

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, JUNE 27, 2011 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Deputy Mayor	Louis N. Santoro
	Trustees	Toni Pergola Ryan John M. Hofstetter Sid Albert
	Village Manager	Richard Slingerland
	Assistant Village Manager	Daniel Sarnoff
	Village Attorney	Michael McDermott
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	Mayor	Norman Rosenblum

**PUBLIC HEARING ON PLL F-2011 (ZONING MAP CORRECTION)**

Mr. Slingerland gave background on the re-adoption of the Zoning Map. There have been no changes to zoning, only the omissions and errors to the map have been corrected after an exhaustive search and review done by the Building Department and Village Engineer. This a re-adoption of all zoning changes previously made to the Code. John thanked all who worked to assure that this map is correct.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that Proposed Local Law F-2011, a local law amending the Village Code on Zoning Chapter 326-6 (Zoning Map) to adopt an updated zoning map that corrects errors in the zoning map adoption of June 28, 2010 and continues all prior changes to the zoning districts of the Village of Mamaroneck as reflected in the Village Code of Mamaroneck.

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

Before the meeting proceeded, Deputy Mayor Santoro asked Mr. Mike Varbaro to appear. Mr. Varbaro is the owner of One Stop Beverages at 804 East Boston Post Road in Mamaroneck. They are holding an event

for the armed forces on Friday, July 1, 2011. This is an event to raise funds to honor those who died serving our Country and those who serve today.

#### FIRST PUBLIC INFORMATION AND DISCUSSION OF PRE-DISASTER HAZARD MITIGATION PLAN

Mr. Sarnoff stated that tonight is the first public information session to discuss the pre-disaster mitigation or all hazards mitigation plan. This is a planning document for the Village, identifying all the possible disasters that could occur and ranking them for potential of occurring and damage that they could cause. These hazards are identified and a mitigation plan is determined. The purpose for having this plan is to allow the Village to access grant monies from FEMA. Several years ago, the program allowed for flood mitigation programs, which the Village had; however, the grant requirements have changed and now require an all hazards mitigation plan. The first step in compiling this plan is to have a public information session. The Village's consultants from ETG, Environmental Technology Group, Mr. Jim Brower and Ms. Valerie Rifkin appeared. Mr. Brower stated that they are in the process of collecting information on potential hazards facing the Village and to score and prioritize the hazards. After this is completed, these hazards are quantified; looking at potential risk. Various vulnerable parts of the community are also studied. After the hazards are identified, priorities and goals are established to mitigate these potential hazards. The plan will be reviewed by the State Office of Emergency Management and FEMA, where they will offer their critique. After this critique, there will be a review and acceptance by the community. After it is accepted by the community it is then presented to the Board for their approval and submission to the state and federal agencies, which has to be done by the end of May 2012. Mr. Brower stated that they hope to have this plan ready for submission by January 2012.

Mr. Slingerland stated that based on the initial review, flooding is the Village's most serious concern. There are six top hazards, which include coastal storms, flooding, hazmat, hurricanes, sever storms and transportation accidents.

Ms. Gail Vidales, Director of Operations of the Hispanic Resource Center appeared. Ms. Vidales asked that any literature printed be done in Spanish as well as English. She suggested that there are other communities that may need this printed in other languages as well.

Mr. Daniel Natchez of Alda Road appeared. He asked if the Board and consultants are aware of the study done by the Nature Conservancy on the evaluation of storms in Mamaroneck. Mr. Natchez suggested incorporating this document in the plan.

Mr. Paul Ryan, of Waverly Avenue appeared. Mr. Ryan is a member of the group compiled to work on this plan. One of the things that the state and federal agencies are looking for is community involvement. He asked for as much community input as possible. Mr. Ryan was contacted by Ms. Ida Santangelo, life long resident of the Village, who attended the meeting after the first flood in March of 2007. Mr. Ryan read a letter written by Ms. Santangelo after that meeting. In the letter she suggested ways that the community could be better prepared for a catastrophe by having EMS demonstrate on the community cable channel ways to administer CPR, stop bleeding and emergency first aid. After that, perhaps Con Edison and/or the Westchester Joint Water Works can inform residents what emergency measures we can take as homeowners. If more people were able to be of help until professionals arrive, this could be a tremendous asset to the community. Mr. Ryan further stated that in addition to making this plan, they are looking at things like how to inform the community of the evacuation route; how to notify residents in an emergency, where the disabled go and how do the disabled get accounted for by emergency workers. Mr. Ryan asked those residents who have any ideas to please send them to the Manager's office who will circulate to the other group members and the Board. Mr. Ryan stated that the group is involving the Hispanic Resource Center deliberately to assure that the Hispanic community is communicated to so that they can help themselves.

Trustee Ryan suggested having a charrette on this plan as was done recently on the LWRP so that the public can brainstorm. Mr. Slingerland stated that a charrette has not been planned; however, there will be public outreach and hopefully EMS and LMC-TV will be willing to help. Trustee Hofstetter asked if there is a schedule of meetings to take place. Mr. Sarnoff stated that he believes that only two public meetings are required according to the regulation; this first informational meeting and one more before the plan is submitted. Deputy Mayor Santoro asked that Mr. Slingerland and or Mr. Sarnoff give the Board regular updates on this process. Mr. Sarnoff stated that he will take minutes of any meetings that are held and forward to the Board. Mr. Sarnoff also stated that the representatives on the committee are Chief Leahy from the Police Department, Dean DeLitta from the Fire Department, Tony Iacovelli from the Department of Public Works, Joe Russo who is the Harbor Master, Rich Slingerland, Zoe Colon from the Hispanic Resource Center, Paul Ryan resident and himself. Deputy Mayor Santoro asked that someone from the EMS be included on this committee.

## **MAYOR'S REPORT – THIS IS MAMARONECK**

No Presentation

1. COMMUNICATIONS TO THE BOARD

None

2. APPROVAL OF MINUTES

A. Minutes of the BOT Regular Meeting of June 13, 2011

Trustee Ryan stated that she has submitted comments to Ms. Roberts, some of which are substantive. Because of that, she asked that these minutes be tabled to the next meeting for the changes to be made. The Board agreed.

B. Minutes of BOT Work Sessions (January – June 2010)

Trustee Hofstetter asked that the reason why the Board went into Executive Session at work sessions be noted in the minutes. Ms. Roberts will review the notes and include this if available. Trustee Ryan stated that the minutes of March 15, 2010 need to be corrected as they state that Trustee Albert made a motion and he was not yet on the Board. The Board agreed to accept the minutes with the above noted additions and correction made.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Work Session Minutes of January through June, 2010 with the above noted additions and correction be and are hereby approved.

Ayes: Ryan, Hofstetter, Santoro

Nays: None

Abstain: Albert

Absent: Rosenblum

3. AUDIT OF BILLS

Deputy Mayor Santoro stated that there are two audits for approval, one for fiscal year end May 31, 2011 in the amount of \$147,416.56 and the second dated June 27, 2011 for fiscal year 2011-2012 in the amount of \$406,281.48

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated June 27, 2011 for fiscal year end May 31, 2011, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$	110,747.71
Capital Fund		35,760.00
Expendable Trust		<u>908.85</u>
	\$	147,416.56

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated June 27, 2011 for fiscal year 2011/2012, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$	333,502.21
Capital Projects		62,935.32
Expendable Trust		8,459.24
Agency Fund		<u>1,384.71</u>
	\$	406,281.48

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

#### 4. OLD BUSINESS

##### A. Adoption of Lead Agency for LWRP Update

Mr. Slingerland reminded the Board of their declaration to be Lead Agency in May 2011 and as required, the Village circulated the notice to all interested and involved agencies. A notice from the Department of State was received stating that they agree with the Board's declaration. As there are no objections, the Board can act upon this tonight.

Trustee Hofstetter asked if this declaration starts the clock on any actions that need to be taken. Mr. Sarnoff stated that it does not. In looking over the grant documents and the task identified, this action should

have been done much earlier. There are no time frames that this action brings into affect. This action also shows the state that the Village is moving forward with this project.

Mr. Dan Natchez of Alda Road appeared. Mr. Natchez asked what exactly the Board is declaring Lead Agency on. Is there a document that is being put forward that they will be lead agent on? Mr. Natchez believes that there are technical issues with this action. He does not want to see the Board take action in an incorrect manner. Mr. McDermott stated that the Lead Agency status gives the Board the right to collect and collate the information derived from the update meetings as part of the SEQRA process. Mr. Natchez understands that; however, the action would appear to be to revise the LWRP policies and if that is the action, then the question is what document they are basing this action on. Mr. Natchez asked if the Board is satisfied with the document at present and if this is the document they are taking action on. If Natchez further inquired that if they are not comfortable with this document, is it a concept that they are declaring Lead Agency on. He believes that the exiting document is not the document that will be presented. Mr. Slingerland stated that someone has to be Lead Agency under SEQRA for the update of the LWRP. The Board of Trustees is declaring this action and they will be the agency who will make the determination on the final document. Mr. Sarnoff reiterated that there is not a final document at this time; however, the Board with be making the final determination on adopting the LWRP Update.

Trustee Ryan stated that she had received correspondence from Lester Steinman, who concurred with the state that the Board is behind in declaring Lead Agency. Again, Mr. Natchez stated that he believes that this action is confused. Mr. Natchez wants the record to be very clear that the action is for the changing of the LWRP policies or any changes to the LWRP policies or the map that implements those policies. He respectfully requests that this is the action that should be before the Board. Mr. Sarnoff does not believe that this is the case as what the final document will be is not known at this point.

On motion of Albert, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees be and hereby declare Lead Agency status in the LWRP Update process.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

## 5. NEW BUSINESS

A. Resolution Authorizing Corrections to 2011 Tax Roll for Two Properties

Mr. Fusco explained to the Board that it was discovered that there were two revised assessments that were granted during the grievance process which did not make it to the tax roll at an impact to the Village of approximately \$1,500.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

**RESOLUTION AUTHORIZING CORRECTIONS ON THE 2011 TAX ROLL FOR THE VILLAGE OF MAMARONECK**

WHEREAS, the Board of Assessment Review received notice from the Village Assessor's office of parcels that received reductions in their assessments that were not reflected on the 2011 Assessment Roll; and

WHEREAS, these applications have been investigated by the Assessor who recommends to this Board of Assessment Review that the assessment roll involved be corrected; now, therefore be it

RESOLVED, that the Village Board of Trustees, acting in their capacity as the Board of Assessment Review, herein approves these applications and authorizes corrections be made to the 2011 Assessment Roll for the Village of Mamaroneck with respect to the following parcels:

DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL AND TAX BILL

PARCEL LOCATION SECTION, BLOCK, LOT	CURRENT ASSESSMENT	CORRECTED ASSESSMENT
Sec 4 Block 31 Lot 29	12,300	11,500
Sec 9 Block 89A Lot 14B	22,400	18,900

and, be it further

RESOLVED, that the Village Assessor and the Clerk – Treasurer and hereby authorized to take appropriate action as authorized by law to implement the provisions of this Resolution.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

B. Schedule Public Hearing on Moratorium on Proposed Subdivisions to Create Four or more Lots or Units

Mr. Slingerland gave background on the establishment of a moratorium to preserve open space that currently exists on properties around the Village. This proposed local law is posted on the website. Mr.

Slingerland further stated this has been determined to be an Unlisted Action under SEQRA. This information will be circulated to the County Planning Board as required and the public hearing will be scheduled to open on July 18, 2011. Trustee Ryan asked that the HCZM be included on the list of Village of Mamaroneck Boards that this is referred to and named in the document. Mr. Slingerland agreed.

Mr. Dan Natchez of Alda Road appeared regarding two issues. The first is the length of the moratorium as the Village has demonstrated that six months is just about enough time to get started on an issue, let alone finish it. Mr. McDermott informed him that Village's are limited to moratoriums for a six month period only; however, this can be renewed on or before the end of the six month period. Mr. Natchez also believes that this law can be interpreted to read that no maintenance or renovation work can be done to existing properties. Mr. McDermott stated that the legislative intent is for the subdivision of land with respect to any open space. If anyone needs a building permit to do work on an existing structure that would not fall within the legislative intent of the law. Mr. Natchez believes that this can be misinterpreted and he suggests expanding the language. Mr. McDermott suggested language be added to the law stating that this moratorium is not intended to prevent the issuance of a building permit for the maintenance of a property. The Board agreed to the addition of this language.

On motion by Trustee Ryan, seconded by Trustee Albert:

RESOLVED that a Public Hearing on Proposed Local Law K-2011 be and is hereby scheduled for July 18, 2011.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be an **Unlisted Action** and the Board of Trustees has reviewed a short form EAF and determined that there are no negative environmental impacts.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

C. Schedule Public Hearing on Proposed Zoning Amendments Relating to Permeable Parking Facilities

Mr. Slingerland gave background on this proposed local law. There is no provision in the Village Code for permeable parking facilities. This is a recommended stormwater procedure. This has been reviewed by the Building Department and it is recommended that the Board move forward with this.



On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that a Public Hearing on Proposed Local Law L-2011 be and is hereby scheduled for July 18, 2011.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be an **Unlisted Action** and the Board of Trustees has reviewed a short form EAF and determined that there are no negative environmental impacts.

BE IT FURTHER RESOLVED that the Board of Trustees has determined that publication in the Journal News and the Sound and Town, a press release to the media, and posting at Village Hall and on the Village web site to advise the general public of this hearing will be sufficient.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

D. Resolution Authorizing Traffic Commission Recommendations for Three “No Stopping Here to Corner” at Waverly and Ogden

Mr. Slingerland stated that the Village was approached by Mr. Spatz who owns property on Waverly Avenue. Mr. Spatz is concerned that there are obstructions for larger trucks making deliveries due to the new site plan there with the narrowing of Waverly Avenue. This recommendation was reviewed by the Traffic Commission and they have recommended the changes as requested. Trustee Santoro visited the site on several occasions and he believes that these signs are definitely needed.

WHEREAS, at their meeting of June 9, 2011, the Board of Traffic Commissioners recommended the following amendments to Chapter 326 ( Vehicle & Traffic), section 86 (Schedule XIX – No Stopping) of the Code of the Village of Mamaroneck; and

WHEREAS, the Traffic Commission determined the prohibition is necessary to facilitate turning movements for trucks and other traffic.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the following amendments to Chapter 326 (Vehicle & Traffic), Section 86 (Schedule XIX – No Stopping) of the Code of the Village of Mamaroneck be and is hereby adopted.

Section 86, Schedule XIX

NO STOPPING

**Rescind:**

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Waverly Avenue	South West	14 Feet to Driveway to driveway which reads (No Stopping from here to corner)
Waverly Avenue	North West	20 Feet from the Corner (No Stopping from here to corner)
Waverly Avenue	North East	14 Feet to Driveway to driveway which reads (No Stopping from here to corner)

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

E. Resolution Authorizing Retroactive Raise for Employee

RESOLUTION AUTHORIZING THE ENACTMENT OF ONE  
NON-UNION EMPLOYEE RAISE

WHEREAS, upon review and discussion with the Board of Trustees, the issue of an overlooked non-union employee raise was discussed and agreed upon in concept; and

WHEREAS, the estimated budgetary impact for the following is approximately \$984, retroactive to June 1, 2010, which is provided for without additional budgetary appropriation by the Village of Mamaroneck.

On motion of Trustee Albert, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED that the following salary and budget line is authorized to be increased to provide for a two percent (2%) salary increase, retroactive to June 1, 2010, for the following employee:

Budget Code	Title (and Employee)
1325	Deputy Treasurer (Popick)

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 line and make payment of this salary increase out of Fiscal Year 2010-2011 funds and budgetary account lines.

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

F. Resolution Authorizing Three Percent Water Rate Increase for Mamaroneck Village and Greenhaven WJWW Customers

Mr. David Birdsall, Business Director at Westchester Joint Water Works appeared. The WJWW has recently published a press release regarding water rates and water conservation. The New York City Water Board recently raised their rates effective July 1; their base rate by 5.6% and their per-capita excise of water rate increased by 7.5%. For the members of the WJWW the rate increases were looked at and a 3% increase for the Village of Mamaroneck was suggested. The rates are now sustainable after the increases over the past two years. Regarding water conservation, Mr. Birdsall encourages residents who have irrigation systems to have them checked out by a certified engineer. They need to have a permit issued by the WJWW and need to have a backflow preventer as well. Mr. Slingerland also suggested “grass-cycling” as a way to reduce the need to water your lawn. This is the practice of leaving your grass clippings on the lawn when you mow. The Water Works is encouraging residents to irrigate during off peak hours. At the average usage of 100,000 gallons for a family of four, the yearly billing for a Village of Mamaroneck resident is \$690. With the proposed 3% increase, that would equate to an additional \$20 per year. The rate paid by neighboring municipalities was reviewed. In the Town of Mamaroneck the average family of four would pay \$487 per year for 100,000 gallons consumed and the in the Town of Harrison it would be \$505. Other non member neighboring municipalities are higher; City of Rye would be \$1063 and the City of New Rochelle would be \$685.

**RESOLUTION AUTHORIZING A THREE PERCENT (3%) WATER RATE INCREASE FOR VILLAGE OF MAMARONECK AND GREENHAVEN (RYE CITY) WESTCHESTER JOINT WATER WORKS (WJWW) CUSTOMERS**

WHEREAS, Village staff, in conjunction with Westchester Joint Water Works (WJWW) staff have reviewed the operation and capital needs of the WJWW for the next year and based on this review, a water

rate increase of three percent (3%) is recommended for Village of Mamaroneck and Greenhaven (Rye City) customers; and

WHEREAS, among the major operational cost increases for the WJWW are the purchase of water from New York City which is expected to increase 5.6 percent in the base rate and 7.5 percent in the excess rate as well as ongoing planning for a water filtration plant and Westchester County Ultraviolet plant alternative.

On motion of Trustee Albert, seconded by Trustee Ryan:

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

	Current Rates	combined rates	Proposed Rates at 3% increase	combined rates
Block 1 – Service Charge	\$24.50		\$25.24	
Block 2 – first 2,200 cubic feet (c.f.) water per month, or 26,400 c.f./year	\$4.41		\$4.54	
Block 3 – next 5,000 c.f. water per month, or 60,000 c.f./year	\$4.95		\$5.10	
Block 3 Surcharge	\$1.54	\$6.49	\$1.59	\$6.69
Block 4 – all water usage above 7,200 c.f./month, or 86,400 c.f./year	\$5.69		\$5.86	
Block 4 Surcharge	\$2.26	\$7.95	\$2.33	\$8.19

; and be it further

RESOLVED, that these new rates shall take effect with the next water billing to be issued for WJWW customers in the Village of Mamaroneck and the Greenhaven section of the City of Rye.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

G. Resolution Authorizing Parking Area behind “Old Hooks” Firehouse as permit area for GP, GPON and ON Parking

Mr. Slingerland stated that there are parking spaces behind the Old Hooks Firehouse that are designated as firehouse only parking and this resolution would make them available for General Parking,

General Parking Overnight and Overnight Parking. Trustee Hofstetter stated that he believes that this is a good idea; however, he would like to see the use of the Hunter Tier lot revisited as he believes that it is underused. With its proximity to the courthouse, library and Emelin Theatre, he believes it should have more metered spaces and less permitted spaces.

RESOLUTION  
AMENDING THE VILLAGE CODE WITH REGARD TO VEHICLES AND TRAFFIC BY AMENDING  
CHAPTER 326  
REVOKING "FIRE DEPARTMENT PLACARD PARKING ONLY"  
AND ESTABLISHING GP, GPON AND ON PERMIT PARKING ONLY  
IN THE SEVEN (7) VILLAGE-OWNED SPACES BEHIND  
143 MAMARONECK AVENUE ALSO KNOWN AS THE "OLD HOOKS FIREHOUSE"

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby enact the following:

- A. The designation of Fire Department Placard Parking Only is hereby revoked from behind Old Hooks Firehouse at 143 Mamaroneck Avenue; and
  
- B. The Village Code Chapter 326 is hereby amended to add the seven (7) village-owned spaces behind 143 Mamaroneck Avenue as GP, GPON and ON Permit Parking Only (which includes Merchant-purpose parking permits, at the same rates as GP permits).

And

BE IT FURTHER RESOLVED, that the Village Manager is authorized to take the necessary and appropriate actions to effect this change to the Village Code.

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

H. Resolution Authorizing CSEA Stipulation Agreement Revision

Mr. Slingerland stated that there was an error in the mathematical calculation for organic waste and upon review and discussion with the union it has been agreed to put the heavy equipment motor operators at the same rate as the sanitation workers.

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RESOLUTION RE:  
AUTHORIZATION TO EXECUTE A REVISED  
MEMORANDUM OF AGREEMENT WITH THE CIVIL SERVICE  
EMPLOYEES ASSOCIATION (CSEA) – VILLAGE OF MAMARONECK UNIT

WHEREAS, the Memorandum of Agreement between the Village of Mamaroneck (“Village”) and the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO, Westchester Local 860, Village of Mamaroneck Unit (“the CSEA”) regarding the terms and conditions of employment, for the period June 1, 2010 through and including May 31, 2014 was approved by the CSEA and authorized by the Board of Trustees on April 25, 2011; and

WHEREAS, a mathematical error was inadvertently included in the agreement with regard to the Organic Waste Stipend, which was re-negotiated and revised based on those negotiations.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED, that the Board of Trustees authorizes the Village of Mamaroneck to enter into a revised Memorandum of Agreement between the Village of Mamaroneck and the CSEA (Village of Mamaroneck Unit) dated April 15, 2011, with a specific revision so that the Heavy Motor Equipment Operators (HMEOs) receive the same stipend as the Sanitation Workers for performing the Organic Waste Collection program.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

I. Resolution Authorizing Acceptance of On-line Payments

Mr. Sarnoff stated that for the better part of the last year, staff has been researching on-line payment modules for taxes and other services. The company of Invoice Cloud has been identified as a preferred vendor for this service. If the Board authorizes such a service, the staff is looking at September 1, 2011 as the target date for implementation, which would allow for the payment of second half taxes on-line. Invoice Cloud was chosen as they appear to have better customer service for the residents and support for the staff.

RESOLUTION RE:  
AUTHORIZATION TO EXECUTE AN AGREEMENT TO PROVIDE A WEB-BASED MODULE FOR  
ONLINE ACCEPTANCE OF PAYMENTS

WHEREAS, the Village staff has been researching the potential for incorporating a web-based module allowing for on-line acceptance of payments for taxes and other fees and charges; and

WHEREAS, such a system would allow Village residents to conduct ACH (online checks) or credit card transactions with ACH transactions subject to a nominal fee and credit cards subject to applicable finance charges; and

WHEREAS, the Village met with and received demonstrations of products from vendors who have experience interfacing with KVS, our current enterprise software provider as well as speaking with references; and

WHEREAS, based on these interviews, product demonstrations and reference checks, Village staff recommends that in order to accommodate on-line transaction, Invoice Cloud is a preferred vendor for this service as they provide superior customer service support for residents and back office support for the Village; and

WHEREAS, pursuant to the Invoice Cloud proposal, a nominal fee of \$0.95 would be charged to residents for ACH transactions while a finance charge of 2.65% would be charged to residents for credit card transactions; and

WHEREAS, the cost to the Village to utilize the Invoice Cloud module is \$840 per year.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED, that the Village Manager is herein authorized to execute an agreement with Invoice Cloud to implement an online module allowing for ACH and credit card transactions; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be required to effectuate the implementation of such web-based payment module.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

J. Resolution Authorizing Purchase of Two (2) Toyota Prius Vehicles

Mr. Larry Farcus of Munro Avenue appeared. Mr. Farcus had questions about the logistics of performing the PEO job, i.e. opening the door to get out of the vehicle to write tickets. Mr. Slingerland

stated that although the Cushman's have a sliding door, the PEOs are not using these, they are using the Crown Victorias. Mr. Farcus suggested having the PEOs walk the downtown area.

**RESOLUTION  
AUTHORIZING THE VILLAGE OF MAMARONECK TO  
PURCHASE TWO (2) 2011 MODEL TOYOTA PRIUS  
VEHICLES OFF OF NYS CONTRACT GROUP 40450**

WHEREAS the Village of Mamaroneck Police Department Parking Enforcement Officer (PEO) Division makes constant use of its vehicles for parking enforcement purposes, which includes idling and patrolling various sections of the Village, including the Downtown as well as more distant, residential areas of the Village; and

WHEREAS, the scooters utilized for many years by the Police Department PEOs have become worn out and are no longer usable; and

WHEREAS, the Village desires to have more fuel efficient, environmentally beneficial vehicles to provide the services performed by the PEOs; and

WHEREAS the Village of Mamaroneck has determined that the most fuel efficient vehicle available for this purpose is the Toyota Prius, which is available off of NYS Contract through the Office of General Services, under Contract Group 40450 – Vehicles, including Alternate Fuel Passenger Cars.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck authorize the Village Manager and Police Chief to take the necessary and appropriate actions to purchase two (2) new 2010 or 2011 model Toyota Prius vehicles for use by the PEOs off of NYS contract and to take the necessary and appropriate actions, including signing contracts, to effect the purchase of and payment for these vehicles; and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Village Clerk/Treasurer to plan for and prepare bond resolutions to provide the funds for the purchase of these vehicles.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum



K. Resolution Authorizing Extension of Agreement with Buckhurst Fish & Jacquemart for LWRP Update

Mr. Slingerland stated that there is an agreement with Buckhurst Fish on the LWRP Update; however, to get a final plan with no additional changes; an extension is needed. Their additional agreement was in the amount of \$40,000 and the grant amount is \$50,000. BFJ has submitted an extension to the agreement in an amount not to exceed \$28,000. Mr. Slingerland suggested that language stating that the cost will not exceed \$28,000 for completion and submission of final plan to the Village be added to the agreement. Mr. Sarnoff stated that a total of \$50,000 was encumbered for BFJ's agreement.

Trustee Santoro stated that a letter was received from Ms. Roney, which is being filed for the record. There was also an email received from Ms. Desmond, which Mr. Slingerland addressed.

Mr. Dan Natchez of Alda Road appeared. Mr. Natchez does not have issue with the Village getting professional help for things that they need; however, if their contract was for \$40,000 he does not understand why they are now coming back to the Village for more work. He asked if the scope of work changed for the project. Mr. Sarnoff stated that he believes that the work load has increased and we have asked BFJ to hold additional public information sessions and meetings with the update committee. Mr. Natchez believes that we could be more cost effective. Mr. Natchez has read the agreement with BFJ and feels that we are paying for things that we have not asked for. He believes that there are much more cost effective ways to handle this. Mr. Natchez also believes that the difficult work is being done by another consultant, Mr. Charles McCaffrey at half of the cost.

Mr. Slingerland stated that one of the key issues is whether or not to amend the area of jurisdiction; which is being reviewed by the consultants. To say that Mr. McCaffrey is doing the majority of the work is not accurate. The person who is doing the lion's share of the work is Susan Favate of BJF, as guided by the Update Committee and Mr. McCaffrey.

Trustee Hofstetter has a problem with paying \$68,000 for something that was supposed to cost \$40,000. At this point, the update is not where he would like for it or believes it should be at that point and has issue with paying an additional \$28,000.

Trustee Ryan believes that it has been a difficult process and we are at the point in the process where it would be difficult to change consultants. Because of that, she agrees with extending BFJ's agreement to

complete the process. She agrees that \$28,000 is a lot, but does not know how the Village would finish the update without them.

Trustee Albert stated that over the months, the Board talked about how they did not care for how the update was going and it was agreed to put more people on the committee. Consequently, more meetings were scheduled as more people have had things to say. Under the circumstances, to get one of the most important documents updated, it is a small price to pay.

**RESOLUTION RE:  
AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES  
AGREEMENT WITH BFJ PLANNING FOR THE LOCAL WATERFRONT REVITALIZATION  
PROGRAM (LWRP) UPDATE**

WHEREAS, by resolution of February 22, 2010, the Village of Mamaroneck Board of Trustees authorized the execution of a Professional Services Agreement with BFJ Planning to assist the Village in the update of its Local Waterfront Revitalization Program (LWRP); and

WHEREAS, said agreement provided for a cost to provide such services in an amount not to exceed \$40,000, however, during the course of the LWRP Update process, the Village has requested that BFJ conduct additional public information sessions and meetings of the LWRP Update Committee which were not contemplated as part of the original agreement and BFJ Planning has requested an amendment to the original contract for an additional amount not to exceed \$28,000; and

WHEREAS, Village staff has reviewed this request in the context of the additional work BFJ has been asked to perform and the remaining tasks as identified in the Village's grant agreement with the New York State Department of State and believes the request of \$28,000 appropriate.

On motion of Deputy Mayor Santoro, seconded by Trustee Albert:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck herein authorizes the execution of an amendment to the professional services agreement with BFJ Planning for the update of the Village Local Waterfront Revitalization Program at a cost not to exceed \$28,000 for completion and submission of final plan to the Village of Mamaroneck.

Trustee Hofstetter agrees with Trustee Albert that more people should be involved; however, he believes that this should have been done at the beginning of the process; therefore he will be voting no.

Trustee Ryan also agrees that having more input is important and is glad to see that it is being accomplished; however, she does not believe that we should change courses at this point and will be voting yes.

Deputy Mayor Santoro also agrees with the above comments and will be voting yes.

Ayes: Albert, Ryan, Santoro

Nays: Hofstetter

Absent: Rosenblum

L. Appointment of Committee for the Environment Member

Trustee Ryan stated that there are two open spots on this Committee. Mr. Marc Karell, former member of the HCZM was approached to fill one of the positions. He has graciously accepted. Trustee Ryan further stated that with all of Mr. Karell's environmental experience, the Committee is very excited to have him.

RESOLUTION  
APPOINTMENT OF MARC KARELL TO THE COMMITTEE FOR THE ENVIRONMENT  
(OPEN POSITION)

WHEREAS, there is an open position on the Committee for the Environment; and

WHEREAS, Mr. Marc Karell has graciously volunteered to serve;

On motion of Trustee Ryan, seconded by Trustee Albert:

THEREFORE BE IT RESOLVED that Mr. Marc Karell be and is hereby appointed to the Committee for the Environment to fill an unexpired term, such term to expire at the Annual Organizational Meeting in December, 2012.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

Mr. Slingerland brought up the issue of term expirations on this committee. There are seven members whose terms expire in 2012. This will be addressed at the next meeting.

M. Resolution Authorizing an Expense Change Order to CDBG Sidewalk Contract 2011-13

Mr. Sarnoff stated that there is good progress being made on this project. During the construction, the Village discovered an old curb and gutter system in the roadway, which was not known about when the original contract was prepared. Because of this, extra asphalt repair will have to be done. Mr. Sarnoff also stated that there is a change order requested as well as we reused seven of our existing lamp posts, which were removed from Mamaroneck Avenue instead of buying new units, which were part of this project bid. The new lamps on Mamaroneck Avenue were acquired using grant monies that Assemblyman Latimer helped us secure.

**RESOLUTION RE:  
CHANGE ORDER #1 TO CONTRACT 2011-03 – OLD WHITE PLAINS ROAD AND MAMARONECK  
AVENUE SIDEWALK IMPROVEMENTS PROJECT**

WHEREAS, an item identified in the FY 2010/2011 Capital Budget and Plan is sidewalk improvement project on Old White Plains Road between Mamaroneck Avenue and Grand Street and on the east side of Mamaroneck Avenue between Van Ranst Place and Sheldrake Place on the east; and

WHEREAS, the Village has secured funding for this project through the Community Development Block Grant (CDBG) program in an amount of \$350,000 which is to be matched by the Village in an equal amount for an estimated project total of \$700,000; and

WHEREAS, by resolution of March 14, 2011, the Village Board of Trustees awarded Contract 2011-03 – Old White Plains Road and Mamaroneck Avenue Sidewalk Improvements Project to PCI Industries, 550 Franklin Avenue, Mount Vernon, NY 10550 in the amount of \$565,199.40 for the base bid work based on unit bid prices and estimated quantities of materials to be used and Alternate #1 in the amount of \$78,093.50 based on unit bid prices and estimated quantities of materials to be used, or a total bid price of \$643,292.90; and

WHEREAS, one of the bid items included in the contract was asphalt roadway repair to allow for the installation of new concrete curbing for which PCI submitted a bid of \$12.60 per square foot; and

WHEREAS, the construction documents estimated approximately one foot (1') of asphalt roadway repair would be required to allow for the installation of new curbing, however, during the course of construction, an existing curb and gutter system, extending three feet (3') into the paved roadway was found which was not known of when the bid specifications were being prepared; and

WHEREAS, based on an estimated additional 4,020 square feet of asphalt roadway repair being necessary, a change order in the amount of \$50,652 to the contract award has been requested.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED; that the Village Board of Trustees herein approves Change Order #1 to Contract 2011-03 – Old White Plains Road and Mamaroneck Avenue Sidewalk Improvements Project in the amount of \$50,652 based on estimated quantities; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be required to effectuate this matter.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

Mr. Slingerland requested an addition to the agenda. He was contacted by Mr. Stephen Josephson from the Chamber of Commerce today regarding there not being as many sidewalk sales this year because of the weather. They are asking for three additional days; Thursday, June 30; Friday, July 1 and Saturday, July 2.

N. Addition of Agenda Item

WHEREAS, the Board or Trustees Regular Meeting Agenda was published on Wednesday, June 22, 2011; and

WHEREAS, according to the Meeting Rules and Procedures any item added after that time needs to be done by Board Resolution.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that Item 50 – Additional Chamber of Commerce Sidewalk Sale Nights be and is hereby added to the June 27, 2011 Board of Trustees Regular Meeting Agenda.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

O. Additional Chamber of Commerce Sidewalk Sale Nights

WHEREAS, the Village Manager was contacted by the Chamber of Commerce regarding the lack of Sidewalk Sales this year due to the bad weather.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Chamber of Commerce be and are hereby authorized to hold Sidewalk Sales in the Village of Mamaroneck on Thursday, June 30; Friday, July 1 and Saturday, July 2.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

**6. REPORT FROM VILLAGE MANAGER**

A. File for the Record – Agreement with South East consortium for Special Services, Inc.

Mr. Slingerland stated that this agreement has been filed for the record with the Clerk-Treasurer's office.

**7. FLOOD MITIGATION REPORT**

Mr. Slingerland reported that he and Mr. Sarnoff met with the State DEC and County Department of Planning to confirm their letter and concern regarding the Army Corps Study and that they provide affordable alternatives as money is tight at every government level. The Village as party to this process wants to make sure that this happens.

**8. REPORT FROM CLERK-TREASURER**

A. Tax Reminder

Mr. Fusco reminded residents that the first half Village taxes are due on or before July 1, 2011. Any questions or concerns should be directed to his office.

B. Resignation of Committee for the Environment Member

Mr. Fusco announced the resignation of Ms. Katherine Kaneko from the Committee. Trustee Ryan, having worked with Katherine, thanked her for her time and effort on the Committee and wished her well.

**9. REPORT FROM VILLAGE ATTORNEY**

A. Filing of Local Law 6-2011

Mr. McDermott informed the Board that Local Law 6-2011 has been filed with the Secretary of State.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Board of Architectural Review – April 21 and May 3, 2011

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Minutes of the Board of Architectural Review of April 21 and May 3, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

B. Planning Board – May 23, 2011

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Minutes of the Planning Board of May 23, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro

Nays: None

Absent: Rosenblum

Updates from the Board

Trustee Hofstetter congratulated the graduates of Mamaroneck Avenue School and the Hommocks Middle School, both of which he attended, as he has two daughters who graduated from these schools. He also congratulated the graduating classes at Mamaroneck and Rye Neck high schools. Trustee Hofstetter is looking forward to the upcoming Firemen's Carnival and Parade.

Trustee Albert reported on the new library. He did a walk through and the community is in for an incredible treat. The library is scheduled to open on June 30.

Trustee Ryan attended the St. Vito Festa. It was a lot of fun to see people enjoying themselves. She too, is looking forward to the carnival, parade and all the summer activities in the Village.

Deputy Mayor Santoro reminded residents that the carnival starts tomorrow night with the annual softball game between the Village and Town fire departments, the parade is on Wednesday night at 7 p.m. Trustee Santoro also attended the Festa and is already looking forward to next year's event. Deputy Mayor

Santoro witnessed Officer Fraioli giving a ticket to a truck today at Harbor Island Park. His demeanor was extremely professional. He used scales to determine that the truck was 35,000 pounds over the limit. He thanked Officer Fraioli and all of the police officers for keeping our street safe. Deputy Mayor Santoro read a letter sent from Town Supervisor Valerie O'Keeffe on the 350<sup>th</sup> anniversary of the Town. Trustee Ryan stated that the Village should buy a banner celebrating this event. The Board agreed and Mr. Slingerland will take care of.

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