

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MAMARONECK HELD ON WEDNESDAY, MAY 25, 2011 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 Sid Albert
	Village Manager	Richard Slingerland
	Village Attorney	Michael McDermott
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	None	

**POLICE OFFICER RECOGNITION**

Mayor Rosenblum, Chief Leahy and Lt. Falcone recognized the following Police Officers:

Sgt. Steven Cora for his retirement in March, 2011. Unfortunately, Sgt. Cora passed away recently; although Chief Leahy was able to present this recognition to him before he died. Mayor Rosenblum asked for a moment of silence to honor Sgt. Cora. The Mayor remembered Sgt. Cora and his expertise in the IT area.

Detective David Casterella for his retirement in May, 2011. Chief Leahy thanked Detective Casterella for his many years of good service to the Village and wished him well in his retirement.

Officer Patrick Tunno and Officer Michael Petrillo for their recognition from Westchester County for their DWI arrest made on April 7, 2011. They have been recognized by the Director of the Westchester County Office of Drug Prevention and STOP-DWI, Vito J. Pinto for the outstanding job they do in enforcing NYS DWI laws and keeping the streets safe here in our community.

Officer Patrick Tunno was awarded a First Place plaque and Officer Michael Petrillo was awarded a Second Place plaque.

Mayor Rosenblum commended the entire police force on their handling of the recent lock down in Mamaroneck, which came to a reasonable conclusion.

Ms. Randi Robinowitz of Lawn Terrace and former Village Trustee appeared to acknowledge Sgt. Cora. She and he were good friends and she could not let this opportunity go by without honoring him.

#### **AWARD FROM NYS RECREATION & PARKS FOR TREE LIGHTING SOCIAL**

Trustee Santoro presented to Rosanne Saracino the Award from the New York State Recreation and Parks Society for Exceptional Program Award for the Tree Lighting Social 2010. Ms. Saracino, Recreation Superintendent thanked Trustee Santoro and all who were involved with this event. There were over 700 attendees up from the 89 when this began five years ago. Ms. Saracino recognized those in the audience who help make this event possible.

#### **WFAS OUTDOOR MOVIE PRESENTATION'**

Mr. Andrew Castellano from WFAS Radio appeared regarding an event being held at Harbor Island Park after the Harborfest on June 5, 2011. There will be music beginning after the Harborfest ends at 6 p.m. and the movie "Despicable Me" will be shown on a nine-hundred square foot screen at dark.

#### **MAYOR'S REPORT – THIS IS MAMARONECK – GO GREEN DRY CLEANERS**

Representatives from Go Green Dry Cleaners did attend the meeting.

#### **MAYOR'S REPORT – PARKING**

Mayor Rosenblum stated that this is an extension of a subject raised a few times, parking in the Village of Mamaroneck. This is an initial presentation to show one option available to the Village.

Mr. Don Mazin, attorney and resident of Larchmont appeared. He believes that parking is an issue on the Avenue, as he and his wife have tried to avail themselves to the fine dining choices in the Village. Mr. Mazin represents the developer/builder of an automated garage product. He met with the Mayor and Village Manager to discuss this system. Mr. Mazin outlined the benefits of an automated garage, which offers more parking spaces than a traditional garage. As there are no individuals entering the garage, there is less chance of theft, insurance premiums are lower and as the cars are not driven in or out, there are fewer emissions. Cars are dropped off and picked up at the same location. There will be no ramps, no walkways, no lighting or ventilation, nor handicapped spaces needed. Mr. Harry Seymour appeared. Mr. Seymour is the builder and he

further outlined the advantages of automated parking. Mr. Yair Goldberg of Unitronics appeared. Unitronics is the manufacture of the automated parking system, which offers a valet parking system, without the valet. The motorist drives in, shuts the car off, locks the car, activates the system and leaves. They have been manufacturing and installing automated systems since the 1960s. An electronic mechanical system lifts the car, puts it into a spot and retrieves it when you return. These facilities are much smaller than traditional garages, as there are no ramps, no turning radius to be considered and cars are parked door to door, bumper to bumper and there is no head room needed and take up approximately 1/3 of the space. These facilities are very safe and secure as the cars are moved and stored automatically. There was a study by an independent environmental engineer and compared to a conventional parking lot, there is an 80% reduction in car emissions. The cost of the system is similar to conventional ramp system and is manufactured in the United States. The operational costs are advantageous, as there is no need for lighting or ventilation and insurance costs are lower. Mr. Goldberg gave a brief history of Unitronics.

Mayor Rosenblum asked that they address the possibility of consolidating the Village offices into a 10,000 square foot office space which would be underneath the parking facility. Mr. Mazin stated that they had discussed two possible sites with the Village; one at Spencer and one on Philips Park Road. Trustee Hofstetter asked Mr. Mazin who specifically he discussed this with. Mayor Rosenblum stated that he requested that this presentation be made. Trustee Hofstetter clarified that this discussion was not held with the Board and it could have been discussed with the Board prior to this meeting. Mayor Rosenblum stated that this is an initial presentation for public input. Mr. Mazin stated that he went to the Mayor and Village Manager with what he sees as a problem and potential solution to this problem. At that point, the Mayor suggested that they appear before the Board and public. The moving of Village offices into one of these garages was discussed.

Trustee Hofstetter does not understand how these structures can help the problem, as there is parking available in the Spencer and Philips Park lots now. He believes that the problem is drivers want to park right in front of the store they will be shopping in or the restaurant they will be eating in. Mr. Seymour stated that there are two facilities proposed; the one on Spencer will house approximately 200 cars and a 10,000 square foot area for retail or office space. The cost of this facility will be approximately \$6 million. The cost to the Village would be nothing, as they would not own the facility, it would be owned by the builder. The income from the garage will cover the maintenance and the bond payback. There would additional revenue generated from this garage, in which the Village would get 20% net on proceeds. On Philips Park Road, the proposed garage would hold 220 cars replacing the 85 existing parking spaces. The footprint on Spencer would be 100 x 20 and approximately 29 feet high. The facility on Philips would be 80 x 100 and approximately 45 feet high.

Mayor Rosenblum stated that he received communications from residents; one from Leon Potok and one from Bob Galvin. Mayor Rosenblum read these communications for the record and they are filed for the record with the Clerk-Treasurer's office.

Trustee Hofstetter stated that residents did not know that this was going to be on the meeting agenda tonight and this is not fair to the public. As the LWRP meeting is also being held tonight, this may have precluded residents from attending.

Mr. Andrew Spatz of Halstead Avenue appeared. Mr. Spatz owns property in the Village and read from a letter prepared by Martin Spatz dated May 2011, that was sent to the Board in reference to parking on Waverly Avenue, suggesting the installation of meters, to prevent property owners from using this road and Ogden Avenue as an extension of their property for parking. A copy of this letter has been made part of the record. A copy of this letter was also sent to the Traffic Commission.

Ms. Elizabeth Sanger of Hall Street appeared. She is not sure what the right way to handle the parking problem is; however, she believes that we need to slow down. She feels that the recent handling of Village issues with this administration has been done by government by surprise. Alternatives need to be looked at and more public input is needed.

Mr. Doug Dunaway of Staub Avenue appeared regarding the Village performing due diligence before moving ahead with any parking solution. He was on the original committee who performed a traffic study for the Village. He asked if a parking study has been done, i.e. how many spaces do we currently have, and how many do we need? At what times of day and what day of the week? Mr. Dunaway looked at the available spaces this evening and there were many spaces available. Mr. Dunaway agrees with Trustee Hofstetter that drivers want to park on the Avenue, they do not want to park in a lot off of Mamaroneck Avenue. He believes that this Board should not make any move until they have all of the information needed to make this determination. He also believes that it is the people who live and work on the Avenue who take many of the spaces. Mr. Dunaway is concerned with the residents who live around the Village and what a new parking structure will do to their property values. An independent consultant needs to be hired and committee formed to study the parking issue.

Mr. Carraca of Staub Court appeared. He believes that the Board needs to consider the people who live in the block behind the Spencer lot. There are approximately 30 families involved and the Board should make sure that they are all happy.

Ms. Nancy Wasserman of Raleigh Road appeared. She agrees with some of what Mr. Dunaway said and that we do need our facts before moving forward. She was appearing to address a newspaper article she read today regarding their being hundreds of empty spaces available at eleven thirty at night. She stated that there are 209 metered spaces in the Village parking lots, the rest are by permit parking only. She agrees that there are not enough spaces and a study should be done, but she would like to see it done quickly. In any event, she does not agree that it was a fair statement to say that there were hundreds of spots available at eleven thirty at night, when college was in session, or perhaps it was a rainy night. Trustee Hofstetter stated that it was he that made that statement in the newspaper and his point was that the Village needs to improve the way that we use the parking spaces we already had. Because there were so many empty spots in the Hunter lot that night, whether they are metered or permit spots, they are still being underutilized by people who want to shop on Mamaroneck Avenue.

Mr. Sanger of Hall Street appeared. He also believes that there should be an independent expert looking at this parking structure. He stated that people may feel uncomfortable using this structure and/or there could be a backup getting into the structure if many people are trying to use at once.

Mr. Lee Wexler of Munro Avenue appeared. Mr. Wexler is a member of the Planning Board. He stated that he is pleased that the Mayor initiated this process. He believes the high tech garage is exciting; however, he feels it a shame that this has not had more public input. He hopes that this process can begin now. He recommends that the Board and public look at the 2008 Comprehensive Plan Update, in which parking was a big part. Unfortunately, the Board has never adopted this plan. The entire committee spent a great deal of time on this chapter and he asked that this effort not go to waste, as the plan was only done a few years ago. He highlighted some of the key points of the study which could be done more quickly and cheaply than investing in a \$6 million parking structure. One is to raise the cost of parking on the Avenue. Best practices in parking management states that the price should be raised to the point where you have 85% vacancy. He also feels that the hours should be extended after 6 p.m. Congestion pricing could also be considered. Traffic also needs to be considered, as this is also a problem and how cars would get to a new structure needs to be addressed. Mr. Wexler believes that on street parking is the best parking for our Village. We need to make better use of the lots that we already have in the Village.

Mayor Rosenblum stated that this is only an initial presentation to have people discuss the parking situation in the Village. There is no rush to a decision, only a rush to get information to the residents and begin a discussion. Mr. Wexler again stated that he appreciates that this is being discussed, but that the Village volunteers need to be involved from the beginning of the process.

Trustee Hofstetter asked Mr. Seymour to send the information and the numbers he was quoting to the Board.

Mr. Steven Josephson, owner of the Toy Box and president of the Chamber of Commerce appeared on behalf of the merchants. They are in favor of a parking alternative. He believes that one reason why people come to the Village to shop and eat is that in the evenings, they do not have to worry about feeding the meter. He also believes that people would pay more to park somewhere where they did not have to worry about putting money in a meter.

Mr. John Manaselus appeared. He agrees that Mamaroneck is a very hot place to visit. The fact that there are no parking spaces means that the businesses are doing well; however, it may discourage people if they cannot find a space. He feels that giving merchants a highly discounted rate to park in one of the lot would help the situation. Better signage to the lots also needs to be done.

Mr. Spatz suggests getting input from our police department who enforce the parking day in and day out.

Mr. Al Tocman of Rose Lane appeared. Mr. Tocman was a past president of the Chamber of Commerce. He does not even look at the Avenue for parking. He looks in the lots, and does not find parking spaces available early in the evening.

Trustee Ryan stated that it was interesting to hear about this parking structure. She learned that this issue was going to be discussed tonight by an email blast from the Chamber. Trustee Ryan believes that we have not even scratched the surface of what the Village needs and it is the job of the Board to get the information needed and at that point, potential solutions can be brought to the residents. She would have preferred to learn about this automated garage at a work session with the other members of the Board before bringing it to the public. In the future, she would like to see other alternatives brought to a work session before being brought to the residents. She agrees with Mr. Wexler that feet on the street is a good thing and

finding ways to utilize the existing lots so that people walk past stores and restaurants that they might not normally walk by is a positive.

Mr. Mazin stated that they were asked to attend this meeting so that this alternative could be brought to the public. He also stated that with this solution, the issue of being plowed in during snow events does not exist. The main benefit is that this is a green system; having less emissions and also the possible state benefits that could be acquired.

Mayor Rosenblum reiterated that this is just an initial stage in this process, in which there are six steps to this process; getting organized, gathering data, analyzing demand, increasing effectiveness of existing parking, planning and developing new parking facilities, promoting the parking program and managing the parking system.

Trustee Hofstetter addressed the process, as he is troubled with the manner in which he found out that this was going to be discussed this evening. The first step is to determine if the Village needs additional parking or if we just need to find a way to better utilize the existing parking. The issue that he has is that if you go through the Hunter lot, you see cars that are gathering dust. This lot is being used as storage for some individuals.

Trustee Albert, being a former store owner on Mamaroneck Avenue forty years ago stated that there was a parking problem then and there is a parking problem now. We should utilize the volunteers in the Village who are willing and able to gather information and present solutions, as many residents did here this evening. He doesn't envision automated parking as the way to go.

## I. COMMUNICATIONS TO THE BOARD

Mr. Peter Gross of Stiles Avenue appeared regarding a license agreement that he has been trying to acquire to put up a fence beyond their property line. When he met with the Building Department he was told that it is a very simple agreement. He has been patiently waiting. Although he has been getting regular updates from Ann Powers in the Attorney's office and Dan Sarnoff in the Manager's office, it is beginning to get frustrating as when his application was submitted to the Board in April it was taken as an opportunity to revisit the entire license agreement template to make it better. He respects the Board for wanting to be proactive; however, the longer they take to put together and approving this new template, the longer his family is delayed in putting in their fence. Mr. Gross requested that in the interim, while the new agreement is being established, that he sign the existing agreement that has served the community for many years with the

stipulation that once the new agreement is put in place, he will have thirty days to agree to the new agreement. They live on a busy street and with two dogs and a young child they love spending time in their front yard. They realize how busy Rushmore Avenue is especially in the summer and a white picket fence on the corner will help establish that this is a family neighborhood and drivers would be more cautious. He looks forward to hearing something positive from Mr. Slingerland in the very near future.

Mayor Rosenblum thanked Mr. Gross and introduced the new Village Attorney, Michael McDermott. Mayor Rosenblum stated that this is under review and someone would be getting back to him.

Mr. Stuart Tiekert of Beach Avenue appeared to speak about the minutes as he was not allowed to comment on them at the last meeting. Most of these meetings, which have been resubmitted, hinge on the accuracy of the Work Session minutes of April 4, in which he was in attendance. He has seen a copy of the resubmitted minutes. At the time he brought up the inconsistency of these minutes, the Board asked that he submit his comments, which he has done. He believes the resubmitted minutes are worse as it frankly stated things that never happened. He thinks that the Board should be very concerned to accept minutes that accurately reflect what happened at a meeting.

## 2. APPROVAL OF MINUTES

Mayor Rosenblum stated that Mr. Tiekert's comments were taken into consideration along with other comments from attendees of the meetings. What was disseminated to the Board is a fair reflection of what happened at this Work Session. Mr. Slingerland stated that the minutes were reviewed again this past weekend and there are changes that need to be made; therefore, he is asking that the approval of the April 4 Work Session minutes and April 11 and April 25, 2011 Regular Meeting minutes be tabled to the next meeting. Mr. Slingerland did ask that the Board approve the May 9, 2011 as they need to be submitted with the CDBG grant applications. Mr. Tiekert stated that there are inaccuracies with the May 9 minutes as they state that he approached the Board to comment on the minutes and then says nothing. He would like it noted that he was denied the opportunity to speak by the Mayor.

Trustee Santoro also had an addition to resolution 5G on pages 21 and 22. He stated that it should read that he motioned to have the raise for the General Foreman of \$15,000 be a separate resolution. This will be amended. Trustee Ryan had a correction to 5L on page 26. It should read that the entire board received and reviewed resumes for the Village Attorney position, not just she and the Mayor. On page 27, when the Board discussed the appointment of the Village Attorney, she asked that the following statement be added: Trustee



Ryan stated that he was not her first choice, however it was in the best interest of the community to get an attorney and the degrees of differences between the candidates was not that dramatic to her and she wanted to depoliticize the whole process. Trustee Ryan believes that Mr. Tiekert's addition should be considered as well.

Trustee Hofstetter had an addition to the last paragraph on page 12. After Ms. Roney spoke, the Board agreed to have another LWRP charrette, although no date was set. Under 5B on page 16, Trustee Hofstetter believes that he asked for the statement that the work to be done will be at a cost not to exceed \$35,000 be added to the resolution. Ms. Roberts confirmed that in watching the DVD, he requested that statement be added to the Intermunicipal Agreement, not the resolution. On Page 17, in 5C Trustee Hofstetter would like the number of empty spots in each of the lots enumerated as he stated during the meeting. He would also like the statement "because of the history of lawsuits and inability of the Village to manage large projects" added to the sentence that the last thing in the world that the Village needs to be involved in is a large construction project. Two sentences later, he would like the amount that the parking revenue dropped noted. He believes that it went from approximately \$700,000 a year including permit parking and meter revenue to \$400,000 and change. Mr. Slingerland stated, that although not brought up at the meeting, Mr. Fusco has confirmed that many of the drops are due to the reclassification of revenue. Mr. Fusco explained that in order to get a better gauge of how much revenue is being taken in at the Harbor, these accounts were broken out. The revenue overall did go down, but by how much, Mr. Fusco would have to analyze.

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that the Minutes of the Board of Trustees Regular Meeting of May 9, 2011 with the above noted changes and or additions be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

### 3. AUDIT OF BILLS

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated May 25, 2011, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$	206,827.63
Capital Fund		1,200.00
Expendable Trust		3,160.00
Agency Fund		<u>870.50</u>
	\$	211,995.13

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

#### 4. OLD BUSINESS

The following list of tabled items was reviewed by the Board of Trustees:

- PUBLIC HEARING ON PLL F-2011 (AMENDING ZONING MAP TO CORRECT ERRORS)  
This was adjourned as the law is being amended and will have to be re-noticed.
- PUBLIC HEARING ON PLL G-2011 (AMENDING CHAPTER 342 RELATING TO NON-CONFORMING DRIVE UP SERVICE WINDOWS IN THE C-1 DISTRICT)  
This was adjourned as the law is being amended and will have to be re-noticed.
- PLL R-2010 (Zoning-Patios)  
This was adjourned as the law is being amended and will have to be re-noticed.
- Snow and Ice Law  
This was adjourned as the law is being amended and will have to be re-noticed.
- Presentation by Red Oak Consulting  
Mr. Slingerland stated that this was done in work session. Trustee Hofstetter suggested a recommendation and implementation session at a work session. Mr. Slingerland suggested accepting the report as complete and the next step would be recommendations to policy. Trustee Hofstetter asked Mr. Slingerland to come up with recommendations and have it on the next work session agenda.
- License Agreement for 607 Stiles Avenue  
Establishing the value of a property to determine a fee is being reviewed by the Board of Trustees. Trustee Santoro asked for a list of properties in the Village that have license agreements. The Board agreed that all license agreements should be billed using the same formula.
- Discussion of the Board of Trustees to expand the LWRP Ad Hoc Update Committee to Include Six New Members  
Trustee Ryan stated that she sent an email to the Board members with the Committee for the Environment's request to have one of their members on this committee as there are environmental issues. Trustee Ryan respectfully requested the addition of a CFTE member. The Mayor suggested that this be put on the next work session and regular meeting agendas.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Public Hearings on PLL F-2011, PLL G-2011, PLL R-2010 and the Snow and Ice Law be and are hereby adjourned.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the study done by Red Oak Consulting be and is hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

5. NEW BUSINESS

A. Declaration of Intent by Board of Trustees to act as Lead Agency under SEQRA for LWRP Update

Mr. Slingerland stated that the resolution was changed this evening after consult with the Village's land use attorney, Mr. Steinman. The correct resolution follows. Ms. Susan Favate, of BFJ Consulting, the Village's Planner appeared. Under the SEQRA regulations, the Lead Agency should start the process as soon as practical. Ms. Favate handed out copies of the SEQRA timeline. After the 30 day notification period ends, the Board would be declared Lead Agency and BFJ would begin work on the Part II EAF, in coordination with the Village Manager. Later this summer, the Board would be in a position to make a SEQRA determination. Ms. Favate stated that there were some corrections to the EAF, the main one being the title of the action, including the word Update in the title, as suggested by Trustee Ryan. Trustee Hofstetter asked if the EAF should be in its final form before they declare intent to be Lead Agency. Ms. Favate stated that it does not need to be in its final form at that time; as the applications may go through several iterations. You only have to have a fairly significant draft, which she believes we have and is sufficient to start the SEQRA process. There will be time to review the document. The next steps were discussed. They include a meeting tomorrow and a charrette on June 11 at 10 a.m.

**RESOLUTION RE: DECLARING BOARD OF TRUSTEES INTENT TO ACT AS LEAD AGENCY  
FOR THE UPDATE OF THE VILLAGE OF MAMARONECK LOCAL WATERFRONT  
REVITALIZATION PROGRAM**

WHEREAS, the Village on Mamaroneck was the first municipality in New York State to adopt a Local Waterfront Revitalization Program (LWRP) in 1984, and the Village is desirous of updating our LWRP.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that after careful examination the Village Board determines that such project is a Type I Action pursuant to 6 NYCRR 617.4(b)(1) and further determines that there is an Involved

Agency – the New York State Department of State – and several Interested Agencies in this matter, which will receive copies of this notice as part of the notification process.

AND BE IT FURTHER RESOLVED, that the Village Board hereby indicates its intent to be Lead Agency relative to the proposed action pursuant to NYCRR 617.4(b)(1) and further directs that the Village's Memorandum and long form EAF be forwarded to the Involved and Interested Agencies with notice of the thirty (30) day deadline of this notification for Involved Agencies to indicate any objection to the Village Board acting as Lead Agency for this review.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Authorization of Engagement Letter from Danziger & Markhoff LLP for GASB #45 Actuarial Services

**RESOLUTION RE:  
AUTHORIZATION TO EXECUTE A LETTER OF ENGAGEMENT FOR GASB #45 ACTUARIAL  
RELATED SERVICES**

WHEREAS, the Governmental Accounting Standards Board (GASB) promulgated Statement #45 which requires municipal governments to account for Other Post Employment Benefits (OPEB); and

WHEREAS, in order to comply with such standards, the Village, in the past, has retained the services of the actuarial firm of Danziger and Markhoff, LLP to assist in determining the Village's future liability for OPEB; and

WHEREAS, Danziger and Markhoff recently proffered a new letter of engagement to the Village for such actuarial services at a cost of \$4,500 for fiscal year ending May 31, 2011; a cost of \$2,250 for fiscal year ending May 31, 2012; a cost of \$4,800 for fiscal year ending May 31, 2013; and

WHEREAS, the Village staff has been very satisfied with the quality of the work performed by Danziger & Markhoff and has found the prices quoted fair and consistent with industry standards for this type of work.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED, that the Village Manager is herein authorized to execute a letter of engagement with Danziger and Markhoff, LLP, 123 Main Street, White Plains, NY 10601, to provide actuarial services related to

GASB #45 compliance at a cost of \$4,500 for fiscal year ending May 31, 2011; a cost of \$2,250 for fiscal year ending May 31, 2012; a cost of \$4,800 for fiscal year ending May 31, 2013; and be it further

RESOLVED, that all costs associated with this work be charged to General Fund Account # A.1325.0421 subject the availability of adequate appropriation in future fiscal years

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Authorization to Retain Liability Insurance Coverage

Trustee Hofstetter asked how the number of vehicles translates into liability coverage as it seems that we have a lot of vehicles lying around. Mr. Slingerland stated that depends on the vehicle. Trustee Hofstetter would like this looked at as it seems that the Village uses the Hunter Tier lot to store excess vehicles.

RESOLUTION AUTHORIZING VILLAGE MANAGER  
TO RETAIN AND EXECUTE AGREEMENT FOR LIABILITY INSURANCES

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

WHEREAS, through this annual process, the Village has been able to maintain a low cost for our overall insurance costs which stands in contrast to most municipalities whose experience has been that their insurance premiums have increased during this same period; and

WHEREAS, in the Fiscal Year 2011/2012 Budget, the Village Board appropriated \$763,745 for our various liability insurances, and appropriated \$629,000 for Worker's Compensation, with \$95,000 budgeted as revenue in the form of a dividend from the NYS Insurance Fund, bringing the Village's overall annual worker's compensation expense on premium down to \$534,000; and

WHEREAS, based on its due diligence analysis, Village staff in coordination with the Village's Insurance Broker has agreed to continue its municipal liability insurance coverage with The Travelers Group for all applicable liability insurances based on their quote of \$426,705 and the level of services provided, as well as the lowered deductibles and co-pays.

On motion of Trustee Albert, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED, that the Village Manager is herein authorized to retain Travelers to continue to provide all applicable liability insurances for the Village of Mamaroneck in the amount for all premiums of \$ 426,705 and undertake such administrative acts as may be necessary to effectuate this action including the execution of any and all contracts and making the payments necessary to retain such coverage.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Authorization for Village Manager to Execute Agreement w/Westchester County DA Office

**RESOLUTION RE:  
AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE  
WESTCHESTER COUNTY DISTRICT ATTORNEY'S OFFICE**

WHEREAS, the Westchester County District Attorney's Office ("County") has contracted with the New York State Division of Criminal Justice Services to operate the Video Recording of Statements program to enhance the technological capabilities of local law enforcement agencies; and

WHEREAS, towards this purpose, the County is the recipient of a federal grant totaling \$45,161 which is to be distributed to multiple local law enforcement agencies which will allow them to purchase video recording equipment to be used for criminal investigations, interrogations and debriefings; and

WHEREAS, the County has selected ten (10) local law enforcement agencies, among which is the Village of Mamaroneck Police Department, as sub grantees to receive such funds; and

WHEREAS, in order to provide for such grant of funds to the Village of Mamaroneck Police Department, in a total sum not to exceed \$4,516.10, the County has proffered an agreement to the Village setting forth terms and conditions for such grant.

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED, that the Village Manager is herein authorized to execute such agreement, on behalf of the Village of Mamaroneck, with the Westchester County District Attorney's Office; and be it further

RESOLVED, that the Village Manager and Police Chief are authorized to undertake such administrative acts as may be necessary pursuant to the terms of the agreement.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Authorization to Declare Three Floating Docs Surplus and Available for Sale at Auction

Mayor Rosenblum asked if these docks could be used by the new bait station. Mr. Slingerland stated that the Harbor Master informed him that these docks do not fit with our current configuration. Mr. Slingerland stated that if the operator of the bait station wanted to bid on them at auction, he is more than welcome to.

**RESOLUTION  
AUTHORIZATION FOR AUCTION AND SALE OF THREE FLOATING DOCKS**

WHEREAS, the Village acquired three floating docks which measure 6' by 20' that were to be used on the waterfront at Harbor Island Park; and

WHEREAS, the docks do not work or fit, with the Village's current system and the Harbor Master has recommended they be declared as surplus; and

WHEREAS, the Village is desirous of selling these docks at public auction;

On motion of Trustee Albert, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby declares these floating docks as surplus Village property and authorizes the disposal of such by public sale;

BE IT FURTHER RESOLVED that the disposal of these docks is authorized in compliance with the requirements of law, and the Village Manager and all appropriate officials are authorized to take the actions necessary to dispose of these docks.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

F. Authorization of Fiscal Year 2010-2011 Year End Close Out Transfers

Mr. Slingerland stated that this is a routine annual close out of accounts that have funds available to fund those accounts that were or will be over budget; namely the snow and ice budget as it was such a hard winter

and tax certioraris. Whatever is remaining, will go into the fund balance. Trustee Hofstetter asked for reporting of the monies moved. Mr. Fusco stated that all budgetary transfers will be sent to the Board of Trustees.

Mr. Stuart Tiekert of Beach Avenue appeared regarding the reforestation funds. Mr. Tiekert contacted the Board asking that the funds in the budget line not be used to fund any other accounts, as there are substantial funds left and the Village is years behind in planting trees. Mr. Tiekert does not believe that those funds should be used for any other purpose. Mayor Rosenblum stated that there was an email received stating that those funds were already earmarked. Mr. Slingerland stated that there are bills expected to hit that account in the next 30-45 days for plantings in Meaghan Park, The Parkway, and relocation of the trees on Carroll Avenue (Preparers Note: Mr. Slingerland had a prepared statement, which has been filed for the record. His comments from this statement follow). This includes \$9,000 on the new trees purchased by Barbato Tree, we are obtaining nine red oaks to replace the unacceptable red oaks from Barbato, that's going to be about \$2,000, we are having the plantings re-weeded, both at Meaghan Park and on the Parkway, that's going to be close to \$1,000. By the time this is all said and done, we are probably looking at below \$5,000 left in that account, which is not a material number to encumber. Mr. Tiekert commented that maintenance is not part of reforestation and he requests that these funds not be used for doing maintenance on the plantings at Meaghan Park. Mr. Tiekert reminded Mr. Slingerland that the planting was only done in October of 2010 and there has already been one round of maintenance through it.

Mr. Tiekert stated that Mr. Slingerland stated that the bill for Meaghan Park will be coming in and he believes that he has seen a bill for the plantings at Meaghan Park and it was paid for out of the capital projects money. It was also confirmed by the Clerk Treasurer's office that the only money paid out of or earmarked for the reforestation budget is the money paid, the \$4,800 for the planting on The Parkway. Mr. Slingerland stated that he asked the staff to re-class that money out of the capital fund because we were trying to accommodate both fall planting last year and spring planting this year of trees and since that did not have to happen and in the past the Village used those funds in reforestation for other streetscape and landscaping projects, he thought it most appropriate to spend those funds out of the reforestation budget line other than to submit it to additional borrowing. Mr. Tiekert asked if the Meaghan Park planting was originally part of the CDBG bid documents for the Boston Post Road. Mr. Slingerland stated that it was not. Mr. Tiekert asked if he was sure of that. Mr. Slingerland stated that it was not in the bid documents. Mr. Tiekert asked if he was sure that it was not in the bid document. Mr. Slingerland stated that it may have been an alternative, but he does not recall that it was and that it may have been on the plans, but that he does not believe the item (he was then cut off by Mr. Tiekert who again asked if he was sure that Meaghan Park was not part of the CDBG grant). Mr. Slingerland stated that without the document right in front of him, cannot be one hundred percent sure. Mr.



Tiekert stated that he has looked at the plans and the trees in Meaghan Park were supposed to be planted with the CDBG funds and that the planting was supposed to be vastly different and considers the plantings done problematic. Mr. Tiekert stated that if Mr. Slingerland is not sure if that that money should not have come from CDBG; he believes it is totally inappropriate to go back and raid the reforestation account to pay for that planting. Mr. Slingerland stated that we are not raiding the reforestation account. Mr. Tiekert stated that he would characterize it differently. Mr. Slingerland stated that this is an inappropriate characterization. Mr. Tiekert again said that it has been raided for most of the last five years; as Mr. Slingerland knows, in the last two budget years, previous to this year, none of the funds from reforestation were spent on planting trees.

Mayor Rosenblum asked that the discussion be kept to the agenda item and not go back to two years ago. Mr. Slingerland stated that he made his comments. Mr. Tiekert stated that he would appreciate it if the Board would make sure that the reforestation funds were actually spent on reforestation, which they have not been in the last two budget years previous to this one.

Trustee Hofstetter asked Mr. Slingerland to explain the process of encumbering funds. Mr. Slingerland explained that we would need an estimate of how much the expenditure would be and a contractor with which to encumber the funds and those monies would have to be set aside as we would be planning to spend them over the next twelve months. Trustee Ryan stated that she must have missed something as her committees have needed to encumber funds and she asked if there was a set amount that needed to be known to encumber funds and she thought that Mr. Slingerland stated that there had to be a specific project to be able to encumber funds. He further stated that if a committee had money left over and they had an event coming up and knew what that event would be and how much it would cost, the funds could be encumbered.

Mr. Stuart Tiekert of Beach Avenue appeared again to ask if the Village is just making a choice to take the money from reforestation and move it somewhere else. He is trying to understand this because he contacted "you" with plenty of time for "you" to encumber these funds before the end of May. Mr. Slingerland stated that he told Mr. Tiekert that there would not be a material amount of money left by the time we receive all the bills attributable to this account. Mr. Tiekert stated that "your" saying, and it is my characterization again, that the account is being doctored to raise up the amount of funds spent. Mr. Slingerland stated that that is an inappropriate comment. Mr. Tiekert stated that that may be Mr. Slingerland's opinion, but it is not his opinion. He believes that is an appropriate comment because Mr. Slingerland has clearly told him in the past in emails that Meaghan Park was part of the CDBG project. Mr. Slingerland stated that he does not think it is appropriate for Mr. Tiekert to put words in his mouth, which he has done before, several and numerous times. Mr. Slingerland stated that this is inappropriate. He further stated that Mr. Tiekert made comments and the

Village had planned to plant trees in the fall that was shelved. Mr. Slingerland was trying to accommodate the additional planting of trees by attributing the money for the Meaghan Park project to the capital projects under CDBG. Since we don't have to do that and the Village wants to control the money we attribute to debt, there is money available in reforestation funds for Meaghan Park, we have used the reforestation funds for landscaping and other streetscape improvements in the past, so he believes it is appropriate based on our past use of the budget fund to use them for this. Mr. Slingerland further stated that it is up to the Board.

Mr. Tiekert asked to make one more comment before he leaves. He asked the Board if it is appropriate for the Village to get a bill, which they did for Meaghan Park, and he believes that bill has been paid, and that bill was paid out of the capital projects budget line, and now you're talking about changing that. Taking it out of the capital projects and throwing it into reforestation. He does not want to characterize what he thinks that is but he thinks it is inappropriate and he thinks that it is unfortunate that the Village loves to pride itself on being a tree city and has such a hard time doing the right thing by the Village trees. He thinks it is totally unfortunate and stated that Mr. Slingerland's tenure as Village Manager has been very spotty on doing things with trees. Mayor Rosenblum told Mr. Tiekert that he will not tolerate personal comments. Mr. Slingerland stated that is a nasty and inappropriate comment and it has not been assisted by Mr. Tiekert's participation in this whole process. Mayor Rosenblum stated that the discussion is over; Mr. Tiekert made his point, and asked for a motion to pass the resolution.

Trustee Ryan asked about Mr. Tiekert's request to not have any money moved to other departments that may be deficient from the reforestation budget line. Mr. Slingerland believed that Mr. Tiekert requested that money from the reforestation line not be used to pay for landscaping in Meaghan Park or the Parkway. Trustee Santoro stated that has nothing to do with the resolution in front of them. Mr. Slingerland stated that is correct as he is staying within budgetary limits. Mr. Slingerland also stated that Mr. Tiekert was asking them to encumber monies that he believes we do not need to and that we will not have a material amount to encumber. Trustee Ryan thought that we was asking that when we take money out of various departments to put into other budget lines that come up short, that we do not take money from the reforestation budget line. Mr. Slingerland stated that is not his plan or intent.

Trustee Hofstetter stated that the resolution in front of them is for the transfer of money within department budget lines, not about transferring from department to department. Mr. Fusco clarified that this resolution will enable funds to be transferred within and between departments. Trustee Hofstetter did not understand this to be the case when they discussed this at work session. Mr. Fusco apologized for any misunderstanding. Mr. Fusco also stated that one of the Village's goals this year, because the tax certioraris are

so high is to see if there is any money left to fund these certioraris. Trustee Hofstetter agrees and understands, he just wanted to be clear and believes that it makes the report he asked for earlier even more important as it will show which funds are underfunded and which are overfunded. Mr. Slingerland stated that they may not necessarily be overfunded, just not utilized. Trustee Hofstetter believes that if they are historically over or under budget, this is something that should be looked at.

**Resolution Authorizing Year End Budget Transfer of Funds  
For Village of Mamaroneck Fiscal Year 2010-2011**

WHEREAS, in accordance with Section 5-520 of the Village Law, when it shall appear probable that the expenditure in any budgetary account will be in excess of the original estimated budgeted amount, it is then necessary to bring these accounts in balance by transferring from other budgetary accounts; and

WHEREAS, as it is not known at this time all the accounts that will be affected as of May 31, 2011, it is requested that the following blanket resolution authorizing these transfers be approved by the Board of Trustees.

On motion of Trustee Santoro, seconded by Trustee Hofstetter

RESOLVED that the Clerk-Treasurer is hereby authorized to make the necessary transfers from the unexpended balance of certain budgetary accounts to those accounts that require additional appropriation, in order to affect the Fiscal Year 2010-2011 budgetary close out.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

G. Authorization for Coast Guard Auxiliary to Serve Alcohol at the Annual Blessing of the Fleet

**RESOLUTION  
AUTHORIZING ALCOHOL AT THE BLESSING OF THE FLEET  
AS REQUESTED BY THE COAST GUARD AUXILIARY FLOTILLA 75**

WHEREAS, the Village of Mamaroneck has received a request from the Flotilla Commander of the Coast Guard Auxiliary to serve alcohol at the Annual Blessing of the Fleet, scheduled for July 4, 2011, in the West Harbor at Harbor Island Park; and

WHEREAS, the Board of Trustees must approve the use of alcohol on Village property.

On motion on Trustee Ryan, seconded by Trustee Albert:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck

hereby approves the request from the Coast Guard Auxiliary Flotilla 75 to serve alcohol at the Blessing of the Fleet to be held on July 4, 2011, from 12:00 noon until 6:00 pm. in the West Basin of Harbor Island Park.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

H. Authorization for Braking the Cycle to pass through Mamaroneck during Annual Event

**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 18<sup>th</sup>, 2011; 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 130 participants of Braking the Cycle will be traveling through Village streets between the hours of 10:00 am and 1:00 pm; and

WHEREAS, Braking the Cycle does not require closing any Village roads or lanes during this event.

On motion of Trustee Santoro, seconded by Trustee Ryan:

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 18<sup>th</sup>, 2011.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

I. Acceptance of Donation from Sportime for Landscaping and Referral to the Tree Committee

**RESOLUTION RE:  
ACCEPTANCE OF A GIFT FROM SPORTIME (TREES, BENCH AND LANDSCAPING)**

WHEREAS, Sportime has offered to donate to the Village of Mamaroneck a bench, tree(s), and appropriate landscaping to be planted at Harbor Island Park in memory of a longtime member who recently passed away, said donation with a value of between \$4,000 - \$5,000.

On motion of Trustee Ryan, seconded by Trustee Santoro:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck gratefully accepts the donation of a bench, tree(s), and landscaping to be planted at Harbor Island Park; and be it further

RESOLVED, that the Village Board of Trustees herein thanks Sportime for their generosity to the community.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that he believed the Board discussed a halt to accepting donations to the park until a policy is written. Mr. Slingerland stated that is correct and would have the information regarding tree and bench donations on the website changed to note this.

J. Authorization of CDBG Grant applications for Grant FY 2012, 2013 and 2014

Mr. Slingerland suggested that all nine resolutions be adopted at one time. The Board agreed. Mr. Slingerland also stated that each grant resolution shows the total project cost, the Village will be responsible for half of that amount and the grant will pay the other half. On the Waverly Avenue project, we would look to split our project cost with the Town of Mamaroneck, which would establish a flood improvement project.

**RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
EAST PROSPECT AVENUE INFRASTRUCTURE IMPROVEMENTS (MAMARONECK AVENUE TO  
PHILIPS PARK ROAD)**

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application

submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on East Prospect Avenue between Mamaroneck Avenue and Philips Park Road; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$120,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

**RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
HEITHAUS WALKWAY (CVS WALKWAY) IMPROVEMENTS PHASE II**

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement Phase II improvements to Heithaus Walkway (CVS Walkway); and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$200,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

**RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
HILLSIDE AVENUE INFRASTRUCTURE IMPROVEMENTS (MAMARONECK AVENUE TO  
HOWARD AVENUE)**

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on Hillside Avenue between Mamaroneck Avenue and Howard Avenue; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$300,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

BOT 5/25/2011 p. 24  
RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
JEFFERSON AVENUE INFRASTRUCTURE IMPROVEMENTS (NORTH BARRY AVENUE TO  
STATION PLAZA)

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on Jefferson Avenue between North Barry Avenue and Station Plaza; and be it

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$170,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
MAMARONECK AVENUE INFRASTRUCTURE IMPROVEMENTS (NOSTRAND AVENUE TO  
HILLSIDE AVENUE)

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding; now therefore be it



RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on Mamaroneck Avenue between Nostrand Avenue and Hillside Avenue.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$300,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

**RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
PROSPECT AVENUE INFRASTRUCTURE IMPROVEMENTS (MAMARONECK AVENUE TO  
MOUNT PLEASANT AVENUE)**

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on Prospect Avenue between Mamaroneck Avenue and Mount Pleasant Avenue; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$140,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

**RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
WARD AVENUE BRIDGE PEDESTRIAN IMPROVEMENT PROJECT**

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to reconstruct the sidewalks on the Ward Avenue Bridge to enhance pedestrian access; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$40,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

BOT 5/25/2011 p. 27  
RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
WAVERLY AVENUE/CENTER AVENUE PEDESTRIAN AND DRAINAGE IMPROVEMENT  
PROJECTS

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to reconstruct the Waverly Avenue Bridge and remove the Center Avenue Bridge to enhance pedestrian access and drainage improvements; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$600,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

RESOLUTION RE:  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
WAVERY AVENUE INFRASTRUCTURE IMPROVEMENTS (MAMARONECK AVENUE TO PLAZA  
AVENUE)

WHEREAS, Community Development Block Grant Applications must be submitted to the Westchester County Department of Housing and Community Development for inclusion in the application submitted to the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby authorize the submission of an application to the Westchester County Urban Community Development Program for the funding cycle fiscal year 2012 through fiscal year 2014 to implement infrastructure improvements on Waverly Avenue between Mamaroneck Avenue and Plaza Avenue; and be it further

RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby commit to providing funding of up to 50% of the estimated amount totaling \$220,000 to the project that is the subject of the Community Development Block Grant; and be it further

RESOLVED, that this project addresses a definite need in the Village pursuant to Article 15, Section 502 (4) of the General Municipal Law as established by resolution of the Board of Trustees dated August 11, 1997.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

K. Tax Certiorari Settlements

(1) Lepore Realty Corporation

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER LEPORE REALTY CO. LLC, FOR PROPERTY LOCATED AT 620 CONCORD AVENUE**

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 Clerk-Treasurer has calculated that the cost to the Village is \$7057.59 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 Mayor Rosenblum, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes Silverberg Zalantis LLP, as special counsel, to execute the following settlement on behalf of the Village for the property listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2011	\$43,900	\$22,150	\$21,750

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

(2) Lawn Terrace Homeowners Corporation

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER LAWN TERRACE OWNERS CORP., FOR PROPERTY LOCATED AT 100 – 134 LAWN TERRACE**

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 Clerk-Treasurer has calculated that the cost to the Village is \$54,658.90 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 Mayor Rosenblum, seconded by Trustee Ryan:

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

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2005	\$153,000	\$140,600	\$12,400
2006	\$153,000	\$137,100	\$15,900
2007	\$153,000	\$130,800	\$22,200
2008	\$153,000	\$121,800	\$31,200

2009	\$153,000	\$122,600	\$30,400
2010	\$153,000	\$117,700	\$35,300
2011	\$153,000	\$117,700	\$35,300

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

(3) RJ DeSantis Realty Corporation

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER R.J. DeSANTIS REALTY CORP., FOR PROPERTY LOCATED AT 616 FAYETTE AVENUE**

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 Clerk-Treasurer has calculated that the cost to the Village is \$5,470.19 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 Mayor Rosenblum, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes Silverberg Zalantis LLP, as special counsel, to execute the following settlement on behalf of the Village for the property listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2009	\$20,000	\$14,200	\$5,800
2010	\$20,000	\$14,200	\$5,800
2011	\$20,000	\$14,200	\$5,800

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

L. Authorization for Salary Increase for Police Chief Leahy

RESOLUTION  
AUTHORIZING THE ENACTMENT OF AN INTERIM SALARY INCREASE  
FOR THE CHIEF OF POLICE, CHRISTOPHER LEAHY

WHEREAS, upon review and discussion with the Board of Trustees, the issue of a raise for the Chief of Police has been discussed and agreed upon in concept; and

WHEREAS, funding is available for the proposed increase, which shall be effective June 1, 2011.

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

Budget Code	Employee Title	Amount of new salary:
3120	Police Chief	\$135,525

BE IT RESOLVED that the Village Manager, Clerk/Treasurer, and other appropriate employees and Village staff are authorized to take the necessary actions to amend the budget lines and make payment of these salary increases.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum stated that he would like to discuss another item before going forward with the meeting. The Board was given a presentation by Community Housing Innovations, a not for profit group, requesting a letter of support for a project they are doing on the Boston Post Road. The Mayor needs approval by the Board to send this letter. The proposed project would have five affordable housing units. They are working in conjunction with Washingtonville Housing Alliance in that WHA would help with the sales of the units. As there are some concerns by members of the Board, so he asked to open for discussion.

Trustee Hofstetter stated that the letter should come from the Village Manager. Mayor Rosenblum said that was fine, but they requested that it come from him. Trustee Hofstetter has concerns as the proposal is for five units, which they were told would all be affordable housing units and he has just received an email stating that they are only obligated to make one unit affordable housing in perpetuity. Mr. Hofstetter read the email from Ms. Post of Community Housing Innovations, which also stated that as they will follow whatever funding sources the state and federal government deem appropriate to them, which is that there be a built in incentive to stay in the home between 10-15 years, depending on the program. The email goes on to say that since they are not going to be applying for funds from the county, they are not required to keep the units

affordable for 50 years. Trustee Hofstetter stated that this looks like infill housing in the C-1 zone, which requires that the units be a minimum of 850 square feet and the email states that they average 800 square feet.

Trustee Hofstetter is not averse to sending a letter in support that states that the units need to be 850 square feet and that all units are affordable and stay affordable for fifty years. If they are not willing to work under these constraints, he is not in favor of sending a letter.

Trustee Ryan stated that she was excited after seeing the rendering, but after reading the specifics that the units only have to remain affordable for 10 years, wonders what this is going to do for the people who need this housing 10 years from now. She remembers when the first were built on Plaza and is sure that the period is more than 25 years. She too would be in favor of sending a letter that met a higher number of years that they remained affordable. Ten years is not fair in her opinion.

Mayor Rosenblum stated that there are several ways to look at this. Right now, we have an empty lot, with a very low tax base. He believes that the Board would like to see this property developed to increase its tax base and perhaps the letter can be drafted to read that the Village's support is based on the following conditions and list the conditions out. They can then use or not use the letter, depending if they agree with the conditions.

The Board agreed to send a letter of support for a project that would have five affordable units for a thirty year period.

## 6. REPORT FROM VILLAGE MANAGER

Mr. Slingerland and Mr. Sarnoff recently spent three days at the annual conference of New York State City and County Managers Association; which was on economic and financial issues. They were discussing the impacts of the economy on the government and the economic outlook for the region. Mr. Slingerland gave the Board an overview of the discussions. Federal and state budget actions and how they will affect local governments were discussed as well as how to encourage economic development in cash starved municipalities.

Mr. Slingerland stated that the Village received a letter from Westchester County going on record with the Army Corps that they are concerned with the study and recommendations on the flood report and the Army Corps focus on very expensive alternative. While those may make have the best benefit, these projects



don't get funded. Mr. Slingerland stated that this letter will be forwarded to the Board and posted on the website.

**7. FLOOD MITIGATION REPORT**

The plan was filed today with the EPA to comply with the May 31 deadline where the Village plans to video and smoke test and die test the locations given to us by the Army Corps. Mr. Slingerland will keep the Board informed with the progress. The IMA was signed last week for the removal of the Road to Nowhere. They asked that the Village provide a one year maintenance bond.

**8. REPORT FROM CLERK-TREASURER**

**A. GP Parking Permit Reminder**

Mr. Fusco reminded residents that General Parking permits are expiring at the end of May. New permits are now being sold.

**B. Notification of 520s – Lost Exemptions**

Mr. Fusco notified the Board of the lost tax exemptions being filed for the record.

**C. Tax Reminder**

Mr. Fusco reminded residents that the first half of Village taxes are due on or before July 1, 2011. Bills are being mailed out this week, so residents should be on the look out for them.

**9. REPORT FROM VILLAGE ATTORNEY**

Mr. McDermott thanked the Board for his recent appointment and he looks forward with working with the Board and staff and for the Village. He stated that it is an honor to be the Village Attorney for such a prestigious Village.

**10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES**

**A. ZBA – March 3, 2011**

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Zoning Board of Appeals of March 3, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. BAR – April 5, 2011

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Board of Architectural Review of April 5, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

#### Updates from the Board

Trustee Hofstetter stated that the Budget Committee had a meeting last week where they voiced concern on the Village's purchasing a new sanitation vehicle in light of the Red Oak report. Mr. Slingerland stated that at this point, the contract is already signed and the money committed. Trustee Hofstetter also passed along the Committee's feeling that we should be moving ahead with their recommendations. Trustee Hofstetter attended the State Comptroller's Leadership Conference last week at Hofstra University, where he picked up a lot of useful information that he will pass along to the rest of the Board. Trustee Hofstetter suggested that WMOA encourage more Westchester officials attend these conferences.

Trustee Ryan was not able to attend Project Rebirth at the Emelin Theatre, but heard that it was well attended and a very powerful film. Trustee Hofstetter attended Project Rebirth and after the viewing he felt hope and the goodness that came out of that tragedy. She thanked the Council of the Arts, the Rafferty family and the Emelin Theatre. Trustee Ryan did attend the dinner honoring Valerie O'Keeffe for her contributions to the Washingtonville Housing Alliance. An event was also held for Kate Weingarten as she has stepped down as president of KEEPS. Trustee Ryan wished Kate well. The Fireman's Memorial Service was held at St. Thomas Church and was a very moving event. Trustee Ryan also attended Mozart for Kids and as a 30+ she very much enjoyed it.

Trustee Albert also attended and was quite impressed with the Memorial Service at St. Thomas Church. He is incredibly impressed with the volunteers we have in the Village.

Trustee Santoro reminded all of the Memorial Day Parade and that registration for Village camp is ending on June 3. Two more teams for beach volleyball are needed.

Mayor Rosenblum stated that they will be appearing at several services for Memorial Day; however, we should all remember that democracy is alive in well in the Village of Mamaroneck. As we are coming up on the

9/11 Anniversary, we need to adhere to the mantra "Never Forget". Celebrate what you have, love your families and love America.

ADJOURNMENT

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

PREPARED BY:  
SALLY J. ROBERTS,  
SECRETARY

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