

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, SEPTEMBER 26, 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 Sid Albert
	Village Manager	Richard Slingerland
	Assistant Village Manager	Daniel Sarnoff
	Village Attorney	Michael McDermott
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	Trustee	John M. Hofstetter

MAYOR/MANAGER AND FIRE CHIEF FOR THE DAY

Mayor Rosenblum introduced Jared and Todd Freifeld, who were acting Mayor/Manager and Fire Chief for the day, respectively. Mayor Rosenblum presented Jared with a proclamation congratulating him on being acting Mayor and Manager for a Day. Chief Szymanowski presented Todd with a proclamation congratulating him on being acting Fire Chief for a Day.

MAYOR'S REPORT – THIS IS MAMARONECK

Mayor Rosenblum stated that he received a phone call to go to the rock at Rye Neck High School that had been painted in commemoration of 9/11. Mayor Rosenblum introduced the group that did the design and painting. Mr. Joe Humphries represented the group and spoke about the idea and experience and thanked the Board for their acknowledgement. The group also thanked Dr. Mustich, Superintendent of the school and the Rye Neck Football team for their help and support. Mr. Humphries presented the Mayor with a photograph and two canvasses depicting the painting event to be displayed at Village Hall. Mayor Rosenblum thanked the team on behalf of the Village.

I. COMMUNICATIONS TO THE BOARD

Mr. Bernard Wildenberg of Chestnut Avenue appeared on behalf of the Harbor Heights Neighborhood Association with questions for the Manager and Board in regard to the recent flooding.

In response to these questions, Mr. Slingerland informed him that a letter to our political representatives from the Board on behalf of the Village has been drafted and is ready to go. The Village Manager has contacted FEMA several times regarding the question as to whether the Village can sponsor residents as we do not have an approved All Hazards Plan. The Village did have an approved Flood Mitigation Plan; however, this plan was never adopted. There was a grant received in December of 2010 to complete the All Hazards Plan and a request for proposals has gone out to work with the Manager's office in completing this plan. Mr. Slingerland further stated that in the meantime, his office has asked for a waiver of having this plan in place until it is completed. He has talked to the County officials and FEMA and so far, the answer is no. In response to the question if there is \$500,000 in county grant money, Mr. Slingerland stated that he is not aware of any money available from the county. There are several Federal Grants available to the Village for flood mitigation work; one project being paid for by these grants is the Jefferson Avenue Bridge. Mayor Rosenblum stated that he has asked the county about this money and has not received an answer. In regard to the status of the Road to Nowhere, Mr. Slingerland stated that his office is working with the village consulting engineer to answer questions posed by the Town of Harrison. Survey work and specifications are in the process of being done. The Village should be ready to go out to bid within the next couple of weeks. In answer to the question regarding the county having \$2.5 million budgeted for flood mitigation, the Mayor stated that when the county submitted their budget to the County Executive there was \$2.5 million for flood mitigation projects budgeted. This budget was vetoed and sent back to the legislature and the veto was overwritten. The budget was published without the \$2.5 million in it. Mayor Rosenblum asked County Executive Astorino about this and is waiting for an answer. In answer to starting the construction on the Anita Lane Bridge in 2011, Mr. Slingerland stated that the funding for this capital project needed to be in place and this is planned to be done in the spring of 2012. The Village; however, is trying with the help of the County Executive to expedite this. In response to the question as to whether White Plains releases water from one of its dams during flood events, Mr. Slingerland stated that there are no records that show that White Plains releases water to the Village during flood events. There are no dams that we are aware of, in White Plains that flow to or affect Mamaroneck. In response to the question of the RFP for having cameras placed in sewer lines, Mr. Slingerland responded that the Village is working on this RFP to video and inspect the liners in the Harbor Heights area. He has also checked with County Department of Environmental Facilities and one key issue is that when the sewage plant becomes inundated, they can only handle a certain amount of sewage and the manholes will start to surcharge. The county has spent between \$5 and \$6 million on sewer relining over the past ten years to stop groundwater inflow. In regard to flood notifications and warnings in place, question nine, there is an emergency email notification system in place as well as reverse 911 calls made with the County system. Mr. Sarnoff stated that in addition to the County system, the Village used the Westchester Joint Water Works reverse 911 system. There

was a letter delivered to all of the residents in the evacuation areas before the storm hit. The Mayor asked for any resident that did not receive a 911 call, to please notify the Village so that their number can be added.

Mayor Rosenblum thanked Mr. Wildenberg for his questions and encouraged all Village residents to continue coming to meetings and to keep this issue in the forefront. All Board members are concerned about the flooding and even though the Village spent \$100,000 last year and has budgeted \$90,000 for this year, there is still only so much we can do. He further stated that with all of the floods we have had, the Village does not have an inventory of homes that flood. Mayor Rosenblum instructed the Village Manager to work with the Building Department to prepare a full inventory of all homes and business in the Village that are affected by flooding and what type of damage they experience, whether it is in the basement or on the main living level(s). The Mayor stated that the most obvious fixes for certain areas is to have the structures lifted. The question is who will pay for this. He also stated that the waiving of building permit fees to complete flood mitigation work has been extended to the end of October. Mayor Rosenblum asked that the Village Attorney work with the Zoning and Planning Boards to permit those homes and business that have their mechanical equipment in areas that flood allow them to be moved above the flood plain. The Mayor also stated that we have to purchase our own excavating equipment if we are not going to be able to use Harrison's. He also believes that the work the Village did this past year helped with the flooding as we have had many incidents this year where we came very close to flooding and would have if we did not take proactive steps to prevent it.

Trustee Ryan stated that she lives in a house that never flooded, but since 2007 has flooded many times. As far as an inventory is concerned, she believes that we have to go house to house as the fix for one house in one area, may not be the fix for another house in another area. There are small fixes that can be done and education that can help.

Mayor Rosenblum clarified a statement that he made at the previous meeting. He, the Village Manager, Assistant Village Manager and the Chair of the Flood Mitigation Advisory Committee attended a symposium sponsored by the County where an attorney gave them the idea to file a class action suit against the up county municipalities that do not retain their water as mandated by the County, due to home rule exemption.

Mr. Slingerland encouraged residents who were flooded to contact FEMA as they have only heard from 48 residences who received damage. He stated that the disaster recovery center in White Plains is closing tomorrow; however, we are trying to get the mobile recovery center to come to the Village of Mamaroneck some time in October. There is also a link to a State website that will replace lost appliances due to the flood on our website.

Mayor Rosenblum asked that residents who send letters to their representatives send copies to the Village offices.

Mr. Dan Natchez of East Boston Post Road appeared in regard to Item 5G. He wholeheartedly endorses the waiving of fees to file a building permit to complete work done in connection with the recent flooding. He asked that the requirement to get a coastal zone and wetlands permits be suspended as well as a lot of damage that occurred during the storm was within 100 feet of the coast line. Technically one would need a wetlands permit to have this work done and he is afraid that residents will do this work and not file the proper plans with the building department if they have to go through the process of going before the Harbor and Coastal Zone Management Commission, which could take several months. Mayor Rosenblum believes that this is a slippery slope as they are just trying to lessen the financial burden to residents; not to take over the duties of the HCZM. Mr. Natchez stated that he is not suggesting doing away with the need for a building permit, but to allow for residents to repair in kind, what was already there and allow them to do the work without requiring that they get a wetlands permit from the Planning Board or coastal permit from the HCZM. Mr. McDermott agrees with the Mayor that this is a slippery slope and in his experience, once a requirement is removed, it is hard to put it back in place. The Mayor stated that this will be considered.

Mr. Rich Ferguson of Urban Street appeared in regard to the retaining wall along the Mamaroneck River behind his home. Mr. Ferguson purchased the home in 2005 and at that time, the wall seemed fine. It has begun to bulge following the flooding in 2007. After the last storm, the wall has cracked and is further bulging. Mr. Ferguson unfortunately does not have a current survey of the property; however, he believes that he owns the wall. The issue is that there is an easement under his property and because of this; he cannot do any work there, as he understands the law. He is extremely concerned of what will happen if this wall fails. This needs to be addressed as the resultant failures that would occur if this wall fails, could affect a major area. Mr. Ferguson asked about the Saxon Woods reservoirs. He believes that they hold 20 – 30% of what they held thirty years ago and that if they were dredged, could help with water retention. Mayor Rosenblum stated that there are claims between different organizations on who owns this property. Mr. Slingerland got clarification that a vast majority is owned by the County. He suggested that this would be a good project for the county to tackle with the grant money available. Mayor Rosenblum asked Mr. Slingerland and Mr. McDermott to work with Mr. Ferguson on the easement issue. Mr. Ferguson asked that a dialogue be kept open between him and the Village Manager on this issue; Mr. Slingerland agreed.

Mr. Stuart Tiekert of Beach Avenue appeared. He saw the rock at Rye Neck High School and it is striking. Mr. Tiekert stated that when the political signs go up in the Village before an election, the talk of an open government increases. He informed the Board of two issues that are quite opaque. The first is the removal of the trees on Nine Acres Lane. By his estimation, it is between \$35 and \$50,000 worth of trees on Village property. Mr. Tiekert informed the Board that the only thing that had taken place is that a violation was issued to the wrong property owner. He believed that there was further information on this issue, but has been informed that there is no additional information and therefore hopes that the Board receives an update this evening. The second issue is the Beach Avenue storm drains. Mr. Tiekert recalls that at the April meeting, the Board committed to using grant money to put storm drains on Beach Avenue. Mr. Tiekert was at a Planning Board meeting last week and there was discussion of a meeting that took place regarding this issue. He and other neighbors requested that they be at this meeting, but were told that they were not allowed to attend. He believes that this is unfortunate as if this administration wants to be open and transparent; they need to address these issues.

2. APPROVAL OF MINUTES

A. Minutes of BOT Work Session – July to December, 2010 (Acknowledgement of filing)

Mayor Rosenblum stated that there has been recent communication regarding some of these minutes that over one year old. Both NYCOM and the Executive Director of the Committee on Open Government have opined that the minutes simply have to be acknowledged by the Board and filed for the record. Before voting on this issue, Trustee Albert asked if he should recuse himself from voting on the work session minutes from 2010 as he was not on the Board at this time. Mayor Rosenblum stated that he has read that if a member of a board has read the minutes, they can vote on them. Mr. McDermott stated that the Board is simply noting that they exist; they are not approving them for content.

On motion of Mayor Rosenblum, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Board of Trustees Work Sessions for the period of July through December 2010 be and are hereby filed for the record by the Board of Trustees.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

Mayor Rosenblum asked that the Board approve the remaining minutes submitted as a bundle. Trustee Ryan stated that at the September 12 meeting, the Board went into Executive Session at the end of the meeting to discuss pending litigation and she believes that the particular litigation should be reflected in the minutes. Mr. McDermott stated that this was the Panetta action. Trustee Ryan asked that this be reflected in the minutes.

B-F. Minutes of BOT Special Meeting of July 20, 2011 (Previously tabled)
Minutes of BOT Regular Meeting of July 18, 2011 (Previously tabled)
Minutes of BOT Special Meeting of July 25, 2011 (Previously tabled)
Minutes of BOT Accounts Payable Meeting of August 1, 2011 (Previously tabled)
Minutes of BOT Regular Meeting of September 12, 2011

Mr. Tiekert appeared again. He stated that there is a legal requirement for the minutes to be an accurate reflection of what transpired at the meeting. Mr. Tiekert sent in comments and corrections to the minutes on the agenda this morning and asked if these corrections were going to be made. Ms. Roberts stated that the corrections Mr. Tiekert suggested will be made. The issue of whether or not the specific cases that are going to be discussed when the Board enters Executive Session was discussed. Mr. Tiekert stated that he has forwarded case law to the Board that indicates that this needs to be done. Trustee Ryan stated that broad strokes are not good enough and that the Board needs to be as specific as they can be within the law in informing the public of the subject(s) that will be discussed in Executive Session. Trustee Ryan believes that there are different interpretations of this law and she believes that they need to employ a fine stroke when stating what the Board will be discussing in Executive Session when it comes to litigation. Mayor Rosenblum believes that it can be done either way, but when it comes to personnel matters, the name of the individual should not be mentioned. Mr. McDermott reminded the Board that the specificity of the reason to go into Executive Session cannot undermine the Executive Session. Mr. Slingerland stated that when the Board goes into Executive Session a portion of the law that cites the reasons for an executive session is always noted. Mr. Tiekert stated that this is not good enough. Mr. Slingerland disagrees. Mr. McDermott stated that the way the Village has been noting their Executive Sessions is appropriate and suggests that the Board note the minutes, file them for public concern and move on to the next agenda item.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Minutes of the Special Meeting of July 20, 2011, the Regular Meeting of July 18, 2011, the Special Meeting of July 25, 2011, the BOT Accounts Payable Meeting of August 1, 2011 and the Regular Meeting of September 12, 2011 with the changes suggested by Trustee Ryan and Mr. Tiekert in his email of September 24, 2011, be and are hereby filed for the record by the Board of Trustees.

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

3. AUDIT OF BILLS

Trustee Ryan asked about the charge for the Westchester County Department of Stream Bank Introductory Workshop for stabilizing stream banks and if this is a learning opportunity and who is going. Mr. Slingerland stated that it is and that he received the information on this from Trustee Ryan. He, Mr. Sarnoff, the Building Inspector and the Mayor are planning to attend this work shop on how to better manage storm water. Mr. Slingerland asked Trustee Ryan if she would like to attend. She stated that she would let him know.

RESOLVED that the Abstract of Audited Vouchers listed below dated September 26, 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	\$	621,850.30
Capital Projects		193,513.71
Expendable Trust		490.54
Guarantee & Bid Deposit		<u>97.50</u>
	\$	815,952.05

4. OLD BUSINESS

None

5. NEW BUSINESS

- A. Resolution Authorizing the Village Manager to Execute Contract with Bay Fireworks for July 4, 2012 Firework Display

RESOLUTION
AUTHORIZING THE EXECUTION OF AGREEMENT WITH
PYRO ENGINEERING, INC. FOR FIREWORKS DISPLAY

WHEREAS, the Village Manager has received the Agreement from Pyro Engineering, Inc. of Farmingdale, NY to design, produce and conduct the fireworks display at Harbor Island Park on July 4, 2012; and

WHEREAS, Pyro Engineering, Inc. has determined that the 2012 Fireworks Display will cost the Village \$16,000; and

WHEREAS, to receive an additional Free 100 Finale Shells, payment in full must be received by Pyro Engineering, Inc. prior to October 31, 2011.

On motion of Trustee Albert, seconded by Trustee Santoro:

NOW THEREFORE BE IT RESOLVED, that the Village Manager is hereby authorized to execute the agreement between the Village of Mamaroneck and Pyro Engineering, Inc. and be it further

RESOLVED, that the Village Manager and all other appropriate Village officials are hereby authorized to undertake any administrative acts required under the terms of the agreement.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

- B. Reaffirm Budget Amendment Resolution Adopted at September 19, 2011 Work Session to Reflect Principal Payment of Library Bond for Fiscal Years 2010-11 and 2011-12

RESOLUTION RE: AUTHORIZING BUDGET AMENDMENT TO FY 2010/11 AND FY 2011/12 BUDGETS

WHEREAS, the Mamaroneck Public Library District was created by special act of the New York State Legislature in 1991 and ultimately approved by referendum by the residents of the Village of Mamaroneck; and

WHEREAS, although the Mamaroneck Public Library is an independent entity, the Library does not have the authority to issue debt on its own and relies on the Village of Mamaroneck to issue such debt with the library remitting funds to the Village to pay the debt service; and

WHEREAS, the Village of Mamaroneck Board of Trustees, by resolution adopted June 25, 2007, authorized the issuance of up to Fifteen Million Five-Hundred Thousand Dollars (\$15,500,000) in debt service for the renovation and expansion of the Mamaroneck Public Library; and

WHEREAS, it was originally determined that for accounting purposes, the principal and interest payments were shown in the Library's operating account as a component unit to the Village; and

WHEREAS; during the FY 2010/11 audit, our independent auditor has recommended that in order to properly account for such payment of debt by the Village, it should be recognized in the Village's FY 2010/11 and in future budgets; and

WHEREAS, The Board of Trustees at their September 19, 2011 adopted the following resolution authorizing a budget amendment to the Fiscal Year 2010/11 and 2011/12 budgets; and

WHEREAS, it is appropriate for the Board of Trustees to reaffirm this resolution at a Regular Board Meeting.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED; that the Budget Officer is herein authorized to amend the Village of Mamaroneck FY 2010/11 as follows to recognize the increases as recommended by the Village's Independent Auditor:

REVENUE

A.2770 Library Reimbursement	\$452,499.98
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EXPENDITURE

A.9710.0600 BAN Principal	\$290,000.00
A.9710.0700 BAN Interest	\$162,499.98

; and be it further

RESOLVED; that the Budget Officer is herein authorized to amend the Village of Mamaroneck FY 2011/12 as follows to recognize the increases as recommended by the Village's Independent Auditor:

REVENUE

A.2770 Library Reimbursement	\$908,423.62
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EXPENDITURE

A.9710.0600 BAN Principal	\$350,000.00
A.9710.0700 BAN Interest	\$558,423.62

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

C. Resolution Authorizing Amended Tree Permit

Mr. Stuart Tiekert of Beach Avenue appeared again. He appreciates the changes made; however, he believes the permit can be improved. For example, there is no mention that the person planting the tree needs to follow the tree planting guidelines recently passed by this Board. Mr. Slingerland stated that is not correct. The permit states that the approved planting guidelines have to be followed and those guidelines will be attached to the permit. Mr. Tiekert believes that should be clear on the form. He also stated that there is no reference to the policy and standards and this should be part and parcel of the permit as that defines where you can plant a tree. He also believes that there should be policy in the permit that if a tree dies within a year, it is the homeowner's responsibility to remove the tree and that there should be a one year expiration on the permit. Mr. Tiekert is concerned that the permit has changed from being a ministerial action to a discretionary action on the part of the Manager's office. He would hope that if a person met all of the requirements, one would get the permit; it would not be discretionary. Mr. Tiekert asked why the decision would be left up to the Manager's office when the Village has a tree committee. He does not understand why the Manager is the authority and questions who in the village is most concerned with trees. Mr. Tiekert stated that Mr. Slingerland did not have an interest in a permit like this when it was first suggested. The complaint was that it was a liability for the Village. After that was discounted, the complaint was that it was adding a level of bureaucracy. Mr. Tiekert stated that this permit adds three layers of bureaucracy, as the signature has to be notarized; a certificate of insurance needs to be submitted and an annual report is required. Mr. Tiekert believes that the tree committee should have the authority for this as they are the only entity in the Code tasked with accepting donations for trees. Mr. Tiekert stated that he has sent his comments and hopes that this document is reworked into a better tree permit.

Mr. Irving Scharf of Richbell Road appeared in support of the Tree Committee being tasked with the responsibility of the tree permit and tree planting process. He asked if there is an appeals process if the Tree Committee rejects a request. Mayor Rosenblum stated that Mr. Tiekert did not attend the Tree Committee meeting where they crafted this document. The Board reviewed their comments at the last meeting. This is the document that the Tree Committee wants and either the Village has a Tree Committee or they don't. Mr. McDermott stated that this document sufficiently protects the interests of the Village and that it is a workable document that allows homeowners to understand what is expected of them to plant and/or donate trees.

Trustee Ryan stated that she recently ran into two Tree Committee members and they said that they feel like they are spinning their wheels. She believes that we need to make our committees feel that the Board values the work they are doing. This document may not be perfect, but it is a workable document and can be made better if need be.

**RESOLUTION RE:
ENACTING A TREE PERMIT PROCESS FOR THE VILLAGE OF MAMARONECK**

WHEREAS, the Village of Mamaroneck Tree Committee has been working in conjunction with the Village Administration to establish a permit process to assist people desirous of planting trees along Village-owned streets and rights of way, including approved areas along village-owned medians, and in Village-owned parks; and

WHEREAS, based on this work, a proposed tree permit form and recommended guidelines have been prepared 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 enacting 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.

On motion by Mayor Rosenblum, seconded by Trustee Santoro:

RESOLVED, that the Board of Trustees hereby enacts a Tree Permit Process for the Village of Mamaroneck; and be it further

RESOLVED, that the Board of Trustees hereby requests that the Village Manager implement a Tree Permit form in substantially the same form as recommended by the Tree Committee, as authorized by the Board of Trustees tonight; and be it further

RESOLVED, that the Village Manager shall submit on an annual basis a list of all such donations for authorization and acceptance of these trees by the Village of Mamaroneck to comply with the requirements of New York State Law that government entities 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 permit form if and when it becomes necessary to keep this policy current

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

Mayor Rosenblum asked Mr. Ybarra to speak now as he missed the Communications to the Board portion of the meeting.

Mr. Peter Ybarra of Standish Place appeared regarding the trees that belong to Harrison that are overgrown by the river. Mr. Slingerland stated that the day after the last Board meeting he contacted Supervisor Walsh and arranged to have their Town Engineer and Superintendent of Public Works meet him in areas where there are several large dead trees. They informed him that some are on their property and some are on private property. There was one that actually fell in the river and the Village removed it as flood prevention maintenance. Harrison is dealing with the other trees as it is their responsibility. Mr. Ybarra stated that in the brook near his home where it goes under Harrison Avenue there are two huge boulders in the way of the river flow. Mr. Slingerland stated that it will be looked at tomorrow and he appreciates Mr. Ybarra letting him know.

D. Resolution Authorizing NYS DOT to obtain a Permanent Easement for Work and Installation of Traffic Signals at Entrance to Harbor Island Park

**RESOLUTION RE:
AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT
OF TRANSPORTATION**

RESOLVED, at the regular meeting of the Village of Mamaroneck Board of Trustees, on September 26, 2011, the following resolution was adopted, offered by Trustee Ryan, and seconded by Trustee Albert_ and passed by the Board that Richard Slingerland, Village Manager of the Village of Mamaroneck, be empowered to execute the Agreements and subsequent papers which might be required to secure payment of this claim: Proceeding 13697, PIN# 8809.24.202, map 16; Parcel 16.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

E. Resolution Supporting ICLEI Revised Charter

Trustee Ryan stated that the CFTE reviewed this Charter and there was feedback in support of it.

RESOLUTION
SUPPORTING ICLEI'S REVISED CHARTER

WHEREAS, the Village of Mamaroneck has been a member of the International Council for Local Environmental Initiatives (ICLEI) for several years, and global membership in ICLEI has grown to over 1,200 members; and

WHEREAS, to improve and enhance governance and operation of its organization, ICLEI has proposed a new and amended Charter to set policy and procedures for its operations and actions.

On motion of Trustee Albert, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck endorses and supports ICLEI's proposed Charter Revisions and Updates , and authorizes the Village Manager to vote in favor of the proposed charter update on behalf of the Village of Mamaroneck, NY, USA.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

F. Resolution Adding Agenda Item 5G

RESOLUTION
ADDING AGENDA ITEM 5G

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 Santoro:

RESOLVED that Agenda Item 5G, resolution extending debris pickup until October 7, 2011 and waiver of Building Department remediation fees through October 28, 2011 be and is hereby added to the Board of Trustees Regular Meeting Agenda of September 26, 2011.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

- G. Resolution Extending Debris Pickup until October 7 and Waiver of Building Department Remediation Fees through October 31, 2011

**RESOLUTION RE:
EXTENSION OF DEBRIS PICKUP AND WAIVER OF BUILDING PERMIT FEES FOR RESIDENTS
AFFECTED BY HURRICANE IRENE AND TROPICAL STORM LEE**

WHEREAS, the Village of Mamaroneck recently experienced two flood events caused as a result of Hurricane Irene and Tropical Storm Lee; and

WHEREAS, the damage caused by these floods will have a prolonged impact on the Village and its residents in both human and financial terms; and

WHEREAS, due to the extensive damage caused by these storms, the Village Administration, pursuant to §200-3 of the Village Code allowed pickup of debris by Public Works crews from homes and businesses affected by these floods and the Board of Trustees, by resolution adopted at their September 6, 2011 work session, waived building permit fees through the end of September for applications to repair damage caused as a result of Hurricane Irene and Tropical Storm Lee; and

WHEREAS, the Village Administration, had planned to resume regular refuse collection as of September 16, 2011 and require residents to procure dumpsters if they were still removing debris for their homes, however, due to the scope of damage, it is appropriate that Village continue to collect debris from flood damaged properties, except sheetrock or other materials not accepted by Westchester County; and

WHEREAS, due to the large scale damage caused by Hurricane Irene and Tropical Storm Lee throughout New York State and the northeast region of the United States, many property owners have been unable to apply for building permits as they are must first wait to meet with their Insurance Adjusters and FEMA personnel, and as such, it is appropriate that the waiver of building permit fees be extended.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that the Village Board herein supports the actions of the Village Administration to extend the collection of storm related debris as noted above until October 7, 2011; and be it further

RESOLVED, that the Board of Trustees herein waives building permit fees for applications to repair damage caused as a result of Hurricane Irene and Tropical Storm Lee until October 31, 2011.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Intermunicipal Agreement with the City of Rye for Sanitation Services

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

B. File for the Record – Agreement with General Code for Novus Agenda

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

C. File for the Record – Intermunicipal Agreement with Westchester County for Bus Shelter

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

D. File for the Record – Intermunicipal Agreement with Westchester County Dept. of Mental Health for Substance Abuse Services

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

E. Communication Received from NY Power Authority on County Governmental Customer Electricity Rates for 2012

Mr. Slingerland stated that this communication was received in his office.

Mr. Slingerland reported on the recent Stranger Danger Alert. Apparently there was an attempt made by a stranger to pick up a school aged child in Larchmont. The Police could not associate this event with any car or person. Mr. Slingerland reminded all to speak with their children about this. Trustee Albert believes that the schools should be involved with the police department in coming up with posters that could be placed in the schools reminding children of safety measures, especially with strangers. Mr. Slingerland stated that he would contact the superintendents about this.

7. FLOOD MITIGATION REPORT

Mr. Slingerland stated that most of the flood report was covered during the earlier discussion. He announced that there was a meeting last week on the All Hazards Mitigation Plan, so that is moving forward. A lot of information was given to the consultants and we are on schedule. His office has asked the consultants to move the schedule up if possible. His office has also reached out to residents regarding their damage to assure that the Army Corps has a complete list of affected residents.

8. REPORT FROM CLERK-TREASURER

Mr. Fusco reported that pursuant to Section 520, Subdivision (1) of the Real Property Tax Law, a copy of recent 520 Tax Exemptions have been submitted to the Board for their review.

9. REPORT FROM VILLAGE ATTORNEY

Mr. McDermott reported that the following local laws have been filed with the Secretary of State on September 8, 2011.

- A. Filing of Local Law 8-2011 with Secretary of State (Moratorium)
- B. Filing of Local Law 9-2011 with Secretary of State (False Alarm Charges Code Change)
- C. Filing of Local Law 10-2011 with Secretary of State (Property Maintenance)
- D. Filing of Local Law 11-2011 with Secretary of State (Garbage, Rubbish and Refuse)

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

- A. Committee for the Environment – June 21, 2011

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Minutes of the Committee for the Environment of June 21, 2011 be and are hereby adopted.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

Updates from the Board

Mayor Rosenblum stated that he performed his fifth wedding ceremony since in office at Molly's. He congratulated the happy couple. On October 10th there will be an event covered by radio at Enzo's restaurant. There will be a grand re-opening this week at Nan's Gift and Party Shop. The Mayor again thanked the police and fire departments for saving that building. On October 12th there will be a poetry reading at Café Mozart.

Mayor Rosenblum announced the opening of the new Asian fusion restaurant at 330 Mamaroneck Avenue. He also noted that a Greek restaurant opened at 599 East Boston Post Road and is getting rave reviews. Mayor Rosenblum reported on the 100th Anniversary Mass and Celebration held yesterday at St. Vito's Church, with Archbishop Timothy Dolan. Mayor Rosenblum congratulated the Mamaroneck High School football team for winning their game on Friday night. The Mayor noted that the opening of the Library was fantastic. The upcoming Spooktacular will be held on Sunday, October 23. Lastly, the Mayor announced that there is a bike to school week being held at Rye Neck Schools on October 3-7, 2011.

Trustee Ryan stated that the Mayor covered many of the events that she also attended. Her grandchildren were at the Library opening and it is wonderful to see things through the eyes of children. It is a lovely children's area that invites them in to explore. Trustee Ryan also attended the St. Vito's anniversary. It was a wonderful event; Archbishop Dolan was warm and welcoming and it was quite a big day for the parish that she grew up in.

Trustee Santoro announced the Chamber of Commerce Golf Outing took place today; it was a great event.

Trustee Albert also attended the Library opening and having served on their board for many years, the opening was an absolute pleasure. He has been told that there are people from other communities coming to see what we have. Trustee Albert attended the St. Vito's celebration as well as the Strawberry Patch reunion, for those residents who grew up in the Strawberry Patch. Trustee Albert has been asked by many residents about the sewage treatment plant. He believes it would be a good idea to have someone from the county come to a Board meeting to let the residents know what is going on with the construction. Lastly, he wished all Jewish residents a Happy New Year.

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