

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

PRESENT: Mayor Norman S. Rosenblum
Trustees Louis N. Santoro
Toni Pergola Ryan
John M. Hofstetter
Marianne V. Ybarra
Village Manager Richard Slingerland
Assistant Village Manager Daniel Sarnoff
Village Attorney Christie McEvoy-Derrico
Police Department Chief Edward Flynn
Clerk-Treasurer Agostino A. Fusco
ABSENT: None

PUBLIC HEARING ON FISCAL YEAR 2010-2011 TENTATIVE BUDGET

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on the Village of Mamaroneck Tentative Budget for Fiscal Year 2010-2011 be and is hereby open.

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

Mr. Slingerland gave a PowerPoint presentation on the tentative budget summary. The total projected spending for the fiscal year of \$28,545,642 has been reduced from last year's budgeted spending of \$29,060,094 or by 1.77%. Mr. Slingerland thanked all department heads for drafting excellent department narratives and for working so closely and cooperatively with the Assistant Village Manager and Clerk-Treasurer in putting forth such a fiscally responsible budget. This year the Village's allocation of taxes paid by residents is approximately 22%. Mr. Slingerland stated that in the past ten years, the Village has lost approximately two million dollars in the assessed values of homes. This is attributable to tax certioraris.

Mr. Slingerland stated that the lost non-property tax revenue amount for the year is approximately \$500,000. This is attributable to the decline in mortgage tax, sales tax, building permits and parking revenue. The Mayor thanked the Village Manager and Clerk-Treasurer for their foresight in planning ahead during this economic downturn. The pension system appropriations were discussed. Mr. Slingerland reviewed the budget expenditures and the percentage of each department and service. Mr. Slingerland stated that the annual percentage increases over the last several years has been averaging 3.6%, with this year being proposed at 0.35%.

Mayor Rosenblum thanked Mr. Slingerland and Mr. Fusco for a fantastic job. When he was first elected, he informed them that he was looking for a zero percent tax increase and as far as he is concerned, they met that goal. He also believes that this is the best budget in Westchester County and he thanked all staff and department heads for this work.

Trustee Hofstetter stated that money from the fund balance and contingency account are being pulled into this budget and he wanted to make sure that the fund balance is adequately funded. Mr.

Slingerland stated that the current fund balance is approximately \$2.8 and he is expecting to add approximately \$330,000 to it at the end of the year; which will bring it back over \$3 million. At the current rate, this is still 10 percent of the yearly budget. Mr. Slingerland stated that we have a bond rating of A+, which is among the highest in Westchester County. When asked by Trustee Ryan if the Village has ever had a higher bond rating, Mr. Fusco stated that we have not had a higher rating in the last 15 years. Mr. Slingerland stated that the contingency is at \$150,000 and according to our auditors, that along with the fund balance is a supportable figure given the economic times. Trustee Hofstetter asked about filling and funding any open positions in the Village. Mr. Slingerland stated that the open positions will continue to be shown in the budget, but not funded. If additional revenue is restored, the Board may wish to reinstate these positions. Trustee Santoro asked what the reason was for the sharp increase in the fund balance in the last few years. Mr. Fusco stated that the departments have been very cognizant of the economy and have come in under budget. Trustee Hofstetter stated that monies from that fund had been used to pay legal fees in the past and the board worked very hard to build the fund back up. Mayor Rosenblum believes that the Village is secure in its budget and he would like to keep as much money as possible in the hands of the tax payers.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on the Fiscal Year 2010-2011 Tentative Budget be and is hereby closed.

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

1. COMMUNICATION TO THE BOARD

Mr. Irving Scharf of Richbell Road appeared regarding the reassessment of property. Mayor Rosenblum informed Mr. Scharf that this is being done at the Town level, not the Village and that he should voice his concerns there.

2. APPROVAL OF MINUTES

Mayor Rosenblum stated that this is the first set of minutes being presented since the Manager suggested that all public hearings be part of the meeting minutes.

Trustee Ryan had an addition to the minutes of 3/22. On page 2, after Ms. Kramer's comments, Trustee Ryan stated that she is concerned about Ms. Kramer's comments about how the changes will affect the Zoning Board of Appeal as she certainly does not want to tie their hands in allowing them to perform their duties. She said that because of the strong possibility of being fined, she will vote in favor of this proposed law with the understanding that amendments to it based on expressed concerns, such as Ms. Kramer's, will be addressed immediately.

A. Minutes of BOT Regular Meeting of March 22, 2010 (Including Public Hearings)

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Minutes of the Board of Trustees Regular Meeting of March 22, 2010 with the above change made by Trustee Ryan be and are hereby approved.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

3. AUDIT OF BILLS

Mayor Rosenblum had a question regarding a fee from Jackson Lewis under Contract Services. There are two charges; one for \$800 and the second for \$8000. He asked if this is part of the deductible being charged by the insurance company. Ms. Derrico stated that Jackson Lewis has a monthly retainer and also handles separate lawsuits. She will look into these charges and advise. Mayor Rosenblum also asked why the Village only uses the Journal News for posting legal notices when there are four official newspapers in the Village. He asked that if possible, the other newspapers be used for notices. Mr. Slingerland stated that a restriction might be that the Journal News is a daily newspaper and the others are weekly. The Mayor also asked why the Village pays separate cable bills for different buildings across the Village. Mr. Slingerland stated that Cablevision may have different rates of charge for different buildings.

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

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

General Fund	\$250,509.42
Capital Fund	31,181.21
Mamaroneck Health Center	32.81
Disability Insurance	1,096.20
Escrow Deposit	8,317.02
	<u>\$ 291,136.63</u>

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 Composting Site

This item was tabled.

5. NEW BUSINESS

- A. Resolution Authorizing the Award of Contract for Parking Citation Management Services

Mr. Slingerland reviewed the proposed agreement. Trustee Hofstetter asked if we have a projection on the net gain. Mr. Slingerland believes that any net gain will be from the efficiencies realized. Trustee Hofstetter also asked about the replacement of broken handheld devices. Mr. Slingerland will look into that and advise.

**RESOLUTION
AUTHORIZATION TO EXECUTE AN AGREEMENT WITH COMPLUS DATA
INNOVATIONS, INC. (COMPLUS) FOR PARKING CITATION MANAGEMENT
SERVICES**

WHEREAS, for approximately 15 years, the Village has utilized the Parking Citation Management Services of Law Enforcement Systems, Inc., (LES) of Long Island City, New York, to process parking tickets; and

WHEREAS, services provided through this contract include the data entry of hand written tickets, data collection, storage, and mailing of past due violation notices; and

WHEREAS, an item reviewed during the FY 2010/11 budget discussions among Village staff and the Board of Trustees was the current agreement for Parking Citation Management Services and whether additional cost savings or service improvements such as registering of scofflaws with the New York State Department of Motor Vehicles and the provision of handheld ticket writers could be achieved through the solicitation of proposals from qualified firms; and

WHEREAS, our current agreement with LES, executed in 2006, provided for a fee of thirty-six percent (36%) of all parking ticket revenues collected for violations outstanding in excess of sixty (60) days and had a three-year term that expired June 30, 2009 with two (2) additional one-year renewals which renew automatically unless the Village notified LES more than ninety days of in advance of the renewal date of its intent not to renew; and

WHEREAS, the Village provided such notice of its intent not to renew to LES in a letter dated March 4, 2010 and invited and encouraged their participation in a new RFP to be prepared by the Village; and

WHEREAS, Village staff prepared an RFP for Parking Citation Management Services which was reviewed by an internal staff committee with representatives from the Village Administration, Court & Police Department, said RFP finalized and released on March 11, 2010 with copies sent to five (5) firms that provide Parking Citation Management Services; and

WHEREAS, by the response deadline of Monday, April 5, 2010, two (2) responses were received from Complus Data Innovations (Complus) of Tarrytown, NY and T2 Systems (T2) of Indianapolis, IN; and

WHEREAS, in an e-mail dated March 16, 2010, a representative of LES stated they planned to respond and asked for an electronic copy of the RFP so that it could be incorporated into a response; and

WHEREAS, after reviewing the two responses, Staff recommends that Complus be identified as a preferred provider of Parking Citation Management Services and among the highlights of the Complus proposal are the following:

- A flat fee of 10.5% for both in-state and out-of-state tickets;
- Provision of five (5) handheld ticket writers;
- Unlimited free training for Village personnel;
- Registering of scofflaws with the New York State Department of Motor Vehicle's which results in the suspension of vehicle registrations.
- Upgrade all electronic handheld ticket writers at least every 36-months;

- Data entry of all manual tickets as part of the contract;
 - Compliance with 60-day implementation schedule;
 - Complus to pay for ticket stock for the handhelds for the life of the contract;
 - Complus to provide Village with PCs and Laser Printer;
 - Repair/replacement of malfunctioning handhelds within 24 hours;
 - Free migration of existing data;
- and

WHEREAS, the Complus proposal provides for a three-year term with annual renewals available thereafter at the same fixed pricing schedule;

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED that the Village Manager is hereby authorized to negotiate and execute an agreement between the Village of Mamaroneck and Complus Data Innovations, Inc., 560 White Plains Road, Tarrytown, NY 10591, for Parking Citation Management Services; and be it further

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

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

B. Resolution Authorizing a Budget Transfer to Fund Roof Repairs to old Hook & Ladder Building
 RESOLUTION AUTHORIZING BUDGET TRANSFER TO FUND ROOF REPAIRS TO
 HOOK AND LADDER FIREHOUSE

WHEREAS, the Hook & Ladder Firehouse needs major roof repairs, and

WHEREAS, the Village Manager is authorized to execute an agreement with K-Con Site Developers, Inc. to repair the roof, and

WHEREAS, the project is estimated to be completed at a cost not to exceed \$15,000, and

WHEREAS, funds for this project were not authorized in the 2009-10 Budget,

On motion of Trustee Santoro, seconded by Trustee Ybarra:

THEREFORE BE IT RESOLVED, in order to properly fund this item, the following budget transfer has been prepared for your approval.

<u>Transfer From</u>		<u>Transfer To</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
A.1990	\$15,000	A1620 Public Safety – Bldg	\$15,000
0999 Contingent Fees		0420 Bldg Maintenance	

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

C. Resolution Authorizing a Budget Amendment Recording Proceeds & Expenditures from a NYSARA Grant

RESOLUTION AUTHORIZING BUDGET AMENDMENT RECORDING PROCEEDS AND EXPENDITURES FROM A GRANT FROM NY STATE ARCHIVES AND RECORDS ADMINISTRATION (SARA)

WHEREAS, on January 11, 2010, the Village accepted funds from a NY SARA grant to implement and provide public access to Geographical Information Systems (GIS) information and data of the Village, and

WHEREAS, the same Resolution authorized the Village of Mamaroneck to enter into a contract with the NY GIS Group to complete the implementation of the Village's basic GIS system and GIS web portal.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the execution of the following budget amendment to record the transaction.

<u>Debit</u>		<u>Credit</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
A.5100 Estimated Revenue	\$14,600	A.3620. Safety Ins Bldg	\$14,600
A.0300.3060 NYS Rec. Mgmt		0421 Contract Services	

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- D. Resolution Granting Travel for Village Manager & Assistant Manager to Attend Annual Training Conference of the NYS City County Manager's Association

RESOLUTION
GRANTING TRAVEL AUTHORIZATION FOR THE VILLAGE MANAGER AND ASSISTANT VILLAGE MANAGER

WHEREAS, the New York State City County Management Association is hosting its 52nd Annual conference, scheduled this year to be held from Sunday, May 23rd to Wednesday, May 26th; and

WHEREAS the location of this event is The Statler Hotel in Ithaca, New York, on the Cornell University campus; and

WHEREAS, the Village Manager and Assistant Village Manager will attend the conference, which cost is estimated to be \$1,000.00 per person for meals, hotel and registration; and

WHEREAS, the estimated funds required for the conference are provided for in the 2009-2010 Village Manager's Budget.

On motion of Trustee Santoro, seconded by Trustee Ryan:

NOW THEREFORE BE IT RESOLVED that Village Manager Richard Slingerland and Assistant Village Manger Dan Sarnoff, are hereby authorized for overnight travel to attend the 52nd Annual NYSCMA Conference scheduled to be held from May 23 to May 26, 2010 in Ithaca, New York; and

BE IT FURTHER RESOLVED that expenses to attend this conference will be charged to the respective budget account as provided in the adopted budget.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Schedule Public Hearing on PLL L-2010 (Zoning Code & Subdivision Regulations), Declaration of Lead Agency and SEQRA Determination

Ms. Derrico submitted the following resolution to schedule a Public Hearing on 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.

On motion of Trustee Ybarra, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees pursuant to the State Environmental Quality Review Act declares itself Lead Agency for the proposed zoning code changes and that this matter has been determined to be a Type I Action and the Board of Trustees has reviewed a short/long form EAF and determined that there are no negative environmental impacts.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that a Public Hearing on Proposed Local Law L-2010 be and is hereby scheduled for April 26, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

F. Schedule Public Hearing on PLL M -2010 (Environmental Quality Review & Zoning), Declaration of Lead Agency & SEQRA Determination

Ms. Derrico submitted the following resolution to schedule a Public Hearing on Proposed Local Law M -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) of the Code of the Village of Mamaroneck.

Trustee Hofstetter has issue with getting changes to the resolutions the evening of the meeting. He would much prefer discussing any changes at a work session. He suggested that the Board table the scheduling of this Public Hearing to the next meeting. Mayor Rosenblum feels that this is not necessary as the proposed local laws are not yet posted on the website and the Board is simply scheduling a public hearing. He also stated that this has been discussed for months. Mr. Slingerland stated that having the proposed local law in its final form and posted on the website ten days before the public hearing is sufficient according to state law.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED that a Public Hearing on Proposed Local Law M -2010 be and is hereby scheduled for April 26, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees pursuant to the State Environmental Quality Review Act declares itself Lead Agency for the proposed zoning code changes and that this matter has been determined to be a Type I Action and the Board of Trustees has reviewed a short/long form EAF and determined that there are no negative environmental impacts.

Ayes: Ybarra, Ryan, Santoro, Rosenblum
Nays: Hofstetter

Trustee Hofstetter stated that he is voting no as this was not organized and he would prefer not to get changes to the agenda the day of the meeting.

G. Schedule Public Hearing on PLL N-2010 (Adding Section on Illegal Discharge Detection and Elimination for Sewers), Declaration of Lead Agency & SEQRA Determination

Ms. Derrico submitted the following resolution to schedule a Public Hearing on 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."

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that a Public Hearing on Proposed Local Law N-2010 be and is hereby scheduled for April 26, 2010.

BE IT FURTHER RESOLVED that the Board of Trustees declares 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/long form EAF and determined that there are no negative environmental impacts.

Ayes: Ybarra, Ryan, Santoro, Rosenblum
Nays: Hofstetter

Trustee Ryan requested a copy of the Notice of Intent from 2003, as she has never seen this document. She believes that it is important to know what requirements need to be fulfilled.

H. Resolution Authorizing the Contract with Southeast Consortium

**RESOLUTION
AUTHORIZATION FOR VILLAGE
MANAGER TO EXECUTE AGREEMENT WITH SOUTHEAST CONSORTIUM**

WHEREAS, the South East Consortium for Special Services, Inc. is a voluntary not-for-profit corporation whose sole purpose is to provide therapeutic recreation services to Westchester County youth and adults with physical, developmental, learning and emotional disabilities; and

WHEREAS, the Consortium provides these services through an inter-municipal agreement with the member municipalities of the City of Rye, Towns of Eastchester, Pelham and Mamaroneck, the Town/Villages of Harrison and Scarsdale, and the Villages of Bronxville, Mamaroneck, Port Chester, Rye Brook and Tuckahoe; and

WHEREAS, the Village of Mamaroneck's contribution to the Consortium for calendar year 2010 is \$6,419 which is a 3% increase over last years fee and is based on a percentage of the total cost of the program; and

WHEREAS, the Village's longstanding relationship with the South East Consortium has been extremely beneficial and provides a specialized service at a reasonable cost which would be difficult to duplicate.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

RESOLVED, that the Village Manager is hereby authorized to execute a renewal agreement for calendar year 2010, on behalf of the Village of Mamaroneck, with South East Consortium for Special Services, Inc. to provide special recreation programs for disabled individuals in Mamaroneck.

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

I. Resolution Authorizing Street Closures for Annual Memorial Day Parade

**RESOLUTION
AUTHORIZING THE CLOSURE OF MAMARONECK AVENUE AND LIBRARY LANE FOR
MEMORIAL DAY PARADE**

WHEREAS, Mamaroneck Post 90 of the American Legion is preparing for the Annual Memorial Day Parade to be held in the Village on Sunday, May 30th, 2010; and

WHEREAS, the parade is dedicated to those who have given their lives in service to our country and those currently serving in the armed forces in Iraq, Afghanistan and throughout the world; and

WHEREAS, Post 90 has requested that commencing at 4:15 pm, Mamaroneck Avenue be closed to vehicular traffic between the Mamaroneck Avenue School and Prospect Avenue which will also include the closure of Library Lane; and

WHEREAS, the parade will end at the Honor roll across the street from the American Legion building at which time a memorial service will be held.

On motion of Trustee Ybarra, seconded by Trustee Hofstetter:

NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby approves the closure of Mamaroneck Avenue from the Mamaroneck Avenue School to Prospect Avenue and Library Lane for the parade and service scheduled for Sunday, May 30th 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

J. Resolution Authorizing Braking the Cycle Ride to come through the Village on September 26, 2010

**RESOLUTION
AUTHORIZING THE PARTICIPANTS OF BRAKING THE CYCLE TO TRAVEL THROUGH
VILLAGE STREETS**

WHEREAS, the Village of Mamaroneck has received a request from the organizers of Braking the Cycle for permission to travel through Village streets on Sunday, September 26th, 2010; and

WHEREAS, Braking the Cycle is a three-day ride to benefit the HIV/AIDS services of New York's LGBT Center; and

WHEREAS, Braking the Cycle is a fully supported ride with participants of all ages riding bicycles side by side; and

WHEREAS, an estimated 120 participants of Braking the Cycle will be traveling through Village streets between the hours of 10:00 am and 12:45 pm; and

WHEREAS, Braking the Cycle does not need any roads or lanes closed during this event.

On motion of Trustee Ryan, Seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck supports and approves Braking the Cycle's event scheduled to take place through Village streets on Sunday, September 26th, 2010.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

K. Resolution Authorizing the Grant Contract with the NYS Energy Research Development Agency

**RESOLUTION
AUTHORIZING GRANT CONTRACT WITH THE NYS ENERGY RESERARCH
DEVELOPMENT AGENCY**

WHEREAS, the Village of Mamaroneck applied for a grant from New York State Energy Research and Development Authority (NYSERDA), for new LED traffic light installation; and

WHEREAS, the Village has been awarded a grant from NYSEDA in the amount of \$39,746.00; and

WHEREAS, NYSEDA requires the Village to enter into agreement in order to utilize the funds from the State Energy Program.

On motion of Trustee Ryan, seconded by Trustee Ybarra:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Manager to enter into agreement with NYSEDA after the review and approval of said agreement by the Village Attorney.

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

L. Resolutions Authorizing Vehicle & Traffic Regulation Code Changes

1. Stop Sign in both directions a Lester Ave. at Intersection of Nostrand

WHEREAS, on January 13, 2010, the Traffic Commission recommended the following amendments to Chapter 326 (Vehicle & Traffic), Section 76 (Schedule IX-Stop Intersections) of the Code of the Village of Mamaroneck to the Mayor and Board of Trustees; and

WHEREAS, the matter was discussed by the Board of Trustees at its work session on April 5, 2010;

On motion of Trustee Santoro, seconded by Trustee Ryan:

THEREFORE BE IT RESOLVED that the following amendments to Section 76 of Chapter 326 (Vehicles & Traffic), which was adopted by the Board of Traffic Commissioners at its meeting of January 13, 2010, be and are hereby approved:

SECTION 76 STOP INTERSECTIONS

By adding to Chapter 326, Section 76, Schedule IX:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Lester Avenue	Northeast Corner	At Nostrand Avenue
Lester Avenue	Southwest Corner	At Nostrand Avenue

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

2. No Parking Here to Corner sign on Lester Ave. East Side

WHEREAS, on September 9, 2009, the Traffic Commission recommended the following amendment to Chapter 326 (Vehicle & Traffic), Section 86 (Schedule XIX-No Stopping) of the Code of the Village of Mamaroneck to the Mayor and Board of Trustees; and

WHEREAS, the matter was discussed by the Board of Trustees at its work session on April 5, 2010;

On motion of Trustee Santoro, seconded by Trustee Ryan:

THEREFORE BE IT RESOLVED that the following amendment to Section 86 of Chapter 326 (Vehicles & Traffic), which was adopted by the Board of Traffic Commissioners at its meeting of September 9, 2009, be and is hereby approved:

SECTION 76 NO STOPPING

By adding to Chapter 326, Section 86, Schedule XIX:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Lester Avenue	East	From Nostrand Avenue to a point 34 feet South thereof

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

3. Handicapped Parking Spaces on Mamaroneck Avenue by Palmer Avenue, on both sides of Spencer Place and by Prospect Avenue

WHEREAS, the matter of additional handicapped parking spaces on Mamaroneck Avenue was discussed by the Board of Trustees at its work session on April 5, 2010;

On motion of Trustee Santoro, seconded by Trustee Ryan:

THEREFORE BE IT RESOLVED that the following amendment to Section 82 of Chapter 326 (Vehicles & Traffic), be and are hereby approved:

SECTION 82 HANDICAPPED PARKING – ON STREET

By adding to Chapter 326, Section 82, Schedule XV:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Mamaroneck Avenue	Northwest	Corner of Palmer Avenue
Mamaroneck Avenue	Northeast & Southeast	Corner of Spencer
Mamaroneck Avenue	Northeast	Corner of Prospect

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

M. Resolution Authorizing Tax Certiorari on 106-112 Spruce Street

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER 106-112 SPRUCE STREET REALITY LLC. FOR PROPERTY LOCATED AT 108-112 SPRUCE STREET

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 \$2,540 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 Hofstetter, seconded by Trustee Ryan:

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>
106-112 SPRUCE STREET REALTY LLC.	108-112 SPRUCE STREET	2009-2010

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>Amount of Reduction</u>
2009	\$18,600	\$9,600	\$9,000
2010	\$18,600	\$9,600	\$9,000

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

N. Resolution Honoring Arbor Day

**RESOLUTION
ARBOR DAY 2010
IN THE VILLAGE OF MAMARONECK, NY**

WHEREAS, the Mayor and Board of Trustees would like to express our best and warmest wishes in celebration of National Arbor Day which is celebrated nationally on the last Friday in April – April 30, 2010 and reflect upon the importance of trees to the Village of Mamaroneck; and

WHEREAS, the Village of Mamaroneck will be planning to plant a tree on our scheduled Village-wide community and river clean-up, scheduled for Saturday, May 22, 2010; and

WHEREAS, trees have for centuries been an important part of the look and feel of the Village of Mamaroneck. They are a symbol of our responsibility and commitment to our environment and to our

future. And, it is the Village of Mamaroneck's desire to continue our participation in the National Arbor Day Foundation's Tree City USA program.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

BE IT RESOLVED, that in recognition of the Village of Mamaroneck's past and future commitments to the care and replacement of trees due to the environmental, economic and cultural value to Mamaroneck, it is our honor and privilege to recognize Friday, April 30, 2010, as Arbor Day throughout the Village of Mamaroneck, NY.

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

Mayor Rosenblum stated that he will be donating the tree.

6. **REPORT FROM VILLAGE MANAGER**

A. Communication on 2006 IMA w/Westchester County for Sanitary Sewer Investigation & Rehabilitation

Mr. Slingerland stated that the Village entered into an IMA with the county in 2006 under which the Village had to file quarterly reports and provide the county with updates on removal of inflow and infiltration, which the Village has been working on, but unfortunately not reporting on. The Village will supply a detailed report to the county. Mr. Slingerland thanked Mrs. Lowey's office for monies which will be used to reline a mile or more of sanitary sewer pipe to keep the I&I out.

B. Communication on FY 2010 Unified Hazard Mitigation Assistance Program Pre-Disaster Grant

Mr. Slingerland reported that one of our grant applications for upgrading our flood plan to an all hazards plan has been picked to move forward.

C. Communication on Cablevision's HD Channel Line-Up Changes

Mr. Slingerland read this correspondence.

D. File for Record – Agreement w/The High Road for 2010 Harbor Fest Consulting Services

A copy of this agreement was filed for the record with the Clerk-Treasurer's Office.

E. Communication on Program Change to Verizon FIOS TV

Mr. Slingerland read this correspondence.

F. File for Record – DEC Notice of Violation

Mr. Slingerland reported that the Village received a notice of violation from the DEC for an audit of the Village's municipal separate storm sewer system program. The violations are subject to fines of up to \$37,500/day/violation. This was received on March 30 and the Manager submitted a response. What they noted at their audit was that the Village was doing the work, but not reporting on it. Mr.

Slingerland reported on what was sent to the DEC with his response letter. Mr. Slingerland has requested a follow up meeting with the State to insure that all issues have been addressed.

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that he and the Mayor have been in contact with the county to follow up on the stream cleaning permit; which was submitted to the county last fall. Keith Furey is working with them as well so that the Village can get the permit and begin the cleaning. Mayor Rosenblum stated that the Village was extremely lucky in the past month with the big storms that we have had. Mayor Rosenblum stated that he is tired of talking about flooding, and doing nothing. He believes that the Village has to raise the funds or bond the funds so that we are able to complete projects such as the Winfield Avenue Bridge, Jefferson Avenue Bridge and removing the Road to Nowhere, as well as cleaning out silt in the streams and rivers.

Trustee Ryan agrees with the Mayor; however, there are processes that have to be gone through. It takes time and the Village needs permission to do what we can. It has taken since 2007 to get permission, although we are still waiting for the county, to do these projects. Mayor Rosenblum stated that the Village should have applied for funding from the county; however, it was not done because there was a position taken that we cannot do anything until the Army Corps study is done. Mayor Rosenblum stated that the Army Corps and DEC gave the Village permission to remove the Road to Nowhere. Mr. Slingerland stated that his office received notification that the money received from Mrs. Lowey's office can be used for the Road to Nowhere project. Mr. Slingerland is hoping to meet with the county executive in a couple of weeks to show him the problems and projected projects. Mr. Slingerland also stated that the Village staff is being proactive, instead of reactive to potential flooding. Mr. Slingerland reminded all that the kick off meeting for the signing of the agreement with the state, county and federal government will be Monday, May 3. There will be a kick off meeting with the Army Corps sometime in June.

8. REPORT FROM CLERK-TREASURER

A. Publication of Adoption of Annual Assessment Role

Mr. Fusco stated that the Public Notice on the adoption of the Village of Mamaroneck Annual Assessment Role was published on April 1, 2010,

B. Notification of 520 Tax Exemption Levies

Mr. Fusco notified the Board that correspondence was sent to seven residents informing them of lost tax exemptions.

9. REPORT FROM VILLAGE ATTORNEY

Ms. Derrico stated that she discussed with the Village Manager setting up a stormwater law review committee. This will be noticed to the Board and public, so that if anyone would like to participate, they may do so. Trustee Ryan stated that as LISWIC has done a lot of work on this and it may be helpful to have someone from that organization join the discussion.

10. REPORT FROM POLICE CHIEF

None

II. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Board of Ethics – February 3, 2010

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that the February 3, 2010 minutes of Board of Ethics be and are hereby approved:

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

B. Board of Ethics – February 28, 2010

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the February 28, 2010 minutes of Board of Ethics be and are hereby approved:

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

C. Planning Board – February 10, 2010

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the February 10, 2010 minutes of the Planning Board be and are hereby approved:

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

D. Zoning Board of Appeals – February 4, 2010

On motion of Trustee Hofstetter, seconded by Trustee Santoro:

RESOLVED that the February 4, 2010 minutes of the Committee for the Environment be and are hereby approved.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Updates from the Board

Mayor Rosenblum stated that he has received many complaints about the taxi drivers in the Village of Mamaroneck and that a public hearing on this issue will be held and potential changes may be made.

Trustee Ryan reported that the Committee for the Environment is going to be part of a Tri-Municipal Sustainability Expo at the Hommock Middle School on April 24th. The Committee is looking for volunteers to work that day. Anyone interested can email the Chair of the Committee, Elsa

Puerto Rubin. They are also looking for groups or organizations looking to sponsor an event and also organizations who could forward on flyers. These groups can also contact Ms. Puerto Rubin.

On April 25, at 4 p.m., the Council of the Arts in partnership with the Emelin Theatre is sponsoring the event "Poetry Live". This is an event for middle and high school students who will be presenting original poetry. Trustee Ryan reported on the Arts Westchester luncheon held on April 9th, where our poet laureate, Mary Louise Cox, was honored with an award.

Trustee Hofstetter reported that the League of Women Voters will be honoring George Latimer at their annual luncheon on April 30th at the Davenport Club. Anyone interested in attending can contact the League of Women Voters.

Trustee Hofstetter attended the Mamaroneck Avenue School International Fair. There was a great turnout; however, there was some disturbing vandalism done to the playground that the police are aware of. He asked that if anyone sees anything going on there, to please contact the police department. Trustee Hofstetter congratulated the new Mayor of Larchmont and the Trustees and wished them well.

Trustee Santoro reminded all of the fundraiser being held on Friday evening, April 16th at the Hommocks Ice Rink. It will be the first annual "Fire on Ice" event, which is a hockey game between the Village of Mamaroneck and Town of Mamaroneck fire fighters. The event is being held to help the family of a resident of Larchmont, who died suddenly, leaving behind a wife and four children. He asked all to attend if they can. Trustee Santoro thanked the Village staff, police and fire departments for all of their work during the past storms. Trustee Santoro also thanked the staff and department heads for their work done on the budget.

Mayor Rosenblum received a thank you from Josh Mandell, the new Mayor of the Village of Larchmont, which he filed for the record. He also received a letter from Andrew Spatz expressing their appreciation and gratitude to the Village of Mamaroneck for their diligent work and dedication during the severe weather. Again Mr. Rosenblum thanked Mr. Slingerland and Mr. Fusco for their work on the budget. He also congratulated the Mamaroneck Avenue School and the Rye Neck School for their fairs this past weekend and thanked all who volunteered for the event.

On motion of Trustee Ybarra, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Execute Session to discuss ongoing litigation and matters leading to the potential employment of a particular individual(s).

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

ADJOURNMENT

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

PREPARED BY:
SALLY J. ROBERTS,
SECRETARY

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