteered to serve;

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

THEREFORE BE IT RESOLVED that Katherine Hiller, Michaela Zeuss and Katherine Kaneko and Ann Breen Metcalfe be and are hereby appointed to the Committee for the Environment for newly created terms, such terms to expire at the Annual Organizational Meeting in December, 2013.

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

K. Acceptance of Resignation from a Member of the HCZM

WHEREAS, on May 5, 2010, the Mayor received an email from Mr. Tim Keebe resigning his position on the Harbor & Coastal Zone Management Commission;

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

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

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

L. Appointment of a Replacement Member to the HCZM

RESOLUTION
APPOINTMENT OF JIM BILLOTTA TO THE HARBOR & COASTAL ZONE MANAGEMENT
COMMISSION

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

WHEREAS, Mr. Jim Billotta has graciously volunteered to serve;

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

THEREFORE BE IT RESOLVED that Jim Billotta 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, 2011.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Agreement with Village of Mamaroneck Fire Council

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

B. File for the Record – Second Response with follow-up to the NYS DEC regarding the MS-4 Violation

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

C. File for the Record – Response to Westchester County Department of Environmental Facilities with our I&I Report and Documents

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

Mr. Slingerland reminded residents that the leaf blower ban becomes effective on May 1. He also reminded residents that lead paint needs to be encapsulated properly; carbon monoxide detectors are now mandatory in homes and lastly, that the bike racks are going to be put up shortly – hopefully by June 1st. Mr. Slingerland stated that the Village plans to issue a newsletter by mid-June. Mr. Slingerland informed the Board that his office sent a request for a school safety zone between the entrance to Town Hall and Richbell Road in front of the high school.

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that the contract signing ceremony took place last week with the Army Corps of Engineers, along with state and local officials. The Village wide clean up, focusing on the rivers will take place on Saturday, May 22nd beginning at 9:30 a.m. at Columbus Park. He asked that all residents interested in participating to please come out. A kick off meeting with the Army Corps has been scheduled for June 22 at the Emelin Theatre. There will also be a workshop scheduled for residents, providing them information on how to make their homes more flood safe.

8. REPORT FROM CLERK-TREASURER

A. GP Parking Reminder

Mr. Sarnoff reminded residents that General Parking (GP) expires on May 31, 2010 and that renewals will be available for sale beginning on May 19, 2010.

9. REPORT FROM VILLAGE ATTORNEY

Ms. Derrico reported that as of April 21, the Village saved approximately \$6,000 in legal fees using the auditing system put in place, showing that the attorneys billing the Village are modifying their billing practices to comport with this policy. Ms. Derrico stated that having an hourly attorney as the Village Attorney has not worked in the past and whether this is a full time or part time position, it should be a salaried and not an hourly position. She believes that she can work with the Board to assure that all members get what they need. Mayor Rosenblum believes that having an hourly rate for the Village Attorney does not make sense for the Village and she puts in many hours and he appreciates the savings she has realized for the Village. Trustee Hofstetter stated that the \$5,000 paid earlier in the Insardi settlement nets out the savings to date.

10. REPORT FROM POLICE CHIEF

None

11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Committee for the Environment - March 16, 2010

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the March 16, 2010 minutes of Committee for the Environment be and are hereby approved:

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

B. Planning Board – March 25, 2010

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the March 25, 2010 minutes of the Planning Board be and are hereby approved:

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

C. Park & Recreation Commission – March 31, 2010

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the March 31, 2010 minutes of the Park & Recreation Commission be and are hereby approved:

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

Updates from the Board

Trustee Ybarra thanked the Mamaroneck EMS for taking such good care of her when she needed them.

Trustee Hofstetter thanked the Fire Department for their work during the power outage last week.

Trustee Santoro reminded residents that there are still open spots at the summer camp run by the Recreation Department and that early registration is still in effect. The sailing program is filling up,

so interested residents should apply. There will be a beach volleyball program this year and a basketball program at Columbus Park. Trustee Santoro also thanked the Fire Department for their work during the last storm.

Mayor Rosenblum received a letter from County Executive Astorino thanking the Village for participating in the county bus stop program. We also received a check in the amount of \$709.78 from the county for participating in this program. Mayor Rosenblum informed residents of the Memorial Day ceremony to take place at Tompkins Park. Mayor Rosenblum also received a letter from the Arbor Day Foundation congratulating us for being a Tree City USA Community, the 28th year the Village has earned this designation. The Mayor congratulated Beverly Brewer Villa who was honored at the Washingtonville Housing Alliance celebration for her 35 years of service. Mayor Rosenblum also reminded residents of the upcoming Mamaroneck Shares events and congratulated Bill Magrino on his second retirement.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

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

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

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