

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, SEPTEMBER 12, 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
	Assistant Village Manager	Daniel Sarnoff
	Village Attorney	Michael McDermott
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

MAYOR'S REPORT – THIS IS MAMARONECK

Mr. Jim Killoran from Habitat for Humanity appeared. Mr. Killoran was at the meeting to speak about the recent flooding and the work that Habitat is doing to help affected residents. There is insulation and dry wall available to residents and Mr. Killoran gave the website address where residents can request material. If workers are needed, Habitat will do their best to send volunteers. He asked for residents who were not affected to please volunteer to help their neighbors. He believes that the Village has been the victim of the brunt of overdevelopment in the county. Mr. Killoran asked if there is a business that could donate a space to store the sheet rock, compound, insulation and other building materials for two to three months, to please contact him. He commended the Village for their quick reaction to the disaster. Mr. Killoran asked about the possibility of raising homes out of the flood zone. He also gave Habitat's website address for donations. Mayor Rosenblum thanked Mr. Killoran and Habitat for all of their good works.

I. COMMUNICATIONS TO THE BOARD

Mr. Andrew Spatz of Halstead Avenue appeared. Mr. Spatz stated that the Village is a great place to live and work; however, the Village is going to have to address the flooding issue on their own. It is his hope that collectively, the Village can mitigate the damage done by flooding. He appreciates the communication efforts on behalf of the Village. Mr. Spatz invited residents to attend Flood Mitigation Advisory Committee meetings.

Reverend James Taylor of the First Baptist Church appeared. Unfortunately, the story has not gotten any better. They are still listening to the same rhetoric. He is not saying that the Board is not trying, but sitting in their seats, as our elected officials, it is their obligation to listen to all of the criticism. This is the third time in five years that the area in which his church is located has flooded. It feels as if people don't care. Rev. Taylor asked when we are going to stop talking about fixing the flooding and fix it.. Rev. Taylor stated that local politicians only come to Mamaroneck for photo opportunities, not to help solve the problems. They have no idea of the suffering that the residents have gone through. Now FEMA has told them that as a not-for-profit organization, they cannot help them. They can only offer low interest loans. Rev. Taylor does not need another loan. He believes that it is wrong for our government to spend money on the Army Corps of Engineers studies when all that is determined is that the cost for fixing the flooding issue is too high. It has gotten to the point where the people cannot take anymore. It is time to "raise hell" and not be politically correct. We have to come together as a Village to do whatever we need to do to get something done. He will go wherever he needs to go to get results. He is tired of being lied to.

Mayor Rosenblum stated that the County has passed legislation regarding water retention on new building; however, the towns and villages have home rule so that they do not have to listen to the County. Mayor Rosenblum agrees that the Village cannot depend on the Federal, State or County government. We are going to have to do something about this problem ourselves. We are going to have to spend our own money.

Reverend Taylor stated that we may not be able to stop all of the flooding, but something needs to be done to lessen the water. In the last five years, the problem is much worse than it has even been. He hopes that the Village of Mamaroneck will take the lead in trying to solve this problem.

A member of the First Baptist Church appeared to speak about the health issue caused by standing stagnant water. Not everyone was able to get to the high school or stay with someone else. The possible health issues need to be looked at and addressed by the Village.

Ms. Peggy Jackson of N. James Street appeared. She has flooded three times in ten days. She believes that the Village of Mamaroneck itself cannot solve the flooding issues. It is too big a problem and will cost too much money. She believes we need to have a letter campaign to make as much noise as possible to our local, county, state and federal representatives. In 1985, to complete the Village's part of the Army Corps recommendations cost \$7 million. We could not afford to do it. That was to fix a small part of the problem. Today, this number is going to be astronomical. To get larger fixes done, we are going to have to rely on the county and the state and the only way to get that done is to be relentless and not forget about the flooding and

never again drop the ball. Ms. Jackson asked how the Village is going to help her get grant money to raise her home.

Ms. Darleen Green of Howard Avenue appeared. She stated that every time the Village floods, the Board calls a meeting. She asked why there can't be meetings before the floods. She asked why the Duck Pond was dredged and not the river behind her home. Also, not one member of the Board came to her neighborhood to ask if they needed a drink of water or to have a meeting; however, when the "big dogs" come, they all show up. She believes that she and her neighbors are being treated like low life. The Village takes her tax money, but when the floods come, no one comes to help her clean her house or make sure she is safe. Ms. Green believes that the tax payers should go on strike, stop paying their taxes, until a solution is found. If the Village cannot get the work on the river done, the residents will stop paying their taxes and pay to get the work done. Ms. Green feels that the Board does not care about the residents of her neighborhood and does not want to help them. They only care about them when it is time to collect their taxes.

Trustee Hofstetter stated that Ms. Green is making generalizations. (Trustee Hofstetter left the meeting)

Mr. Tata of Howard Avenue appeared. When he bought his home in 2007 he talked to his neighbors and was told that his home flooded maybe one foot every 10 years. A few months after buying the home, he lost many belongings, including cars and that just happened again with Hurricane Irene. He asked the Board why the flooding has gotten worse over the past five years. He asked the Village to find the root cause of the problem. Mr. Tata stated that when the flooding happens, the residents are asked to evacuate their homes; which they do; however, there is not proper policing and security of the area when they leave and he has had things stolen. Trustee Ryan stated that she believes the flooding has become more severe due to the amount of building and covering of pervious surfaces. The amount of building up the line has also affected us as we are at the bottom of the watershed. Because of the building, the water has no where to go. Trustee Ryan cannot answer the question about security. Mr. Tata stated that it is not fair that residents should suffer by the building of others. Mayor Rosenblum stated that he attended a meeting at the County with Mr. Slingerland and Ms. Jackson and the Village is considering filing a class action law suit.

Mayor Rosenblum agrees with Rev. Taylor. If it rains hard enough and fast enough, this village is going to flood and the reaction of officials is mostly just for photo ops. The question is what the Village can do to help with this issue. The first is funding, from the state or county. Funding does not seem to be available. Mayor Rosenblum does not believe this, as there seems to be funds available for other countries when they have

natural disasters. Another option is to depend on the county to expedite permits. On the local level, we can spend our limited funds on dredging the rivers and buying a Menzi Mucker. This will help on a limited basis. Also working with the Town to keep the reservoir down helped many times when we had a great deal of rain. Unfortunately we got hit by two big storms, one right after the other. The Mayor stated that the Village of Mamaroneck is going to have to become its own PAG (political action group) and that we cannot wait on funding that is not coming. The Road to Nowhere is going to be taken out. The Village is also looking at purchasing equipment to go into the river. The Mayor would like to tell the residents that we have an answer, but we don't. What the Village can do and the amount of money that we have to solve this issue is limited.

Mr. Slingerland stated that over the last several years, we have removed between 20 and 30 tons of debris from of the rivers. The county has promised to fix a wing wall that contributes to the flooding around Valley place and have budgeted for it in 2012. The Village, with the Town of Rye, is going to be spending approximately \$3 million to fix the Jefferson Avenue Bridge and take out the center abutment. All of these things cost money. Mayor Rosenblum stated that moving the parking lot at the train station also has to be looked at as this prevents the water flow where the two rivers come together.

Mr. Tata asked that the Village be honest with him and other residents if they cannot minimize the flooding. He would consider leaving his home if the flooding cannot be remedied or try to find work-arounds.

Trustee Ryan and Mayor Rosenblum both stated that sometimes there is nothing that can be done because of the amount of rain that falls in a short period of time. Trustee Ryan also stated that when there is a project that is proposed up county that could exacerbate our flooding problem, members of the Board and residents go to the Planning Board meetings in these communities and make their concerns known. Twice this has proven to stop the development of land up stream. Trustee Ryan believes that everyone on the Board is doing their best and working diligently on this problem and they will continue to do so. Trustee Ryan stated that on tonight's agenda there is a resolution asking for aid from different levels of government and perhaps the Village should hand deliver these resolutions with a bus load of their residents who were affected by this storm. She also suggested that a letter should be drafted that all residents can use as a template to send to their representatives along with pictures of the devastation.

Trustee Hofstetter rejoined the meeting. He asked the residents what they expect the Village to do regarding the flooding.

Ms. Maryanne Via, of Howard Avenue appeared. In 2007 they lost their home to the flood and again in 2010. Her home was again under water with the last storm. She does not want to blame any one for the problem; she is looking for a solution. She loves her neighborhood and wants to stay there. Ms. Via contacted a FEMA representative by phone and she got the name of the Chief of Mitigation, who the Village already contacted. Ms. Via stated that she cannot apply for a grant on her own. She was told that the Village needs to sponsor the residents. Ms. Via was shocked that no one from the Board came to Howard Avenue to see how the residents were doing. Mr. McDermott stated that he will coordinate with the Village Manager and the Town to work on this grant sponsor.

Ms. Jackson appeared again and stated that we should be screaming to the County that we cannot wait until 2012 for the wing wall on Anita Lane to be fixed. She also believes we should reach out to the Town of Harrison regarding the amount of trees that have fallen into the river and demand that they take responsibility for removing these trees.

Ms. Doreen Roney of Highview Street appeared. Ms. Roney had a National wetlands map that shows the Village of Mamaroneck and where our flood zones are. Ms. Roney stated that as we are in the process of updating our LWRP, which impacts the flooding, inventory in the LWRP needs to be updated drastically as there are wetlands in the Village very close to where people are getting flooding.

Mr. Rich Cimaglia of Lester Avenue appeared. Mr. Cimaglia asked that if the Village cannot prevent the flooding, can flood victims get a break on their taxes. Mayor Rosenblum stated that he has been discussing the idea of waiving the permit fee for any work on your home that would mitigate flooding; while this is a very minor thing, it is something that we can do.

Ms. Darlene Green appeared again. She walked the river behind Mamaroneck Avenue by N. Barry Avenue and the trees have grown together and there is a bunch of garbage behind where the fruit store is. She asked why this cannot be cleaned out. Mr. Slingerland stated that he will add this spot to the clean up list.

Mr. Spatz appeared again to emphasize that there needs to be accountability by not only the Village but also the County for the flooding.

Trustee Hofstetter stated that efforts are going to have to be coordination and the Village will need to be more consistent and keep on top of the officials that come here for the photo ops and then move on to other things. He stated that the Secretary of State of New York State was here a couple of weeks ago and the Board

was not aware of it. This could have been the perfect opportunity to ask what is being done to mitigate the flooding. He stated that the Mayor got this information and did not pass it along.

Mr. Dan Natchez of Alda Road appeared. He is appearing as a resident and representing the CCNA. The CCNA asked that he appear this evening to thank the citizens of this community for helping their neighbors. He believed that the Village officials rose to the challenge. These things should not go without noting. Mr. Natchez shared the ideas that the Association formulated; one of which is an overhaul of the Village website. There needs to be information on where residents can donate money and/or clothing and furniture for flood victims. Another suggestion is to have flooded streets marked so that residents can avoid the area. With the loss of power, traffic lights went out and while there were some stops signs put out, there were not enough. Drivers were more courteous. Mr. Natchez thanked the Red Cross for the shelter. There were a few issues; however, one being there were no utensils to eat with. Stop and Shop was very kind and donated utensils.

In the case of the work that will be done on the Jefferson Avenue Bridge, Mr. Natchez stated that the two bridges that the county fixed on N. Barry Avenue were done incorrectly. The bottoms of the bridges are too low and this impedes the water flow. Mr. Slingerland stated this has been looked at for the Jefferson Avenue project and the design has been changed.

Ms. Green appeared again to state that she was at the shelter and there was food, utensils, blankets, everything that they needed. There was not a time when the Red Cross ran out of anything. Mayor Rosenblum thanked Arctic Glacier for supplying all the ice for the shelter.

Mr. Killoran appeared again and asked if the Village could set up a Facebook page for the sharing of all of the information given at the meeting tonight. Mr. Slingerland stated that he would look into it. Mr. Killoran stated that in 2007 there was discussion of putting a retaining wall behind the homes on Howard Avenue. Mr. Slingerland stated that he discussed this with the Army Corps of Engineers and they said that major underground steel reinforcement would need to be built; otherwise the tons of water that flow in that river would just collapse the wall and make the matter worse. Mr. Slingerland stated that this can be done, but it has to be done right and is part of the Army Corps overall plan.

The Mayor asked that Item 7, Flood Mitigation Report, be taken out of order.

7. FLOOD MITIGATION REPORT

Mr. Slingerland stated that residents may not be aware of all of the preparation that was done before the storm. He informed residents that as soon as the Village was aware of the storm, the Town was contacted and they lowered the dam. Mr. Slingerland also informed Ms. Green that the work on the duck pond was not done by the Village, but done by the Town as it is their property. The work done there does benefit the Village. By the time the storm hit, there was 18 feet of water behind the dam which comes from Scarsdale and New Rochelle. During the previous week, Mr. Sarnoff, who was acting Village Manager in Mr. Slingerland's absence did a great job coordinating with officials and staff in getting ready for the storm. The emergency operation center continued operation until late Sunday night. A Con Edison staff member was given an office in Village Hall on Monday morning, at which time half of the Village was without power. By Wednesday, power was restored to all residents. Mayor Rosenblum thanked Con Ed for their exceptional work. Trustee Hofstetter thanked Jim Finney of Con Edison as he selected to work in Mamaroneck after working here in the past and he did an amazing job. Trustee Ryan thanked the Town for their cooperation and the DPW for keeping storm drains and the rivers cleared. Having the reservoir lowered and keeping the catch basins clear is something that we learned to do after the flood of 2007. She stated that what we also need to do is to begin fixing the things that we can fix on our own. Trustee Ryan also stated that the reason why some of the officials were not out visiting the flooded residents is because they were at home pumping out their own homes.

Mr. Slingerland gave an example of some of the fixes that can and will be done; including raising and widening the Jefferson Avenue Bridge and continuing to keep the rivers clear of garbage. Mr. Slingerland reported on the damage to Village buildings and property. Mr. Slingerland also reported on the firefighter who was injured when a tree fell on him during the storm. Fortunately he is doing well. There were 240 residents who sought shelter at the high school. The advanced notification was a huge help and Mr. Slingerland thanked the Town, our fire department, particularly Chiefs Szymanowski, Pecchia and Casterella, the police department, Chief Leahy, the Department of Public Works, especially the Sanitation Department, Tony Iacovelli, the Con Edison Team and Dan Sarnoff for the amazing job done.

Mr. Slingerland called the County today hoping to get financial assistance for the removal of the Road to Nowhere and unfortunately no funds are available. The Village is trying to work with FEMA to set up a mobile recovery center at Harbor Island Park. If this happens, the date and location will be posted on the website. The Village is also working with the local government not for profits to find out what other flood relief resources are available. Any information on this will be put on the website. Mr. Slingerland asked that a

resolution be put on the agenda to ask higher levels of government for flood assistance. Trustee Ryan asked that a sample letter be put on the website for residents to use when writing their representatives.

Mr. Stuart Tiekert of Beach Avenue appeared. He is lucky not to live in a flood zone, but living in Mamaroneck he realizes that Mamaroneck is a flood plain and it seems to be getting worse. Mr. Tiekert agrees that we have to think outside of the box and perhaps there are funds available to people to raise their homes. Mr. Tiekert was before the Board of Trustees in February offering a tree report; documenting the trees that we lose six for every one we plant. The money is budgeted to have trees replaced, but unfortunately it does not get spent for this purpose. At the end of that meeting he asked that the Board reconfirm their commitment to planting trees and that they get a regular update from staff on the planting of trees. On Arbor Day the Village passed a resolution confirming their commitment and planted one tree. Unfortunately that tree has died and hopefully it will be replaced with a better species selection. In May of this year, a developer removed tens of thousands of dollars worth of Village trees. He reported this to the building inspector. In August Rob Melillo, acting building inspector sent him an email confirming that two or three Village trees were removed. Mr. Melillo stated that he was consulting with the Village Manager's office on how to proceed. Mr. Tiekert informed him that we have a law against this. Trees are a community asset like anything else in the Village. Since that time, there has been very little feedback; Mr. Melillo reported that he was working with the Village Attorney on this. Mr. Tiekert did receive a notice of violation issued; unfortunately, it was issued to the previous owner of the property. Mr. Tiekert is trying to find out if a violation was issued to the new owner; whom Mr. Tiekert met and admitted that he did remove the trees. Mr. Tiekert does not understand why we have a hard time enforcing our rules.

Mr. Clark of Howard Avenue appeared. Mr. Clark informed the Board that people are dumping their garbage on top of the resident's belongings that they put out at the curb for garbage pick up. Mr. Slingerland stated that the police have to be called when this happens and to get the license plates of the cars. Another resident of that area stated that she believes that people are dumping garbage in front of homes that are not currently occupied. Mayor Rosenblum suggested that more police patrols need to be done.

Mayor Rosenblum asked that Item 5C be taken out of order.

5. NEW BUSINESS

C. Resolution Enacting a Tree Permit Process for the Village of Mamaroneck

Mr. Len Tallevi, Chair of the Tree Committee appeared on behalf of the Committee. They have revised the tree permit and he is here presenting it to the Board. This permit is for trees planted on Village policy. Mr. Tallevi stated that the Village planted close to 100 trees this past spring and has plans for more plantings, but Mr. Tiekert is right that trees are an important asset to our community.

Mr. Carlo Reca from Melbourne Avenue appeared. Mr. Reca asked who is removing Village trees that are marked to be removed. Mr. Slingerland stated that it is being done by Evergreen Tree Company under a two year contract. Mr. Reca asked why the planting and taking down of small caliber trees cannot be done in house. Mr. Slingerland stated that the planting of trees is being done in house. Mr. Slingerland discussed this with the DPW Foreman and there is not enough staff in house to do this work. Mr. Slingerland would also prefer that the employees not be put in the position of getting hurt and being out on compensation from cutting down trees. Mr. Reca also asked why the catch basins have not been addressed after the flooding. Mr. Slingerland stated that if there is a particular catch basin that Mr. Reca is referring to, to let him know.

Mr. Tiekert appeared again to follow up on the issue of tree removals. Mr. Tiekert agrees that the taking down of smaller trees can and should be done in house. As the contract is up for renewal this month and none of the trees that need to be removed are an emergency, he suggests adding trees to the list and putting this contract out to bid. Mr. Tiekert suggests having it done in the winter when tree companies are not busy. He is sure that they would be happy to have the work. Mr. Tiekert asked what the minor changes made at the September 6 Work Session noted on this resolution were. The Board stated that they were mostly grammar and syntax. "In certain areas of the Village" was taken out of the first paragraph. Mr. Slingerland stated that since the September 6 Work Session, he has had discussions with members of the Tree Committee regarding the permit. The 800 number for call before you dig needs to be added to the permit as well as to the website. They also requested that room for the identification of the species be added as well as the recommendation that only small tree species be planted under wires and larger trees be planted away from over head wires. Mr. McDermott suggested that language be added to the permit stating that if you are not the adjacent property owner, that you must receive written consent from the adjacent property owner.

Mr. Tiekert stated that he believes the permit is seriously flawed and cannot be voted on at this meeting. He suggested that with this permit, he could plant a tree in front of his neighbor's house and his neighbor's signature would be on the permit and there would be no recourse if he hit a gas line while planting the tree. Mr. Slingerland stated that this is a good point and a signature line for the applicant with space for the contact information of the applicant should be added. Mr. Tiekert believes that allowing residents to plant trees in the medians, Village parks and in front of other resident's property, just complicates things. There was

always the opportunity for people to donate trees to be planted around the Village. The permit that the Tree Committee previously prepared allowing home owners to plant trees in front of their property was straight forward and adequate. Mr. Tiekert read from the permit previously approved by the Tree Committee stating that residents could come before the Committee to request a waiver if they cannot comply with all the standards set forth in the policy. This has been eliminated from the new permit. Mayor Rosenblum stated that the Tree Committee has recommended this change. Mr. Tiekert believes that the Tree Committee did not read this policy and that Mr. Slingerland was not completely honest in his representation of the changes made to the policy. Mr. Slingerland stated that is not true and he takes serious offense to Mr. Tiekert's comment. Mr. Slingerland further stated that he did not change the previous permit, he drafted a new permit.

Mr. Tallevi stated that he believes it was at the December 6, 2010 Tree Committee meeting where Mr. Tiekert motioned to resubmit the tree planting policy. The motion was not seconded or adopted. The committee agreed to review the policy, which they did and is the policy that is in front of the Board for approval this evening. Mr. Slingerland stated that he did disclose to the committee that the policy was based on one used by the city of Syracuse. Again, Mr. Tiekert expressed his belief that the permit needs some work.

Trustee Ryan asked Mr. Slingerland about the addition of a signature line and contact information on the person planting the tree if it is not the adjacent homeowner. Mr. Slingerland suggested that this be added to the form. He informed the Board that they are not approving the form this evening; they are simply authorizing the process. The resolution reads that the Board authorizes the Village Manager to implement this policy with the requirement that all applicants comply with the tree permit form. Mr. McDermott stated that the Board needs to adopt the policy; however, the form can be changed without the approval of the Board. There is no legal requirement for the Board to adopt the permit form. Mr. Slingerland read the last clause of the resolution which states that Village staff and employees are authorized to take the necessary and appropriate actions to implement this policy and may update the form if and when it becomes necessary to keep this policy current. Mr. Slingerland suggested changing the first resolved clause to read "NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees hereby enacts a Tree Permit Process for the Village of Mamaroneck by authorizing the Tree Permit form recommended by the Tree Committee, with minor changes made and updates as may be necessary in the future". Mayor Rosenblum agreed with this change as well as the changes to the permit suggested earlier by Mr. McDermott and Mr. Tiekert.

Trustee Hofstetter asked if the Board will be voting on the resolution only or the resolution with the permit in front of them. If they are voting on both, he believes that the permit should be in its final form before the resolution is voted on. Mr. Slingerland stated that the form is not part of the resolution and all changes will

be made before it is used and placed on the website. Trustee Ryan asked if changes need to be made and the changes are substantive, shouldn't the policy be brought back to the Board. Mr. Slingerland stated that is not necessary with the adoption of a resolution, only with a local law. Mr. McDermott believes that the third whereas clause addresses Trustee Ryan's question. Trustee Ryan interprets the resolution to include the approval of the permit attached. Trustee Ryan believes that the form should be corrected before the Board votes to adopt the resolution. Mayor Rosenblum believes that this should be adopted as it was unanimously recommended by the Tree Committee and the Village Attorney and Village Manager will make the changes discussed. He further stated that they would only be adopting a resolution to have the process move forward, not the finalized permit form.

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLUTION
ENACTING A TREE PERMIT PROCESS FOR THE VILLAGE OF MAMARONECK

WHEREAS, the Village of Mamaroneck Tree Committee has been working with the Village Administration to establish a process to assist those seeking to have the ability to obtain a permit from the Village to plant trees along Village-owned streets and rights of way, including approved areas along village-owned medians, and in Village-owned parks; and

WHEREAS, the Tree Committee, in conjunction with the Village Administration, has prepared a proposed tree permit form and recommended guidelines for the planting of trees in parks and along streets and rights-of-way; and

WHEREAS, the Board of Trustees reviewed the permit form and expressed support for the recommendations of the Tree Committee, and in enacting a permit process seeks to enact a policy that will promote and expand the planting of street trees village-wide, to establish more trees along the Village's streets and parks and make the Village a more green and beautiful community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby enacts a Tree Permit Process for the Village of Mamaroneck by adopting the Tree Permit form recommended by the Tree Committee, with minor changes as made by the Board at the September 6, 2011 Work Session; and

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the Village Manager to implement this policy, at no fee to applicants, with the requirement that all applicants comply with the requirements of

the tree permit form, including the submission of appropriate insurance from their contractor for the ability to plant these trees on Village property; and

BE IT FURTHER RESOLVED that the Village Manager shall submit on an annual basis a list of all such donations and permits for authorization and acceptance of these trees by the Village of Mamaroneck to comply with the requirements of New York State Law that municipal governing bodies shall authorize the acceptance of gifts; and

BE IT FURTHER RESOLVED that the necessary and appropriate Village staff and employees are authorized to take the necessary and appropriate actions to implement this policy, and may update the form if and when it becomes necessary to keep this policy current.

Ayes: Santoro, Rosenblum

Nays: Albert, Hofstetter, Ryan

Mr. Tiekert appeared again regarding the removal of trees on Nine Acres Lane and asked why the Village does not enforce its code. He believes that we need to enforce our laws. Trustee Hofstetter asked that Mr. Slingerland look into and update the Board on this issue. Mr. Slingerland stated that he has done that. He has sent the Board communications on that matter. If Trustee Hofstetter needs further information, he would be happy to discuss with him.

2. APPROVAL OF MINUTES

Mayor Rosenblum stated that there has been recent communication between some members of the Board, the Village Manager, NYCOM and Bob Freeman, from the Committee on Open Government regarding the need to formally adopt minutes. Mayor Rosenblum stated that it was noted that work session minutes are not required and that minutes do not need to be voted on, they can simply be accepted for the record. Mayor Rosenblum would therefore note for the record that the minutes of the Board of Trustees Work Session for July to December 2010 were received. Trustee Hofstetter agreed but stated that if there is a vote taken at a work session that needs to be noted for the record. He also stated that at any time the Board goes in or comes out of Executive Session, the reason needs to be noted.

Mr. Tiekert appeared again and read a section of the Open Meetings Law that deals with minutes, which states that minutes of any open meeting need to be recorded when there is any action of the Board,

including voting to go into Executive Session. Mr. Tiekert also believes that the minutes should reflect if the person preparing the minutes was not at the meeting and is using the notes of an attendee of the meeting to prepare the minutes.

Mayor Rosenblum asked that an officer remove Mr. Tiekert from the podium.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Minutes presented for approval at the September 12, 2011 Regular Meeting of the Board of Trustees be and are hereby tabled.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that he thought it was curious that the Mayor did not ask for an officer to remove a resident who earlier in the evening called the members of the Board racist.

3. AUDIT OF BILLS

Trustee Santoro asked that Mr. Slingerland inform the Board of how much of the \$43,000 being billed in legal fees is being charged back to applicants. Mr. Fusco stated that he would do an analysis and give to the Board. Mayor Rosenblum gave a breakdown of the legal fees. Of the \$43,000 being billed; \$26,848 is attributable to land use applications before the Planning, Zoning or HCZM and \$8,361.89 is attributed to escrow. The total amount billed by the current land use attorney since being retained is approximately \$75,000. The Mayor stated that this is the same amount that would have been billed over a four and one half year period by our previous land use attorney. Mayor Rosenblum congratulated the police department for their commitment to continuing education. Mayor Rosenblum asked about the EZ Pass violation charges. Mr. Slingerland informed him that they are not actually violations; that is how EZ Pass charges us for use of a toll.

On motion of Trustee Albert, seconded by Mayor Rosenblum:

RESOLVED that the Abstract of Audited Vouchers listed below dated September 12, 2011 for fiscal year, copy being filed with the Village Clerk, after the report on legal fees by the Clerk-Treasurer is received be and the same are hereby ordered paid:

General Fund	\$ 252,095.11
Capital Projects	55,761.24
Expendable Trust	235.96
Guarantee & Bid Deposit	<u>13,729.72</u>
	\$ 321,822.03

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter noted that going back to the legal fees, if the Village had a full time Village Attorney, a lot of these bills would not occur.

4. OLD BUSINESS

None

5. NEW BUSINESS

- A. Resolution Scheduling a Public Hearing on the Draft Proposed Village of Mamaroneck Comprehensive Plan Update

**RESOLUTION RE:
SCHDULING A PUBLIC HEARING ON THE DRAFT PROPOSED VILLAGE OF MAMARONECK
COMPREHENSIVE PLAN UPDATE**

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that a public hearing is herein scheduled for October 11, 2011 at 7:30 PM to receive comments on the update of the Village of Mamaroneck Comprehensive Plan Update; and be it further

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish notice of said hearing pursuant to Village Law.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- B. Resolution Authorizing an Agreement with the NYS Dormitory Authority for a \$50,000 CCAP Grant For Downtown Intersection Street Lighting

RESOLUTION RE:

AUTHORIZATION TO EXECUTE A GRANT DISBURSEMENT AGREEMENT WITH THE NEW YORK STATE DORMITORY AUTHORITY

WHEREAS, in order to enhance pedestrian and traffic safety on Mamaroneck Avenue, the Village installed additional decorative street lamps at the Mamaroneck Avenue intersections with Spencer Place, Palmer Avenue and Prospect Avenue at a total cost of \$54,824; and

WHEREAS, to help offset the Village of Mamaroneck's costs, Assemblyman George Latimer was able to secure a grant through the New York State Dormitory Authority and its Community Capital Assistance Program in the amount of \$50,000; and

WHEREAS, the New York State Dormitory Authority recently proffered a grant disbursement agreement to the Village of Mamaroneck which will allow for the receipt of such grant funds by the Village.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Village Manager is herein authorized to execute such agreement, on behalf of the Village of Mamaroneck, with the New York State Dormitory Authority; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be necessary pursuant to the terms and conditions of the agreement.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Resolution Enacting a Tree Permit Process for the Village of Mamaroneck

Heard Earlier

D. Resolution Authorizing the Chamber of Commerce to Hold the Second Annual Spooktacular

**RESOLUTION RE:
AUTHORIZATION FOR CHAMBER OF COMMERCE TO HOLD 2ND ANNUAL SPOOKTACULAR
AND HALLOWEEN PARADE**

WHEREAS, the Village of Mamaroneck has received a request from the Chamber of Commerce for the use of the Hook & Ladder Firehouse (147 Mamaroneck Avenue) on Sunday, October 23, 2011 for their 2nd Annual Halloween Spooktacular; and

WHEREAS, the Chamber is also requesting the closure of Mamaroneck Avenue from Halstead Avenue to Prospect Avenue from 2:00 pm to 4:00 pm for a Halloween Parade and the closure of Mamaroneck Avenue from Prospect Avenue to Route 1 from 2:00 pm until 7:30 pm for the haunted house at the Hook & Ladder Firehouse.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby approves the request from the Chamber of Commerce to close Mamaroneck Avenue from Halstead Avenue to Prospect Avenue from 2:00 pm to 4:00 pm the closure of Mamaroneck Avenue from Prospect Avenue to Route 1 from 2:00 pm until 7:30 pm; and be it further

RESOLVED, that such approval is subject to the Chamber of Commerce providing the Village of Mamaroneck with a certificate of insurance naming the Village as an additional insured.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter asked for a report on the sale of the old firehouse as this was promised to help pay for the new firehouse. Mr. Slingerland stated that he has asked for direction from the Board on selling the property and was told not to do anything at this time as the market value has dropped. Mr. Slingerland is happy to work on this if the Board would like for him to. The Board agreed to put it on the next work session agenda for discussion.

E. Resolution Awarding Police Boat Motor Purchase after Re-bid

RESOLUTION

AUTHORIZING THE AWARD OF PURCHASE UNDER CONTRACT NUMBER 2011-08 FURNISH AND DELIVER TWO (2) 300 HP OUTBOARD MOTORS FOR THE POLICE BOAT

WHEREAS, The Village Of Mamaroneck Issued A Notice To Bidders And Request For Bids For Contract #2011-08 – Contract Number 2011-08 Furnish and Deliver Two (2) 300 HP Outboard Motors for the Police Boat; and

WHEREAS, a public notice was published on Monday, August 22, 2011, in the Gannett Westchester Newspaper, an official newspaper of the Village of Mamaroneck; and

WHEREAS, as of the deadline of 10 a.m. E.S.T., Wednesday, August 31, 2011, the Village of Mamaroneck had received no bids; and

WHEREAS, on August 31, 2011, after the bid opening deadline had passed, Assistant Village Manager Dan Sarnoff contacted Mercury Marine's headquarters in Wisconsin to request a quote based on their government pricing for these motors; and

WHEREAS, on September 1, 2011, after the bid opening and after the receipt of the quote from Mercury Marine, the Village received a late bid from Bridge Marine Sales out of Bayville, NY; and

WHEREAS, on reviewing the proposals and quotes, from lowest to highest, they are as follows:

Company	Location	Total Base Bid
1. Mercury Racing	Fond Du Lac, Wisconsin	\$31,197
2. Bridge Marine Sales & Tackle	Bayville, New York	\$32,232

AND WHEREAS, Village Manager Richard Slingerland and Assistant Village Manager Dan Sarnoff have reviewed the quotes and determined that the lowest responsible quote that meets requirements is Mercury Racing of Fond Du Lac, Wisconsin in the amount of \$31,197.

On motion of Trustee Ryan, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck Village hereby authorize the purchase of these motors pursuant to Contract Number 2011-08 Furnish and Deliver Two (2) 300 HP Outboard Motors for the Police Boat to Mercury Racing of Fond Du Lac, Wisconsin, or their local dealer, at the total approximate bid price for this purchase in the approximate bid amount not to exceed of thirty one thousand one hundred and ninety seven dollars (\$31,197.00) as stated in the quote, with no expense for shipping, and an additional expense not to exceed one thousand dollars (\$1,000) for installation by a local, authorized dealer; and be it

FURTHER RESOLVED, that the Village Manager, Assistant Manager, Harbor Master and Police Chief are authorized to take the necessary and appropriate actions to sign, execute and award this purchase, and

provide for local installation of this equipment at an additional charge to be funded by operating funds of the Police Department.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: Hofstetter

Trustee Hofstetter voted no as he believes these engines are overpowered for boats this size and also the police boats are not authorized for search and rescue missions.

F. Resolution Authorizing Fiscal Year-end 2010-2011 Close-out Matters

1. Budget Amendment and Transfer to Capital Fund to Close the Mamaroneck Firehouse Project

Mr. Slingerland stated that this resolution is to close out the construction on the Mamaroneck Firehouse project.

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED that the below budget amendment and transfer to capital fund to close the Mamaroneck Firehouse project be and is hereby approved.

General Fund

A5990 Appropriated Fund Balance:

A.0000.5990 Appropriated Fund Balance \$65,001.14

A9600 Appropriations

A.9950.0904 Transfer to Capital Projects Fund \$65,001.14

Capital Project Fund

H.0500 Revenues – Interfund Transfer:

H.0500.5031 Transfer from General Fund \$65,001.14

H5990 Appropriated Fund Balance:

H.3410.304 \$65,001.14

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

2. Resolution to Close Completed Capital Projects and Transfer Balances to the Debt Service Fund

Mr. Tiekert appeared and asked if the Sidewalk Improvement Project, Boston Post Road, is the CDBG project. Mr. Fusco stated that it is. Mr. Tiekert stated that he has been asking for the closeout documents on this project as he believes that whenever any government entity gives you funds, they want proof that the work was done and the money was spent on what you were supposed to spend it on. Mr. Sarnoff stated that Mr. Tiekert requested documents that are mandated by New York State for communities that are not members of an Urban County Consortium. Most communities in the state are not members of a consortium and get their money directly from the state. Mr. Sarnoff informed Mr. Tiekert that we are part of the Westchester County Urban Consortium and our rules and guidelines are established through Westchester County and that Mr. Tiekert is free to review the file again if he wishes. Mr. Slingerland stated that we have filed all completion documents that the County required from the Village.

**RESOLUTION TO CLOSE COMPLETED CAPITAL PROJECTS IN THE
CAPITAL PROJECTS FUND**

WHEREAS, various capital projects in the Capital Projects Fund have been completed, and

WHEREAS, two of the Village projects have a remaining deficit balance that must be funded from completed similar projects with remaining surplus, and

WHEREAS, some of the Village projects have a remaining unexpended balance that must be transferred to the Debt Service Fund and used to pay down current debt on respective project, and

WHEREAS, some of the projects have no remaining balances but must be formally closed.

On motion of Trustee Santoro, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustee of the Village of Mamaroneck does hereby close the following projects and fund the respective deficit from other similar projects with surplus:

<u>Account</u>	<u>Project</u>	<u>Amount</u>
H09.5410.0360.0002	ADA RAMPS 2008-09	6,808.00
H08.3120.0308	POLICE COMMUNICATION CONSOL	2,487.85

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustee of the Village of Mamaroneck does hereby close the following projects and transfer the total of \$234,011.16 to the Debt Service Fund:

<u>Account</u>	<u>Project</u>	<u>Amount</u>
H9800 - H8340.321	A-1217 8' main - Lawn Terrace	63,341.94
H9800 - H8340.320	A-1218 6" Water Main Neslon Avenue	30,168.17
H9800 - H08.1650.0308	NEW TELEPHONE SYSTEM - ALL BLDGS.	21,091.00
H9800 - H5410.322	CDBG-WASHINGTON ST	19,226.08
H9800 - H09.8160.0360.0001	TRANSFER STATION COMPACTOR	17,850.00
H9800 - H09.5410.0360.0003	FENIMORE RD IMPROVEMENTS	16,484.48
H9800 - H1490.303	NEW SALT SHED	11,246.36
H9800 - H5410.32	MAMARONECK AVE. STREETScape	10,659.13
H9800 - H09.5410.0360.0001	SIDEWALKS & CURBS 2008-09	8,280.00
H9800 - H08.5410.0324	CDBG - WASHINGTONVILLE PHASE III	7,507.98
H9800 - H8340.303	A-1208 REPLACE 6' ORIENTA	6,501.89
H9800 - H08.8160.0241	75 YD. COMPACTION TRAILER	5,036.05
H9800 - H09.3410.0230.0001	FIRE CHIEF'S VEHICLE	4,521.00
H9800 - H08.1680.0308	TELECOMMUNICATIONS CABLING - ALL BLDGS	4,000.00
H9800 - H07.3120.0200	NEW POLICE BOAT & MOTORS	3,994.00
H9800 - H7110.243	J Deer Backhoe Tractor	3,415.54
H9800 - H08.8160.0240	Sanitation Truck	3,026.00
H9800 - H08.5110.0264	STUMP CUTTER & GRINDER	1,714.00
H9800 - H09.3120.0230.0001	POLICE DEPT EVIDENCE STORAGE	1,500.00
H9800 - H08.8120.0236	LOCKER	1,500.00
H9800 - H09.5110.0230.0001	SEWER DEPT. VAN	1,149.71
H9800 - H8340.302	SKID LOADER	748.19
H9800 - H08.5410.0308.0001	6" MAIN KNOLLWOOD ROAD	605.31
H9800 - H5110.258	ADA RAMPS 2007-08	370.00
H9800 - H5110.256	1-F250 Pickup W/Plow	150.00
H9800 - H08.1680.0220	2005 J. Deere Backhoe/Loader	130.73
H9800 - H5110.26	NEW EXCHANGE SERVER	107.00
H9800 - H08.7110.0246	1- F350 Pickup W/Liftgate	68.00
H9800 - H5110.302	RIDING LAWN MOWER	63.25
H9800 - H08.5410.0308	STREET RESURFACING 2001-02	60.87
H9800 - H08.5410.0308	SIDEWALKS & CURBS 2007-08	57.00

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H9800 -	H09.7180.0302.0000	GUNDERBOOM REPLACEMENT	54.00
H9800 -	H5110.0395	Fenimore Road Improvements	48.01
H9800 -	H08.8120.0308	THE PARKWAY - DRAINAGE PROJECT	45.68
H9800 -	H8160.236	Top Steel Ejector Trailer	42.00
H9800 -	H08.7110.0245	2008 PICKUP TRUCK	28.50
H9800 -	H09.5110.0360.0002	STREET RECONSTRUCTION	10.56
H9800 -	H08.3410.0360.0001	VOLUNTEERS - HEATING / AC UNIT	4.58

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustee of the Village of Mamaroneck does hereby close the following projects which are fully expended:

<u>Account</u>	<u>Project</u>	<u>Amount</u>
H9800 - H5110.257	2006 Dump Truck	-
H9800 - H5110.259	1- F350 Pickup /Dump Body	-
H9800 - H7110.244	1-250 Pickup W/Plow	-
H9800 - H7230.233	2007 DODGE PICKUP TRUCK	-
H9800 - H07.3410.0268	FIRE CHIEF VEHICLE	-
H9800 - H08.5110.0263	FRONT END LOADER	-
H9800 - H08.5110.0265	SMALL DUMP TRUCK WITH PLOW	-
H9800 - H08.5110.0308	2007-08 STREET RECONSTRUCTION	-
H9800 - H08.7110.0308	STREAM BANK RESTORATION - COLUMBUS PARK	-
H9800 - H08.8120.0309	SEWER SYSTEM REMEDIATION- RUSHMORE/FRANK	-
H9800 - H09.5110.0230.0002	PICK UP TRUCK	-
H9800 - H09.5410.0360.0004	SIDEWALK IMP PROJECT - BOSTON POST RD	-
H9800 - H10.3410.0260.0001	FIRE DEPT WORK BOAT	-
H9800 - H10.5110.0253.0001	LED TRAFFIC LIGHTS	-

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

3. Resolution Authorizing the Issuance of Bonds (and Bond Anticipation Notes) for Current Projects

The Village finances many capital projects through the issuance of Bonds and Bond Anticipation Notes. Capital projects include the construction and reconstruction of municipal facilities, roads, bridges, water mains, sewers and equipment. Such debt offerings must be authorized by Village Board of Trustees and comply with the New York State Local Finance Law; and

The Village usually issues Bond Anticipation Notes, which must have a term of less than one year, during the construction phase of projects. Notes can be refinanced but must be converted to bonds within five years.

When the Village of Mamaroneck is conducting a Bond sale or a Bond Anticipation Note sale, the Notices of Sale and Official Statements will be posted on the following site: [Capital Markets Advisors, LLC](http://www.capitalmarketsadvisors.com).

The Capital projects that have been purchased or are currently in the construction phase are listed below; Bond Resolutions have been prepared for these respective projects and follow.

<u>Account</u>	<u>Project</u>	<u>Amount</u>
H09.5410.0360.0004 \$157,000.00	SIDEWALK IMP PROJECT – BOSTON POST ROAD	
H10.5410.0360.0001 150,000.00	CDBG – OLD WHITE PLAINS RD TO JEFFERSON AVE	
	CDBG – CENTER AVE TO NEW STREET	200,000.00
H11.5110.0260.0001	PLOW/SALT/DUMP TRUCK	196,400.00
H11.8160.0260.0001	SANITATION TRUCK	<u>184,000.00</u>
		<u>\$887,400.00</u>
H11.8120.0309.0001	SEWER REMEDIATION	<u>\$470,000.00</u>

BOND RESOLUTION, DATED SEPTEMBER 12, 2011, AUTHORIZING THE ISSUANCE OF UP TO \$887,400 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE AND (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE STREETS.

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of machinery and apparatus for construction and maintenance (\$380,400) and (ii) the acquisition, construction and reconstruction of improvements to Village streets, including improvements to Village sidewalks (\$507,000), in and for the Village, and including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$887,400, all in accordance with the Local Finance Law.

On motion of Trustee Santoro, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$887,400, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or classes of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes, or classes of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of machinery and apparatus for construction and maintenance and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$507,000 for which \$507,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The acquisition, construction and reconstruction of improvements to Village streets, including improvements to Village sidewalks, and including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$380,400 for which \$380,400 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$887,400; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of fifteen (15) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk/Treasurer is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk/Treasurer shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section

81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any

penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk/Treasurer, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed

collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk/Treasurer.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

BOND RESOLUTION, DATED JANUARY 12, 2011, AUTHORIZING THE ISSUANCE OF UP TO \$1,535,515 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE'S WATER SYSTEM.

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Village's water system, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$1,535,515, all in accordance with the Local Finance Law;

On motion of Trustee Santoro, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,535,515, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to the Village's water system, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$1,535,515; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of forty (40) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such

serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange

Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 8. This bond resolution will become effective immediately upon its adoption by the Board of Trustees.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

BOND RESOLUTION, DATED SEPTEMBER 12, 2011, AUTHORIZING THE ISSUANCE OF UP TO \$470,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE SEWER SYSTEM.

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Village sewer system, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$470,000, all in accordance with the Local Finance Law;

On motion of Trustee Santoro, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$470,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to the Village sewer system, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$470,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of thirty (30) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations

authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is thirty (30) years. The serial bonds authorized herein shall have a maximum maturity of thirty (30) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The

validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the

Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 8. This bond resolution will become effective immediately upon its adoption by the Board of Trustees.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

BOND RESOLUTION, DATED SEPTEMBER 12, 2011, AUTHORIZING THE ISSUANCE OF UP TO \$429,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) VARIOUS SETTLED CLAIMS, (II) THE SETTLEMENT OF TAX CERTIORARI CLAIMS AND (III) THE ACQUISITION OF A HARBOR MASTER BOAT.

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the payment of various settled claims (\$107,400), (ii) the settlement of tax certiorari claims (\$279,100) and (iii) the acquisition of a harbor master boat (\$43,000), all in and for the Village, including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$429,500, all in accordance with the Local Finance Law;

On motion of Trustee Santoro, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed

\$429,500, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or classes of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes, or classes of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The financing of the costs of various settled claims, in and for the Village, together with preliminary and incidental costs related thereto, at an estimated maximum cost of \$107,400 for which \$107,400 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 33(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The financing of the costs of the settlement of tax certiorari claims, in and for the Village, at an estimated maximum cost of \$279,100 for which \$279,100 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 33-a(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(c) The acquisition of a harbor master boat, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$43,000 for which \$43,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and

appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$429,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk/Treasurer is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk/Treasurer shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such

obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the

Village Clerk/Treasurer, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution will take effect upon its adoption by the Board of Trustees of the Village.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

G. Resolution Adopting a Goal and Measure to Achieve a Reduction in Carbon Footprint for the Village of Mamaroneck

Trustee Ryan stated that the Committee for the Environment has been working on getting information on the Village's energy consumption since 2005 to ICLEI. We are at the point where the Board needs to make a commitment on reducing our carbon footprint. In order to submit that number, the Village needs to have a few projects that validate that number, which are referred to in the resolution. Trustee Ryan thanked Jean Peron, who took hours and hours compiling and inputting the information needed.

RESOLUTION
ADOPTING A NON-MANDATORY GOAL AND MEASURES
FOR THE VILLAGE OF MAMARONECK TO TARGET

BOT 9/12/2011 p. 40
TO REDUCE THE CONSUMPTION OF FOSSIL FUELS
AND TO REDUCE THE VILLAGE OF MAMARONECK'S CARBON FOOTPRINT

WHEREAS, the Village of Mamaroneck is a community that is strongly concerned with protecting and improving the local and global environment, and is a participating member of the International Council for Local Environmental Initiatives (ICLEI); and

WHEREAS, with continued global warming the Village faces, as do all other waterfront communities, potentially growing impacts from climate change and sea-level rise, which is a growing concern to municipal planning and policy making officials; and

WHEREAS, the Board of Trustees and the Village Administration have been working closely with the Committee For The Environment to identify opportunities that will allow the Village to reduce its energy consumption and in turn its carbon footprint, reducing our impact on the global climate, examples of which include upgrading Village-owned and operated traffic control signal luminaries from high electricity consumption incandescent to new low energy consumption L.E.D. signal faces on all village-owned traffic signal faces, and other similarly focused measures such as the authorization to purchase high-efficiency, low fuel consumption hybrid vehicles for use by our Parking Enforcement Officers; and

WHEREAS, the Board of Trustees thanks the Committee for all their hard work and dedication, especially the efforts of Jean Peron for her hard work and dedication in performing an energy consumption analysis of the Village of Mamaroneck's operations, to set a baseline for our energy consumption levels; and

WHEREAS, the Village of Mamaroneck seeks to be a more environmentally responsible and less wasteful entity, by reducing our consumption of energy and fuel, by reducing our carbon footprint, and in turn improving the environment of our community and the larger world.

On motion of Trustee Ryan, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED, that as a general measure, the Village of Mamaroneck Board of Trustees sets the non-mandatory goal of reducing our overall energy and fuel consumption by five percent (5%) below levels at which the Village operated in 2005, within the next five years, and sets such goal to be achieved by December 31, 2016, through purchase and implementation of more fuel efficient vehicles or alternative fueled vehicles, more energy efficient building and public infrastructure equipment such as lighting, furnaces and hot-water heaters, and other measures to reduce waste and improve our energy efficiency, and ultimately to reduce our overall carbon footprint.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

H. Resolution Authorizing Settlement of Tax Certioraris for:

1. JP Morgan Chase at 242 Mamaroneck Avenue

Trustee Hofstetter noted that the Village is assuming that the asset value of property in 2007 was lower than in 2010; as values are trending from higher to lower. This reflects the actual market.

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER JP MORGAN CHASE (FORMERLY BANK OF NEW YORK) FOR PROPERTY LOCATED AT 242 MAMARONECK AVENUE

WHEREAS, petitions have been filed by the property owner(s) 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 \$43,529.09 without interest; and

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

On motion of Trustee Ryan, seconded by Mayor Rosenblum:

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 properties listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2007	\$90,000	\$62,469	\$27,531
2008	\$90,000	\$57,377	\$32,623
2009	\$90,000	\$58,415	\$31,585
2010	\$90,000	\$54,972	\$35,028
2011	\$90,000	\$54,972	\$35,028

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

2. Professional Properties at 444 East Boston Post Road

BOT 9/12/2011 p. 42
RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER
PROFESSIONAL PROPERTIES, LLC
FOR PROPERTY LOCATED AT 444 EAST BOSTON POST ROAD

WHEREAS, petitions have been filed by the property owner(s) 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 \$66,503.04 without interest; and

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

On motion of Trustee Ryan, seconded by Mayor Rosenblum:

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 properties listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2002	\$58,300	\$46,350	\$11,950
2003	\$58,300	\$42,080	\$16,220
2004	\$58,300	\$37,920	\$20,380
2005	\$58,300	\$34,290	\$24,010
2006	\$58,300	\$32,835	\$25,465
2007	\$58,300	\$32,200	\$26,100
2008	\$58,300	\$29,575	\$28,725
2009	\$58,300	\$30,100	\$28,200
2010	\$58,300	\$28,290	\$30,010
2011	\$58,300	\$31,810	\$26,490

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- I. Resolution Authorizing the Acceptance of a Gift of Umbrellas and Chairs from the Beach Point Club for use at Harbor Island Park

BOT 9/12/2011 p. 43
RESOLUTION RE:
ACCEPTANCE OF A GIFT FROM THE BEACH POINT CLUB

WHEREAS, the Beach Point Club has graciously offered to donate approximately one hundred-fifty (150) stackable beach chairs, twenty (20) umbrellas with stands and twelve (12) outdoor tables to the Village of Mamaroneck to be used at Harbor Island Park; and

WHEREAS, the estimated value of such donation requires Board of Trustees approval.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Board of Trustees herein accepts the donation of beach chairs, umbrellas and benches from the Beach Point Club thanks the Beach Point Club for their generosity to the Community.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

The Board thanked Rosanne Saracino, Randy Ruder and the club for their generous gift.

J. Addition of Agenda Item 5K

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

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that Agenda Item 5K, resolution authorizing the issuance of two letters; one to be sent to all state and federal officials as well as FEMA and SEMO and the second to be made available on the Village website for residents to download, sign and send, be and is hereby added to the Board of Trustees Regular Meeting Agenda of September 12, 2011.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

K. Resolution Authorizing Issuance of Two Letters

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Village Manager has herein requested to prepare two letters; one for the Village to submit to state and federal officials as well as FEMA and SEMO and one to be posted on the Village's website for residents to download, sign and send to elected officials and appropriate government agencies requesting immediate assistance in implementing flood control projects that would benefit the Village of Mamaroneck.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

6. REPORT FROM VILLAGE MANAGER

A. Stream Control Permit Authorized by Westchester County for Removal of Road to Nowhere Heard Earlier

Trustee Ryan had a question on point #11. She asked who would be responsible for this. Mr. Slingerland confirmed that it would be the Town/Village of Harrison. He also confirmed that anywhere it states "owner", that refers to Harrison,

B. Letter and Report from the ISO Confirming the Village of Mamaroneck's Fire Insurance Rating

Mr. Slingerland reported that a letter from the International Service Organization was received confirming the Village's fire insurance rating at three (3). This included a report, which has been posted on the Village's website. Mr. Slingerland further stated that over the past year, the Village has maintained a rating of three, which is an excellent rating, especially with having an all volunteer fire department; however he has noted a few weak spots. The Village is working on raising the rating by improving the record keeping and this has been discussed with the chiefs.

7. FLOOD MITIGATION REPORT

Report given earlier.

8. REPORT FROM CLERK-TREASURER

None

9. REPORT FROM VILLAGE ATTORNEY

Mr. McDermott requested an Executive Session be held at the end of the meeting.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Zoning Board of Appeals – June 2, 2011

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Minutes of the Zoning Board of Appeals of June 2, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Updates from the Board

Trustee Hofstetter gave a heartfelt thank you to all of the Village's first responders, Con Ed and Red Cross for helping out during Hurricane Irene and the storm that followed. He also thanked Messrs. Slingerland and Sarnoff for being instrumental in keeping everything running smoothly and keeping all informed as early as possible. He realizes that things were bad; however, if we got the wind storm predicted, it could have been much worse. Trustee Hofstetter was amazed and pleased with how everyone came together so quickly to get what needed to be done, done.

Trustee Hofstetter attended the September 11th memorial event. It was a moving event and good to see some of the faces of people who worked so hard during the storms there and happy to see Larchmont, Mamaroneck and the Town get together to commemorate this day. Trustee Hofstetter attended the Rye Dissolution Study meeting over the weekend and reported that there will be more meetings on this subject in the future.

Trustee Hofstetter announced that the Mamaroneck schools will be having a junior triathlon next weekend. He encouraged all to attend. Trustee Hofstetter attended the reopening of the senior center and it was a wonderful event. Lastly, a letter was received from a resident complimenting our Harbor Master, Joe Russo. He asked that this letter be put in his personnel file.

Trustee Ryan stated that Trustee Hofstetter touched on all of the events that she also attended. She thanked Town Supervisor Valerie O'Keeffe for continuing the tradition and thanked all who spoke and reminded us to Never Forget. Trustee Ryan mentioned the incredible work that has been done from before the hurricane to the sad picking up of resident's belongings from the curb. A thank you goes to all first responders, especially DPW for treating this with great respect. Trustee Ryan also believes that the Dissolution Study is something that we need to pay close attention to.

Trustee Ryan stopped by the campout night at Harbor Island Park and it looked like a lot of families having a lot of fun. She attended the last Mamaroneck Shares event and there was a wonderful turnout. Trustee Ryan asked the community to check our website regularly, especially the Committee for the Environment's page as they are trying to keep the residents informed of environmental news and events that are going on in our community and communities around us. The Council of the Arts also has a lot of information on their page. They are asking for local artists to sign in as they are hoping to have an art show soon. Trustee Ryan stated that Mother Jackson is sponsoring a revival event at Columbus Park on Saturday, September 17. All are invited to attend.

Trustee Albert reiterated what Trustee Hofstetter said about our first responders and what they did to get us through these rain events. Trustee Albert was impressed and in awe with how Mr. Sarnoff had everything coordinated. He did an amazing job. He also appreciates Joe Russo and the work he does for the Village at the harbor. Trustee Albert announced that the Strawberry Fest will be held on September 18, for those residents who lived in the Strawberry Patch.

Trustee Santoro reminded residents that Saturday, September 17 is the Library dedication. Trustee Santoro attended the first home football game on the new field at Mamaroneck High School on Friday night and the crowd was phenomenal. Their next home game will be on Friday, September 23 at 7 p.m. In reference to the storm, it was unbelievable how the Village pulled together and especially Mr. Sarnoff, acting in Mr. Slingerland's absence. Mr. Sarnoff thanked Mr. Slingerland for using the limited amount of phone time he was allowed during the storm (as he was in the Bahamas) talking to the Village staff. Trustee Santoro stated that although the fire department got a 3 rating, they are number one with Village residents.

Mayor Rosenblum reminded residents of the upcoming celebration of the Town's 350th anniversary this coming weekend and highlighted some of the events. Mayor Rosenblum stated that in addition to Supervisor O'Keeffe and Administrator Alteri, Jennifer Graziano Mangano has been instrumental in coordinating these events. In reflection of all of the comments made about the Village's first responders, the Mayor feels that it is appropriate, after the 9/11 weekend to read the names of the Village of Mamaroneck residents who perished on that tragic day. Mayor Rosenblum noted that we not only have to remember those who perished in the Twin Towers, we need to remember those who perished at the other two sites that fateful day.

On motion of Mayor Rosenblum, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive Session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and existing litigation.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

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