

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, APRIL 26, 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

Village Manager Richard Slingerland

Assistant Village Manager Daniel Sarnoff

Village Attorney Christie McEvoy-Derrico

Police Department Chief Edward Flynn

Clerk-Treasurer Agostino A. Fusco

ABSENT: Trustee Marianne V. Ybarra

PRESENTATION OF PROCLAMATION TO MARIANNE FISCHETTI

Mayor Rosenblum presented a Proclamation to Marianne Fischetti for her 35 years of service as a crossing guard in the Village of Mamaroneck.

5. NEW BUSINESS (TAKEN OUT OF ORDER)

A. Resolution to accept a plan from the Harbor Island Conservancy for a new Gatehouse ticket gazebo, signs for Harbor Island Park, landscaping and improved fencing along the East Basin

Mr. John Farris, Ms. Julia Longacre and Mr. Fred Longacre of the Harbor Island Conservancy make a presentation of the proposed changes and improvements to Harbor Island Park, which will be funded by monies raised by the Conservancy.

**RESOLUTION
TO ACCEPT GIFTS FROM THE HARBOR ISLAND CONSERVANCY IN THE ESTIMATED
AMOUNT OF \$64,000**

WHEREAS, the Harbor Island Conservancy has graciously offered to donate gifts to the Village of Mamaroneck totaling approximately \$64,000 including a fully installed gazebo estimated to cost \$6,000, signs which are estimated to cost \$11,000, landscaping estimated to cost \$28,000 and a fence which is estimated to cost \$12,000.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees on behalf of the residents of the Village of Mamaroneck gratefully accepts the plan from the Harbor Island Conservancy for gifts, estimated in value to be approximately sixty-four thousand dollars (\$64,000).

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

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

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 26th day of April, 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 L-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) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law L-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck and 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: April 16, 2010

On motion of Trustee Ryan, seconded by Trustee Santoro:

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

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Ms. Sue McCrory of The Crescent appeared. Ms. McCrory had many issues with this proposed law; including the way in which it is drafted. It seems that all of the existing information in the law is deleted and replaced by only the new materials. Ms. McCrory's first question was in reference to home improvement design centers. It is unclear what type of facility the law is referring to. She asked if they will be just design, just sales or have to be both to qualify. In reference to indoor recreation facilities, she suggested that it might be preferable not to list all types of sports facilities. She also asked if exterior sports facilities will be excluded. Ms. McCrory has concern with the definition of structure, as it does not harmonize with the other parts of the Code and feels that it negates the lot coverage area. She is extremely concerned that this change will create a concrete jungle in the Village. She strongly urged that the definition be reconsidered. As she understands the need to change fence heights to six feet, as variances have been given for many years, she does not endorse a retaining wall of six feet. She became confused with the special permit uses section of the law, which she believes contradicts other parts of the Code. Ms. McCrory also asked if certified mail is necessary for notices; as it is very costly. She believes that a certificate of mailing, which is now required by the Zoning Board, is sufficient.

Mr. Frank Fish of BFJ Planning appeared. BFJ are the Village's planners and they drafted this proposed local law. He gave background and reason for the suggested changes and addressed Ms. McCrory's concerns. For a couple of years the Building Inspector kept a list of things he believed should be changed in the Code, as did the Chair of the Planning Board. These were meant to be administrative clean ups of the existing Code. The change in fences to six feet was made as most premade fences today are six feet and this change was made for residents ease. The purpose of the noticing change is to simplify the requirement to 200 feet, which would make it more uniform. The changes to uses in the M Zone also came from the Building Inspector. In regard to special permits, the State of New York has never legislated which board should grant these. As there were many parts of New York State that did not have planning boards, it has long been practice that special permits are granted by zoning boards, as all municipalities had these. This practice is changing. The Westchester Planning Board and the American Planning Association recommends that special permits be sent to the Planning Board as many link to either a site plan or subdivision approval; which rests with the Planning Board. The other reason for this shift is to make the Code more user-friendly; having the applications being heard by one Board instead of two. This will save the applicant time and money. An exception being a "nuisance use", things the Village would rather not have, such as adult uses. These should still go to the ZBA. In reference to the definition of structure; normally what is considered lot coverage, is building coverage. Patios and walkways are not considered in lot coverage. He does not believe the intent is to allow coverage of a site irrespective of setbacks or permeable surfaces. He believes Ms. McCrory's concern is valid and suggests dropping patios from the language. Sidewalks and driveways to be able to access a home need to be considered. Mr. Fish suggested treating patios as an accessory structure, as garages are treated. Trustee Hofstetter believes that anything that is permanent and impermeable should be treated as a structure. Trustee Ryan suggested taking patio out and replacing with "impermeable". The Board decided that this issue needs to be reworked before moving forward on the law.

Mr. Brian Furlong of Delancey Avenue appeared. Mr. Furlong asked if there is anything in the Code that refers to the character of a fence. He lives next to the old McGuire's site where construction had begun and then ceased. He is concerned as the chain link fence that was put up during construction was left there after the project fell through. It is ugly and broken down. He also asked if there is anything in the Code to revert and remedy a failed development. Mr. Winter stated that he is meeting with the banker this week and hopes to get some of the issues resolved. Mayor Rosenblum asked Ms. Derrico and Mr. Winter to work on these issues and report to the Board. Trustee Hofstetter asked at what point the Village can go onto private property to make fixes and put a lien on the property. Ms. Derrico stated that it depends on the site. Trustee Hofstetter believes that this should be addressed in the Code. Ms. Derrico stated that except for health, safety and welfare concerns, there is not much that the Village can do, as property owners have rights. Mr. Fish stated that cities have laws on abandoned properties, related to health, safety and welfare. Mr. Slingerland stated doing this would be a financial burden to the Village that would not be recouped until the property is sold.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law L-2010 be and is hereby adjourned to the May 10, 2010 BOT Regular Meeting.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

PUBLIC HEARING ON PLL M -2010 (ENVIRONMENTAL QUALITY REVIEW & ZONING)

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 26th day of April, 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 M -2010, a local law deleting Article I of 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) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law M -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: April 16, 2010

On motion of Trustee Ryan, seconded by Trustee Santoro:

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

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Ms. Derrico stated that she distributed an updated version of the law. Added were revisions to the remainder of the Code where reference to Article I of Chapter 168 is made. The law remains the same, in that Article I of Chapter 168 is deleted in its entirety. She stated that an extension of the site plan construction period was added at the end of the law. Trustee Hofstetter is concerned as the changes were made today at 4:30 and this should have been posted for ten days. Ms. Derrico stated that the outline of the law remained the same and versions of the law will come about during this posting period. The substance of the change, deleting Article I or Chapter 168 has not changed. Ms. Derrico suggested that even though the substance of the law has not changed, it is probably best to adjourn the hearing to the next meeting. Trustee Ryan agreed that this would be fair.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law M -2010 be and is hereby adjourned to the May 10, 2010 BOT Regular Meeting.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

**PUBLIC HEARING ON PLL N-2010 (ADDING SECTION ON ILLEGAL DISCHARGE
DETECTION AND ELIMINATION FOR SEWERS)**

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 26th day of April, 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 N-2010, a local law amending the sewer code of the Village of Mamaroneck, Chapter 282, to enact a new Article V, entitled, "Prohibitions on Illicit Discharges, Activities and Connections to Separate Storm Sewer System."

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law N-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck and 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: April 16, 2010

Mr. Slingerland stated that this is an important law as it is required by New York State and should have adopted and in effect on January 1, 2008. This IDDE law is focused on eliminating the nasty stuff from the clean water in the sanitary sewer system. This law is based on the State's model law. There is one change on the first page, GP0202, should read GP0802. Mr. Slingerland reviewed the key issues and provisions of the proposed law. The Board declared itself lead agency at the last meeting, as well as making a negative declaration in regard to SEQRA.

On motion of Trustee Ryan, seconded by Trustee Santoro:

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

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Trustee Ryan had one suggested change to the law. Where it states that residents can notify the municipality in person or by phone or fax, she suggested adding email to that list of ways to notify the municipality.

On motion of Trustee Ryan, seconded by Trustee Santoro:

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

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

On motion of Trustee Ryan, seconded by Trustee Santoro:

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

LOCAL LAW II-2010

A local law amending the sewer Code of the Village of Mamaroneck, Chapter 282, to enact a new Article V, entitled, "Prohibitions on Illicit Discharges, Activities and Connections to Separate Storm Sewer System"

It is hereby enacted by The Board of Trustees of the Village Of Mamaroneck, to Amend the Code of the Village of Mamaroneck and Enact a new Chapter 282, Article V, entitled, "Prohibitions on Illicit Discharges, Activities and Connections to Separate Storm Sewer System", As Follows:

ARTICLE V, Prohibitions on Illicit Discharges, Activities and Connections to the Separate Storm Sewer System

§ 282-16 Purpose

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the Village of Mamaroneck, New York, through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems.

The objectives of this amendment are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit no. GP-08-02 or as amended or revised;
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- C. To prohibit Illicit Connections, Activities and Discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this law; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§ 282-17 Definitions

Whenever used in this law, unless a different meaning is stated in a definition applicable to only a portion of this law, the following terms will have meanings set forth below:

- A. BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- B. CLEAN WATER ACT. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

- C. CONSTRUCTION ACTIVITY. Includes activities subject to NYSDEC permits and SPDES permits or activities covered by erosion and sediment control and pollution prevention laws. These activities include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- D. DEPARTMENT. The New York State Department of Environmental Conservation.
- E. DESIGN PROFESSIONAL. New York State licensed professional engineer.
- F. HAZARDOUS MATERIALS. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- G. ILLICIT CONNECTIONS. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:
- (1) Any conveyances which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
 - (2) Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- H. ILLICIT DISCHARGE. Any discharge through an unauthorized connection, including a direct or indirect non-stormwater discharge to the storm sewer system, except as exempted in this chapter.
- I. INDIVIDUAL SEWAGE TREATMENT SYSTEM A facility serving one or more parcels of land or residential households, or a private, commercial or institutional facility, that treats sewage or other liquid wastes for discharge into the ground waters of New York State, except where a permit for such a facility is required under the applicable provisions of Article 17 of the or Environmental Conservation Law.
- J. INDUSTRIAL ACTIVITY. Activities requiring the SPDES permit for discharges from industrial activities except construction, GP-98-03, as amended or revised.
- K. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) - A conveyance or system of conveyances and retention and infiltration facilities (including roads with drainage systems, curbs and gutters on municipal streets, manholes, catch basins, ditches, man-made channels, storm drains, stormwater basins, drainage reserve areas, dry wells and/or any other component of a stormwater system) that is owned and/or operated by the Village or another municipal entity, designed and/or used for collecting, conveying, storing, infiltrating, or managing stormwater, which is not a combined sewer and which is not part of a publicly owned treatment works as defined at 40 CFR 122.2.
- L. MUNICIPALITY. The Village of Mamaroneck
- M. NON-STORMWATER DISCHARGE. Any discharge to the MS4 that is not composed entirely of stormwater.
- N. PERSON. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
- O. POLLUTANT. Anything that causes or contributes to pollution. Pollutants that may cause or might reasonably be expected to cause pollution of the waters within New York State may include, but are not limited to, dredged soil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, hazardous materials, heat, wrecked or discarded equipment, rock, sand, industrial and agricultural waste, ballast discharged into water, paints, varnishes and solvents, oil and other automotive fluids, non-hazardous liquid, yard waste, refuse, rubbish, garbage,

litter, or other discarded or abandoned objects and accumulations so that same may cause or contribute to pollution, floatables, pesticides, herbicides, particulate metals, animal waste, waste and residue resulting from constructing a building or structure and noxious or offensive matter of any kind.

P. PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Q. SPECIAL CONDITIONS

(1) Discharge Compliance with Water Quality Standards. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under their MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

(2) 303(d) Listed Waters. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

(3) Total Maximum Daily Load (TMDL) Strategy. The condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

(4) The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any water body or watershed into which an MS4 discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of storm water discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

R. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER DISCHARGE PERMIT. A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.

S. STORMWATER - Any surface flow, runoff, and/or subsurface drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

T. STORMWATER MANAGEMENT OFFICER (SMO) – The Building Inspector of the Village of Mamaroneck and/or his designated agent(s) who will review stormwater pollution prevention plans, forward the plans to the applicable municipal board when necessary and inspect stormwater management practices.

U. 303(d) LIST. A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

V. TOTAL MAXIMUM DAILY LOAD (TMDL). The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of that pollutant.

W. WASTEWATER. Water that is not stormwater is contaminated with pollutants and is or will be discarded.

§ 282-18 Applicability

This law shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§ 282-19 Responsibility for Administration

The Stormwater Management Officer(s) (SMO(s)) shall administer, implement, and enforce the provisions of this law. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO(s) as may be authorized by the municipality.

§ 282-20 Discharge Prohibitions

A. Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in § 282-20 A. 1 through 4 below. The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

- (1) The following discharges are exempt from discharge prohibitions established by this local law, unless the Department or the municipality has determined them to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising ground water, uncontaminated ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains, crawl space or basement sump pumps, air conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, de-chlorinated swimming pool discharges, residential street wash water, water from fire fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.
- (2) Discharges approved in writing by the SMO(s) to protect life or property from imminent harm or damage, provided that, such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO(s) may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this local law.
- (3) Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO(s) prior to the time of the test.
- (4) The prohibition shall not apply to any discharge permitted under an SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

B. Prohibition of Illicit Connections

- (1) The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.
- (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this local law if the person connects a line conveying sewage to the municipality's MS4, or allows such a connection to continue.

§ 282-21 Prohibition Against Failing Individual Sewage Treatment Systems

No persons shall operate a failing individual sewage treatment system in areas tributary to the Municipality's MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

- A. The backup of sewage into a structure.

- B. Discharges of treated or untreated sewage onto the ground surface.
- C. A connection or connections to a separate stormwater sewer system.
- D. Liquid level in the septic tank above the outlet invert.
- E. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.
- F. Contamination of off-site groundwater.

§ 282-22 Prohibition Against Activities Contaminating Stormwater

- A. Activities that are subject to the requirements of this section are those types of activities that:
 - (1) Cause or contribute to a violation of the Municipality's MS4 Permit.
 - (2) Cause or contribute to the municipality being subject to the Special Conditions as defined in §282-17 (Definitions) of this local law.
- B. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all necessary and appropriate actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

§ 282-23 Requirement to Prevent, Control and Reduce Stormwater Pollutants by the Use of Best Management Practices

- A. Best Management Practices Where the SMO(s) has identified illicit discharges as defined in §282-17 or activities contaminating stormwater as defined in §282-22 the municipality may require implementation of Best Management Practices (BMPs) to control those illicit discharges and activities.
 - (1) The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and non-structural BMPs.
 - (2) Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge as defined in §282-17 or an activity contaminating stormwater as defined in §282-22, may be required to implement, at said person's expense, additional structural and non-structural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
 - (3) Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

§ 282-24 Suspension of Access to MS4

Illicit Discharges in Emergency Situations.

- A. The SMO(s) may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO(s) shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO(s) may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.
- B. Suspension due to the detection of illicit discharge. Any person discharging to the Municipality's MS4 in violation of this law may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO(s) will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO(s) for a reconsideration and hearing. Access may be granted by the SMO(s) if he/she finds that the illicit discharge has ceased and the discharger has taken necessary and appropriate steps to prevent its recurrence. Access may be denied if the SMO(s) determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense

if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the SMO(s).

§ 282-25 Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

§ 282-26 Access and Monitoring of Discharges

A. Applicability. This section applies to all facilities that the SMO(s) must inspect to enforce any provision of this Law, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Law.

B. Access to Facilities.

- (1) The SMO(s) shall be permitted to enter and inspect facilities subject to regulation under this law as often as may be necessary to determine compliance with this Law. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO(s).
- (2) Facility operators shall allow the SMO(s) ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this law.
- (3) The municipality shall have the right to set up on any facility subject to this law such devices as are necessary in the opinion of the SMO(s) to conduct monitoring and/or sampling of the facility's stormwater discharge.
- (4) The municipality has the right to require the facilities subject to this law to install monitoring equipment as is reasonably necessary to determine compliance with this law. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (5) Unreasonable delays in allowing the municipality access to a facility subject to this law is a violation of this law. A person who is the operator of a facility subject to this law commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this law.
- (6) If the SMO(s) has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this law, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this law or any order issued hereunder, then the SMO(s) may seek issuance of a search warrant from any court of competent jurisdiction.

§ 282-27 Notification of Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the municipality in person or by telephone or by email or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§ 282-28 Enforcement

- A. Notice of Violation. When the municipality's SMO(s) finds that a person has violated a prohibition or failed to meet a requirement of this law, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
- (1) The elimination of illicit connections or discharges;
 - (2) That violating discharges, practices, or operations shall cease and desist;
 - (3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - (4) The performance of monitoring, analyses, and reporting;
 - (5) Payment of a fine; and
 - (6) The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is/are required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.
- B. Penalties In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this local law shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars (\$350) nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars (\$1000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

§ 282-29 Appeal of Notice of

Any person receiving a Notice of Violation may appeal the determination of the SMO(s) to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the municipal clerk and mail a copy of its decision by certified mail to the discharger.

§ 282-30 Corrective Measures After Appeal

- A. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 business days of the decision of the municipal authority upholding the decision of the SMO(s), then the SMO(s) shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO(s) may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO(s) may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

§ 282-31 Injunctive Relief

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this law. If a person has violated or continues to violate the provisions of this law, the SMO(s) may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

§ 282-32 Alternative Remedies

A. Where a person has violated a provision of this Law, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:

- (1) The violation was unintentional;
- (2) The violator has no history of previous violations of this Law.
- (3) Environmental damage was minimal.
- (4) Violator acted quickly to remedy violation.
- (5) Violator cooperated in investigation and resolution.

B. Alternative remedies may consist of one or more of the following:

- (1) Attendance at compliance workshops
- (2) Storm drain stenciling or storm drain marking
- (3) River, stream or creek cleanup activities

§ 282-33 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this law is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

§ 282-34 Remedies not Exclusive

The remedies listed in this law are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

§ 282-35 Severability

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.

§ 282-36 Effective Date

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

1. COMMUNICATION TO THE BOARD

None

2. APPROVAL OF MINUTES

A. Minutes of BOT Regular Meeting of April 12, 2010 (Including Public Hearings)

Trustee Hofstetter had one change on Page 8, where it reads short/long form EAF, long should be removed, reading "has reviewed a short form EAF"

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Board of Trustees Regular Meeting of April 12, 2010 with the above change made by Trustee Hofstetter be and are hereby approved.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

3. AUDIT OF BILLS

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED that the Abstract of Audited Vouchers listed below dated April 26, 2010, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$612,082.18
Capital Fund	4,629.00
Mamaroneck Health Center	511.89
Escrow Deposit	5,712.52
	<u>\$622,935.59</u>

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Resolution to Accept a Plan from the Harbor Island Conservancy (Heard Earlier)

B. Finalization and Adoption of the Tentative 2010-2011 Budget

Mr. Slingerland gave a summation of the tentative budget that he presented at the last meeting. Over the past three years, the Village has lost nearly \$1 million in revenue streams, from sales tax, interest, building permits and mortgage tax. He noted that over the three year time frame, there had been a loss of \$435,000 in annual sales tax revenue which is a 16.7% reduction in annual revenue; a loss of \$85,000 in interest earnings revenue which is a 65% reduction in annual revenue; a loss of \$129,000 in building permit revenue which is a 39% reduction in annual revenue, and a \$301,000 loss in mortgage tax revenue which is a 53% reduction in annual revenue. With regard to increases in expenses, the largest increase seen is in the pension system. The pension rates have experienced a 30-40% increase. The pension systems investments lost 25% of its value due to economic impacts. He noted that the Village saw this coming last year and planned ahead to budget money to cover roughly half of the increase for the 2010-2011 fiscal year. In regard to the Fund Balance, the Village expects to restore the appropriated \$329,000 and is expecting to roll this over at the end of the year. He noted that based on that restoration to the fund balance, the Village is projecting to have a General- Fund Fund Balance of approximately \$3.4 million, which is about 12% of the annual operating budget. Mr. Slingerland noted that using \$510,000 of the Fund Balance, approximately one sixth of it, would leave the Village with a remaining Fund Balance of \$2.9 million which is over 10% of the annual operating budget. Mr. Slingerland noted that the Village

has controlled expenses in the new budget, having cut spending by about a half million dollars. Mr. Slingerland stated that while the budget last year was \$29,060,924, the tentative budget has been revised since the presentation made at the last meeting and the final number is \$28,578,191 or a 0.35% increase. He noted that the Village has reduced spending and/or cut vacant positions in all departments, and transferred positions into open positions to avoid increases in spending or layoffs. Mr. Slingerland also stated that the Village did authorize an appropriation of the Tri-Municipal Cable TV Fund Balance, which will give the Village another \$140,000. He explained further last-minute changes that were being presented tonight, due to a proposed increase in the Worker's Compensation Insurance expense. He noted that the Village had budgeted \$585,000, following trends over the past several years. However, the Village had just been notified of benefit increases for workers due to changes in state law, which had resulted in a potential increase in Worker's Compensation insurance premiums in a worst-case scenario increase of 20%, which could raise that amount to as high as \$700,000. He noted however that he had just spoken with the Village's insurance broker with FOA & Sons, who noted that he is continuing to negotiate the premiums now and he stated that the figure of \$624,00 is a viable, supportable number. Mr. Slingerland stated that the final result is that the tax rate will be \$283.25 per \$1,000 of assessed value on a home, a .35% increase in the property tax rate. Trustee Ryan stated that she struggled with this budget as she worried about managing during an emergency and she has been reassured that there is money to take care of an emergency. Trustee Hofstetter also does not want to dip into the reserve, but as this money is for a rainy day, he can't imagine a rainier day. The Board thanked Mr. Slingerland and Mr. Fusco for all of the work done to bring this budget in. Mayor Rosenblum agrees with Trustee Ryan that the Village is going into uncharted territory, but for a different reason. He believes that any reserve money is best left in the hands of the residents.

BUDGET RESOLUTION A VILLAGE OF MAMARONECK – APRIL 26, 2010
RESOLUTION AMENDING AND REVISING THE
TENTATIVE 2010-2011 VILLAGE BUDGET
FOR FINALIZATION AS ADOPTED BUDGET

WHEREAS, the Board of Trustees has met at the times and place specified in the Notice of Public Hearing on the proposed budget and heard all persons desiring to be heard thereon; and, subsequently consulted with the appropriate Village officials on the contents thereof and determined that certain modifications would be desirable; and

WHEREAS, the budget was reviewed and amended at Work Sessions held on Tuesday, March 23, 2010, Thursday, March 25, 2010, Tuesday April 6, 2010, and Thursday April 8, 2010, as finally summarized at the Work Session on Monday, April 19, 2010, and as hereinafter set forth is hereby adopted and the salaries and wages stated within the budget are fixed at the amounts shown and are effective June 1, 2010, unless otherwise amended by the Board of Trustees or the Village Manager as provided under NYS Law.

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED that the Tentative Budget be amended and revised as follows:

Summary of Changes to 2010-II Tentative Budget

Appropriations

<u>Page #</u>	<u>Acct #</u>	<u>Detail</u>	<u>Proposed</u>	<u>Revised</u>	<u>Change</u>
5	1010.120	Part-Time Salaries (Trustees)	20,000	18,000	-2,000
12	1210.120	Part-Time Salaries (Mayor)	9,000	8,100	-900
17	1230.110	Perm. Regular Personnel - Office Asst.	57,292	0	-57,292
17	1230.110	Part-Time Clerical	0	25,000	25,000
66	3120.111	Perm. Secretarial - Office Asst. to Chief	48,551	57,292	8,741
184	9040.802	workers compensation benefits	585,000	624,000	39,000
66	3120.120	Part-Time Clerical -- in Admin. Services	0	20,000	20,000
					32,549

Revenues

<u>Page #</u>	<u>Acct #</u>	<u>Detail</u>	<u>Proposed</u>	<u>Revised</u>	<u>Change</u>
207	300.3315	Navigation Enforcement	0	32,000	32,000
			<u>0</u>	<u>32,000</u>	<u>32,000</u>

<u>Summary of Changes to 2010-II Tentative Budget Overall Budget</u>	<u>2010 Tentative</u>	<u>Increase (Decrease) in overall total</u>	<u>Adjusted Tentative</u>
	28,545,642	32,549.00	28,578,191
<u>LESS: Estimated Revenues other than Real Estate Taxes</u>	6,537,660	32,000.00	6,569,660
Appropriated Fund Balance	510,000		510,000
Total Non-Property Tax Revenues	7,047,660		7,079,660
Balance of Budgetary Appropriations to be raised by Real Estate Tax Levy	21,497,982		21,498,531
COMPUTATION OF TAX RATE:			
Taxable Assessed Value	75,899,132		75,899,132
Tax Rate per \$1,000	283.24		283.251342
Percentage Increase in Tax Rate	0.35%		0.35%

updated as of 4/26/2010 at 7:25pm

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

BUDGET RESOLUTION B VILLAGE OF MAMARONECK
APRIL 26, 2010

BUDGET ADOPTION RESOLUTION

RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JUNE 1, 2010 AND ENDING MAY 31, 2011 MAKING APPROPRIATIONS FOR THE CONDUCT OF THE

VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.

WHEREAS, this Board of Trustees has met at the time and place of April 12, 2010, as specified in The Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon; and

WHEREAS, the Tentative Budget has been amended as specified in the Amending Resolution.

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED that the Village of Mamaroneck 2010-2011 Budget is hereby adopted, as amended.

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

BUDGET RESOLUTION C

Date: April 26, 2010

TO: Mayor and Board of Trustees

RE: 2010-2011 VILLAGE TAX LEVY AND WARRANT AND SETTING THE TAX LEVY RATE

In accordance with Section 1420 of the Real Property Tax Law, upon completion of the budget, but not later than May 15th, the Board of Trustees shall determine and levy the tax for the ensuing fiscal year.

Based on the adopted budget and the adoption of the Annual Assessment Roll, the following resolutions have been prepared for your approval to levy the Village Real Property Tax, the Library Tax, Water arrears, and other unpaid charges:

WHEREAS, the budget for the fiscal year commencing June 1, 2010, has been duly adopted and filed with the Village Clerk; and

WHEREAS, it has been thereby determined that the sum of \$28,578,191 will be necessary to meet the obligations of the Village; and

WHEREAS, there has been duly credited as against said sum estimated revenues and appropriated fund balance aggregating \$7,079,660 leaving \$21,498,531 to be raised by the levying of taxes; and

WHEREAS, based on the current Assessment Roll of the year 2010 for the taxes for the fiscal year June 1, 2010 that the total assessed valuation of real property in the Village is \$75,899,132 said Assessment Roll having been duly confirmed;

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED that the tax rate for the Village of Mamaroneck for the fiscal year commencing June 1, 2010 be and the same hereby is fixed at the rate of \$283.25 on each \$1,000.00 of assessed valuation; and

FURTHER RESOLVED that the sum of \$21,498,531, the same being taxes for the fiscal year commencing June 1, 2010 be, and the same hereby is, levied upon the taxable property in the Village of Mamaroneck and that the Clerk-Treasurer be and he hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said tax extended on said tax roll against each such parcel of taxable property set forth thereon be and the same hereby are levied upon each parcel of taxable property respectively which said levy includes items shown on the budget for the fiscal year commencing June 1, 2010 heretofore adopted.

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

BUDGET RESOLUTION D

Date: April 26, 2010

TO: Mayor and Board of Trustees

RE: 2010-2011 LIBRARY TAX LEVY AND WARRANT AND SETTING THE TAX LEVY RATE

WHEREAS, the Mamaroneck Library District Budget for the fiscal year commencing June 1, 2010 has been approved and duly filed with the Village Clerk; and

WHEREAS, it has been duly approved and determined by the eligible voters that the sum of \$2,175,903 will be necessary to meet the obligations of the Library District; and

WHEREAS, it appears from the Assessment Roll of the year 2010 that the total taxable assessed valuation of real property in the Village is \$75,899,132, said Assessment Roll having been duly confirmed;

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW , THEREFORE, BE IT RESOLVED that the tax rate for the Mamaroneck Library District for the fiscal year commencing June 1, 2010 be and is hereby fixed at the rate of \$27.25 on each \$1,000.00 of assessed valuation; and

FURTHER RESOLVED that the sum of \$2,067,903, the same being Library taxes for the fiscal year commencing June 1, 2010 be, and the same hereby is, levied upon the taxable property in the Village of Mamaroneck and that the Clerk-Treasurer be and he hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said property set for thereon be and the same hereby are levied upon each parcel of taxable property respectively for the fiscal year commencing June 1, 2010.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

BUDGET RESOLUTION E

Date: April 26, 2010

To: Mayor and Board of Trustees

Re: 2010-2011 CERTIFICATION OF ARREARS DUE FOR UNPAID AMOUNTS RECIEVABLE ON VARIOUS PROPERTIES

Certifying arrears due for unpaid amounts receivable on various properties and including such mounts in the annual tax levy and authorizing the levy of same upon the real property in default;

WHEREAS, the Clerk-Treasurer of the Village of Mamaroneck has under date of April 26, 2010 certified arrears due for unpaid amounts receivable on various properties in the Village of Mamaroneck; and

WHEREAS, this Board desires to include such amounts in the annual tax levy and levy the same upon the real property in default;

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED that there shall be levied, assessed, and collected against the real property hereinafter specified the amounts set opposite such real property as certified on the schedule annexed hereto; and

BE IT FURTHER RESOLVED, that a special warrant for the collection of such arrears so levied shall be issued to the Clerk-Treasurer and collected by him in the same manner and at the same time as other Village taxes.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

VILLAGE OF MAMARONECK
CERTIFICATION OF UNPAID CHARGES
TO BE INCLUDED ON TAX LEVY

I, Agostino A. Fusco, Clerk-Treasurer of the Village of Mamaroneck, do hereby certify that the following amounts are due and owing to the Village of Mamaroneck in connection with services rendered and/or amounts paid by the Village on behalf of the various properties as identified on the Assessment Roll and remaining unpaid as of April 26, 2010 for the purpose of inclusion in the 2010 tax levy of the Village of Mamaroneck:

BOT 04/26/2010 p. 20
RPTL Sec. 520(1) Tax Levies

<u>Premises</u>	<u>Sec/Block/Lot</u>	<u>Amount</u>
324 JEFFERSON AV	4-1-2A3	69.72
544 SECOND ST	4-5-5	204.28
544 SECOND ST	4-5-5	1,063.12
540 FOURTH ST	4-15-60	108.42
530 N WAGNER AV	4-15-172	323.52
820 HALSTEAD AV	4-15-191	67.86
820 HALSTEAD AV	4-15-191	93.68
1505 HALSTEAD	4-37-11	1,540.30
124 SPRUCE ST	4-57-20A	262.66
1213 HARRISON AV	4-65F-27	542.72
1328 SHERMAN AV	4-65F-48	47.62
1533 RALEIGH RD	8-1A-14	88.04
1406 BIRCH HILL LN	8-6A-7	91.12
170 WASHINGTON ST	8-81-10	46.98
215 MADISON ST	8-81-32	500.52
804 ROCKLAND AV	8-90-5A	45.40
804 ROCKLAND AV	8-90-5A	47.90
919 HARMON DR	8-105-10	107.88
300 LIVINGSTON 2-D	9-40-1.2D	267.38
300 LIVINGSTON 2-D	9-40-1.2D	1,095.48
516 MUNRO AV	9-47-18A	17.28
516 MUNRO AV	9-47-18A	93.68
510 HOMMOCKS RD	9-72A-4B	63.18
		6,788.74

Sworn before me this
26th day of April, 2010

Certified to:

Agostino A. Fusco,
Clerk-Treasurer

BUDGET RESOLUTION F

Date: April 26, 2010

To: Mayor and Board of Trustees

Re: Westchester Water Works arrears for water charges on various properties

WHEREAS, the Board of Trustees of the Westchester Joint Water Works has under date of Tuesday, April 13, 2010, certified to this Board arrears for water charges on various properties in the Village of Mamaroneck; and

WHEREAS, this Board desires to include such amounts in the annual tax levy and levy the same upon the real property in default;

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED that there shall be levied, assessed and collected against all real property hereinafter specified the amounts set opposite such real property on the certified list as annexed hereto; and

BE IT FURTHER RESOLVED, that a special warrant for the collection of such water charges so levied shall be issued to the Village Treasurer and collected by him in the same manner and at the same time as other Village taxes.

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

BUDGET RESOLUTION G
ADOPTION OF TAX WARRANT

TO: AGOSTINO A. FUSCO, VILLAGE TREASURER

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the Tax Roll hereunto annexed, the several sums stated in the Tax Roll for 2009 hereof opposite their respective names, being a total of \$ 23,740,807.23 for the following purposes:

For the Current Budget	\$ 21,498,531.00
For Library District	2,067,903.00
For Unpaid Water Arrears	92,231.38
For Prior Levies/Unpaid	<u>6,788.74</u>
	<u>\$ 23,665,454.12</u>

YOU ARE FURTHER COMMANDED TO receive and collect such sums without additional charge between the first day of June and the first day of July 2010, both inclusive, on the first half and between the first day of December 2010, and the thirty first day of December 2010, both inclusive on the second half; and thereafter to collect with such the sums as have not been theretofore collected, an additional charge of 5% from July 2nd, 2010, to August 1st, 2010 on the first half and from January 1st, 2011 to February 1st, 2011 on the second half with additional interest each half for each month and fraction thereof thereafter until paid as determined under Section 924-A of the Real Property Tax Law.

YOU ARE FURTHER COMMANDED TO return the Tax Roll and warrant to the Village Clerk on or before the first day of February 2011 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel and amount of tax unpaid.

Mayor Norman Rosenblum

Dated: April 26, 2010
ATTESTED TO BY:

Village Clerk

BUDGET RESOLUTION H

2010-2011 VILLAGE OF MAMARONECK BUDGET
AUTHORIZATION FOR INVESTMENTS

On motion of Trustee Hofstetter seconded by Trustee Santoro:

RESOLVED, that the Village Clerk/Treasurer and/or Deputy Treasurer, during the fiscal year beginning June 1, 2010 are authorized to invest monies not needed for immediate expenditure in accordance with the provisions of the General Municipal Law, the Local Finance Law and the Village's investment policy.

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

BUDGET RESOLUTION I

2010-2011 VILLAGE OF MAMARONECK BUDGET
RESOLUTION AUTHORIZING THE LEVY AND COLLECTION
OF ADDITIONAL TAXES UPON TERMINATION OF EXEMPT STATUS

On motion of Trustee Hofstetter seconded by Trustee Santoro:

RESOLVED, that the Village Assessor and Village Receiver of Taxes, during the fiscal year beginning June 1, 2010 are authorized to levy and collect additional Village taxes upon termination of exempt status of real property in accordance with provisions of Section 494 of the Real Property Tax Law.

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

C. Resolution Authorizing the Renewal of the Police Department's Participation in the Westchester County Mutual Aid & Rapid Response Inter-Municipal Agreement

Chief Flynn stated that this is a renewal of an agreement that the Village has had for many years. It is a mutual aid and response agreement with other municipalities in the area.

**RESOLUTION
AUTHORIZATION TO EXECUTE A RENEWAL OF WESTCHESTER COUNTY
MUTUAL AID AND RAPID RESPONSE INTER-MUNICIPAL AGREEMENT**

WHEREAS, the Village of Mamaroneck has received correspondence from Westchester County to renew the Mutual Aid and Rapid Response Inter-Municipal Agreement which formalizes operation procedures for Law enforcement assistance; and

WHEREAS, Municipalities have executed the Plan by which each member agrees to make available its police personnel and equipment upon the occurrence of a condition which is beyond the scope of the requesting municipalities police resources; and

WHEREAS, the cost of police services provided pursuant to this Agreement shall be paid by the requesting Municipality; and

WHEREAS, the Agreement shall commence on July 31, 2010 and terminate on July 30, 2015, unless terminated sooner in accordance with the provisions of the agreement.

On motion of Trustee Ryan, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED, that the Village Manager is hereby authorized to execute the renewal agreement between the Village of Mamaroneck and Westchester County for Mutual Aid; and

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: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

D. Resolution Adopting a Climate Smart Community Pledge as a Participant in the NYSDEC Climate Smart Community Program

RESOLUTION

TO ADOPT A CLIMATE SMART COMMUNITY PLEDGE AND TO PARTICIPATE IN THE NYS DEC'S CLIMATE SMART COMMUNITY PROGRAM

WHEREAS, the Village of Mamaroneck (hereinafter "local government") believes that climate change poses a real and increasing threat to our local, global environments which is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come.

On motion of Trustee Ryan, seconded by Trustee Santoro:

IT IS HEREBY RESOLVED that the Village of Mamaroneck, in order to reduce greenhouse gas emissions and adapt to a changing climate will make reasonable efforts to;

1. Pledge to combat climate change by becoming a Climate Smart Community. Set goals to reduce GHG emissions and adapt to predicted climatic changes. Establish a task force of local officials and community members to review the issues and propose a plan of action. Designate a point person who will oversee climate change initiatives and publicly report on progress. Work cooperatively with similar task forces in neighboring communities to ensure that efforts complement and reinforce one another. As an official signal of commitment and for access to technical resources, sign on to a widespread climate campaign such as ICLEI Local Governments for Sustainability - Climate Protection campaign.
2. Set goals, inventory emissions, move to action, gather data, inventory GHG gas emissions, and establish baselines for local government operations and community sectors. Develop quantifiable interim GHG emission targets consistent with emission reduction goals and propose a schedule and financing strategy to meet them. Encourage stakeholder and public input and develop an action plan. Report emissions to The Climate Registry (TCR), which has developed a standardized method for reporting emissions inventories; use ICLEI and TCR's tools to track and evaluate progress.
3. Decrease energy demand for local Government operations and adopt a goal of reducing electricity use by 15 percent from projected levels no later than 2015.

A. Existing Public Facilities. Inventory current building electricity usage and identify opportunities for conservation and efficiency retrofits. Obtain energy assessments from the New York State Energy Research and Development Authority (NYSERDA), the New York Power Authority, the Long Island Power Authority or other professionals. Consider actions such as purchasing energy efficient equipment and appliances, such as ENERGY STAR®; improving lighting, heating, and cooling efficiency; setting thermostats for maximum energy conservation; decreasing plug load from office equipment; and increasing pump efficiency in water and wastewater systems.

B. New Public Buildings. Achieve at least minimum U.S. Green Building Council Leadership in Energy and Environmental Design standards (LEED Silver) for all new local government buildings.

C. Infrastructure. Incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.

D. Vehicle Fleet and Commuting. Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling and encourage bicycling, carpooling and public transit for employees. Consider reducing the number of vehicles; converting fleet vehicles to sustainable alternative fuels; and using electric vehicles where possible.

4. Encourage renewable energy for local Government Operations Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

5. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices and expand the "reduce, reuse and recycle" approach to waste management in local government operations and in the whole community. Reduce the amount of solid waste generated – promote backyard

composting, implement volume-based pricing and educate residents on how to prevent waste. Promote reuse by organizing community-wide yard sales, and providing a space for drop off or trade of reusable goods. Provide recycling receptacles in local government buildings and outdoor spaces, require duplex printing in government offices, compost food scraps and green waste, and adopt a comprehensive green purchasing program.

6. Promote Climate Protection through Community Land Use Planning Combat climate change by encouraging low-emissions development that is resilient to climatic changes. When updating land use policies, building codes or community plans, include provisions to combat climate change; reduce sprawl; preserve and protect open space, biodiversity, and water supplies; promote compact, transit-oriented, bikeable and walkable communities; promote infill development; minimize new development in floodplains; maintain or establish healthy community forests; and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

7. Plan for adaptation to unavoidable climate change and evaluate risks from unavoidable climate change, set adaptation goals and plan for adaptation. Identify climate change impacts (such as flooding, drought, and extreme temperatures) that could affect the community. Identify areas such as water supply and sewer infrastructure that may be at risk due to sea-level rise and future changes in climate. Factor risks into long-term investments and decision-making. Execute climate change adaptation and preparedness measures through local government planning, development and operations, giving priority to the highest risk areas.

8. Support a green innovation economy and identify opportunities to incorporate climate protection, sustainability and environmental goods and service industries into economic development plans. Encourage workforce development training and school curricula that support the emerging green collar job sector, including renewable energy and energy efficiency, as well as climate smart solid waste management practices. Procure climate smart goods and services for local government operations and support modernizing of local and national electricity grids.

9. Inform and inspire the public and lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects by hosting open houses; distributing fliers; holding local meetings; working with school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community climate protection goals and progress to constituents.

10. Commit to an evolving process and acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less effective actions and amplify positive results.

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

E. Tax Certiorari Settlement – 1100 E. Boston Post Road LLC, f/k/a Lordae Realty Corp

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER 1100 E. BOSTON POST ROAD LLC f/k/a LORDAE REALITY CORPORATION FOR PROPERTY LOCATED AT 1100 E. BOSTON POST ROAD

WHEREAS, petitions have been filed by the property owner below challenging real property tax assessments on the Village’s assessment roll; and

WHEREAS, petitioner’s court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) have reached a mutually agreeable resolution and the Village Assessor has calculated that the approximate cost to the Village is \$12,708 without interest; and

WHEREAS, the Board of Trustees has had an opportunity to review this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Village of Mamaroneck;

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village for the property listed below:

<u>Property Owner</u>	<u>Address/Description</u>	<u>Years</u>
1100 E. BOSTON POST ROAD LLC f/k/a LORDAE REALITY	1100 E. BOSTON POST ROAD	2003-2010

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2003	\$45,500	\$43,150	\$2,350
2004	\$45,500	\$41,750	\$3,750
2005	\$45,500	\$39,600	\$5,900
2006	\$45,500	\$39,700	\$5,800
2007	\$45,500	\$37,050	\$8,450
2008	\$45,500	\$33,800	\$11,700
2009	\$45,500	\$34,400	\$11,100
2010	\$45,500	\$34,400	\$11,100

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

F. Resolution to reschedule the May 24th Board Meeting to Thursday, May 27, 2010

Trustee Hofstetter stated that he has a conflict and will not be able to attend on the 27th.

WHEREAS, the Village Manager and Assistant Village Manager will be attending the New York State City County Management Association’s 52nd Annual conference, scheduled this year to be held from Sunday, May 23rd to Wednesday, May 26th in Ithaca, New York at Cornell University; and

WHEREAS, the Village Manager has requested that the Board of Trustees Regular Meeting of May 24, 2010, be rescheduled to Thursday, May 27, 2010 at 7:30 p.m., so that he may be in attendance.

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED, that the Board of Trustees Meeting regularly scheduled for Monday, May 24, 2010 be and is hereby rescheduled to Thursday, May 27, 2010 at 7:30 p.m.

Ayes: Ryan, Santoro, Rosenblum

Nays: Hofstetter

Absent: Ybarra

- G. Schedule a Public Hearing on a Local Law amending the Village Code to enact a new Letter of Map Revision (LOMR) enacted by FEMA in order to remain in the NFIP as required by FEMA and the NYS DEC

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that a Public Hearing on Proposed Local Law O-2010 be and is hereby scheduled for May 10, 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: Ryan, Santoro, Rosenblum

Nays: Hofstetter

Absent: Ybarra

- H. Addition of Item 5I

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

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that Agenda Item 5I resolution authorizing the Village to enter into a license agreement with the Mamaroneck Library, authorizing the Library to install an electrical vault and box beneath the sidewalk in front of the Library property at Prospect Avenue, be and is hereby added to the April 26, 2010 Board of Trustee Regular Meeting Agenda.

Ayes: Ryan, Santoro, Rosenblum

Nays: Hofstetter

Absent: Ybarra

- I. Resolution Authorizing the Village to Enter into a License Agreement with the Mamaroneck Library, authorizing the Library to install an electrical vault and box beneath the sidewalk in front of the Library property at Prospect Avenue

WHEREAS, The Mamaroneck Public Library District (Licensee) has made a request of the Village of Mamaroneck for permission to construct an electrical vault under the sidewalk for the service for the new library; and

WHEREAS, the structure will be a 5'x 5 x7' enclosed chamber with access provided by a sidewalk manhole located on Prospect Avenue; and

On motion of Trustee Ryan, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Manager to enter into license agreement with the Mamaroneck Public Library District for the placement of an electrical vault under the Village owned sidewalk on Prospect Avenue; 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; and

BE IT FURTHER RESOLVED, the Licensee shall maintain the property and shall be responsible for keeping it in good condition and repair and will indemnify the Village of Mamaroneck.

Ayes: Ryan, Santoro, Rosenblum

Nays: Hofstetter

Absent: Ybarra

6. **REPORT FROM VILLAGE MANAGER**

A. File for the Record – Westchester Joint Water Works List of Arrears

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

B. Communication – Cablevision Channel Line-Up Changes

Mr. Slingerland stated that this communication has been received and he read the changes to the channel line up.

7. **FLOOD MITIGATION REPORT**

Mr. Slingerland reported that the Village of Mamaroneck was the most represented community at a recent flood planning and policy design workshop. Mr. Slingerland reported on those things covered at the workshop. Mr. Slingerland stated that it appears that we will be receiving a grant to change our flood mitigation plan to an all hazards mitigation plan. Mr. Slingerland stated that he has a meeting with the County Executive tomorrow to discuss the problems Mamaroneck has had with flooding and the grant applications outstanding. The county stream permit will also be discussed. Mr. Slingerland hopes to have that permit in the next couple of weeks, so that silt removal can begin. Other issues; including the Jefferson Avenue Bridge, the Halstead Avenue Bridge, the Ward Avenue Bridge, the concept of creating a county wide stormwater district as well as future capital projects and grant applications will be discussed. Mr. Slingerland reported that the Village is expecting to spend close to \$1,000,000 over the next two years including the Jefferson Avenue Bridge construction, cleaning out the silt deposits, removing the Bridge to Nowhere and replacing the slip lining in the sewer system.

Mayor Rosenblum stated that there are two cases in front of the Supreme Court at this time that will allow downstream communities to sue upstream communities if they can prove damage. This is not something that the Village is necessarily going to do, however, we will notify upstream communities of potential liability and that remind them that they should be good neighbors. Trustee

Ryan stated that the Village should be sitting at the table when an upstream community plans a project that could impact us and that it is the responsibility of that community to invite us to participate in any meetings they hold. She also stated that at the previous Board meeting it was reported that the Village did not receive any money from the county, when in fact we did receive \$760,000 from the county and as we may have liked to use this money for other reasons, it was used for the Army Corps study. Mayor Rosenblum stated that as this is true, the study is for the entire watershed and he stated that other municipalities got cash in hand for local projects. There will be no direct immediate benefit until the study is completed in 2015.

Mr. Slingerland reported that the contract signing ceremony for the Army Corps study will take place at Columbus Park on May 3rd at 10:30 a.m. A kick off meeting on June 22 will also take place at the Emelin Theatre. The Village wide clean up day will take place on May 22nd.

8. REPORT FROM CLERK-TREASURER

A. Filing of Notice of Adoption – Annual Assessment Roll

Mr. Fusco stated that the Annual Assessment Roll has been filed for the record with his office.

B. File for the Record – Semi-annual Monitoring Report on former Mobile Service Station Site

Mr. Fusco stated that this monitoring report is filed for the record with his office.

9. REPORT FROM VILLAGE ATTORNEY

None

10. REPORT FROM POLICE CHIEF

None

11. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Board of Traffic Commissioners – January 13, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the January 13, 2010 minutes of Board of Traffic Commissioners be and are hereby approved:

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

B. Board of Traffic Commissioners – March 10, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the March 10, 2010 minutes of Board of Traffic Commissioners be and are hereby approved:

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

C. Board of Architectural Review – March 18, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the March 18, 2010 minutes of the Board of Architectural Review be and are hereby approved:

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

D. Park & Recreation Commission – February 24, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the February 24, 2010 minutes of the Park & Recreation Commission be and are hereby approved.

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

E. HCZM – January 20, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the January 20, 2010 minutes of the HCZM be and are hereby approved.

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

Updates from the Board

Mr. Slingerland stated that the request for a school safety zone around the high school at Boston Post Road will be recommended to the state DOT and that a school speed limit zone be adopted during the school day hours.

Trustee Hofstetter reported on the ground breaking at the Mamaroneck Train Station building that took place last week. He looks forward to the opening of this building and hopes that it brings with it some additional stores and restaurants to that area. Mayor Rosenblum is also extremely pleased that this building is being saved and restored.

Trustee Ryan thanked all who worked on the Sustainability Expo the previous Saturday, including the Committee for the Environment. It was a very successful day. Last Sunday, Poetry Live was held at the Emelin Theatre. Six schools participated and the student's work was quite touching. Trustee Ryan also attended the Dancing under the Stars event last evening at Harbor Island Park. It was a lot of fun and a great way to spend an evening.

Trustee Santoro reported on the Fire and Ice event that took place at the Hommocks School. This was a fundraising event for a local family. Trustee Santoro reported on the young man that represented the Mamaroneck Elks at the hoop shoot event. He came in 4th or 5th in the country.

Mayor Rosenblum reported on the great experience he had at Bellows School. The 5th grade made up a concept for an Olympic event. They were sharp as a tack and he will be sending them a congratulations letter. Mayor Rosenblum reported on the wine trail event sponsored by the Chamber of Commerce. It was a great event and recommends to all residents who enjoy wine as it is extremely reasonable. Mayor Rosenblum congratulated Ryan LeMoigne for obtaining the rank of Eagle Scout. The Mayor also informed the residents of the upcoming Mamaroneck Shares event, to take place this summer. Mayor Rosenblum reported that there will be a ribbon cutting on Saturday for a new dry cleaners – Go Green. He also asked any new business in the Village to contact him so that he can announce it at a Board meeting.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive 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