

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON TUESDAY, OCTOBER 11, 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/MANAGER AND FIRE CHIEF FOR THE DAY

Mayor Rosenblum introduced Jacob and Zachery Fisher, who were acting Mayor and Manager for the day, respectively. Mayor Rosenblum presented Jacob and Zachery with a proclamation congratulating them on being acting Mayor and acting Manager for a Day.

POLICE DEPARTMENT AWARDS

Mayor Rosenblum announced the following:

Honorable Service Award Class 4

- Sgt. Eric Lindh
- P.O. Anthony Colletti
- P.O. Gary Galvao

For demonstrating initiative and competence at alerting and escorting residents out of a Structure Fire located at 525 Halstead Ave on June 26th 2010.

Honorable Service Award Class 4

- P.O. Michael Viapiano
- P.O. Christopher McLeod
- P.O. Michael Petrillo

For demonstrating initiative and competence in effecting an arrest of two suspects on felony and misdemeanor charges in connection to a larceny of a retail store located at 305 Mamaroneck Ave.

Command Recognition Letter

- Sgt. Dominick Lanza
- P.O. Mathieu Ricozzi
- Det Sandra Diruzza
- P.O. David Ballone
- P.O. Juan Gonzalez
- P.O. Michael Bonacci

For displaying alertness and efficiency in effecting an arrest of two suspects on felony and misdemeanor charges in connection to a larceny of a retail store located at 305 Mamaroneck Ave.

Chief Leahy and Lt. Falcone presented the awards. The Board congratulated the Officers for their outstanding work.

The Mayor took the next item out of order.

MAYOR'S REPORT – THIS IS MAMARONECK

Dr. Peter Mustich reported on the property at 734 East Boston Post Road, which is owned by the Rye Neck School district. There has been a two year search done on these buildings with the State and the State has given the district permission to remove the structures. There is an historic marker on the buildings; however, they are not on the national registry of historic homes. There is a portion of the main home that dates back to the 1700s; however, it has been renovated many times since then. The barn dates from the 1900s. The archeological reviews have been done and neither of these properties have historical value. These properties also do not fit into the needs of the school nor are they ADA compliant. Dr. Mustich invited any resident who is interested to attend their hearing on November 2 and to visit their website, as all pertinent information on the removal of these properties is posted.

The Mayor announced that both Jim Killoran with Habitat for Humanity as well as John Manouselis, owner of 448 who were scheduled to present are not at the meeting. Mr. Killoran has reported that he and Habitat have been very busy since Hurricane Irene and Tropical Storm Lee hit. Mr. Manouselis stated that 448 Mamaroneck Avenue has three new tenants moving in and within the next few months, the building should be completely occupied.

Ms. Peggy Jackson and Ms. Ellen Hauptman, Co-Chairs of the Mamaroneck Shares events reported on the very successful events held this summer. There were four events held and raised over \$35,000, which is a

huge difference from the \$12,400 raised last year. Ms. Jackson thanked the charities that helped them out as well as the police and public works departments. Ms. Hauptman stated that they are contributing to four charities this year; Home on the Sound, the Pediatric Cancer Society, the Mamaroneck Emergency Medical Service and Keep Abreast. Ms. Hauptman stated that deciding to hold four events this year versus three last year was a wise decision as the turn out grew with each event. Ms. Jackson presented checks to representatives of the charities. Ms. Nikki Deshensky appeared for MEMS. She thanked the ladies as this will cover the balance owed on the new Ambulance. Ms. Lynn Reichgott from Home on the Sound appeared. Ms. Reichgott thanked the Board and the people of Mamaroneck for their hospitality. She thanked Peggy and Ellen for their on-going support and friendship. This check is going to go along way to help resident who want to stay in their homes. Dr. Nancy Joselson from the Pediatric Cancer Foundation appeared and thanked the Board and Mamaroneck Shares for their support. Ms. Ellen Hauptman thanked the Board on behalf of Keep Abreast. She announced that each charity received \$7,500. They look forward to next year. Mayor Rosenblum thanked the ladies and also announced that Mamaroneck was voted one of the best small towns to live in by CNN/Money Magazine, where it ranked number 60 and number 1 in New York State. This is in no small part due to the cultural events that Mamaroneck Shares is a big part of.

On motion of Mayor Rosenblum, seconded by Trustee Santoro:

RESOLVED that the Board of Trustees convene to Executive Session to discuss Mamaroneck Beach and Yacht Club litigation.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: Hofstetter

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED that the Board of Trustees adjourn from Executive Session.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum stated that the Board will be taking Item 5E out of order.

5. NEW BUSINESS

- E. Resolution Confirming Village Policy that State Owned Lands Held in Trust for the Public Remain In the Hands of the Public

The following resolution was motioned by Trustee Hofstetter. There was no second to the motion by advice of legal counsel.

WHEREAS the Village has received a NOTICE OF APPLICATION TO THE COMMISSIONER OF GENERAL SERVICES FOR A GRANT OF LAND UNDERWATER from Mamaroneck Beach and Yacht Club concerning 0.59 acres along Otter Creek; and

WHEREAS the Village of Mamaroneck has designated Otter Creek - the Creek adjacent to the area in question - as a Critical Environmental Area;

WHEREAS the current draft of the update to the Local Waterfront Revitalization Program (LWRP) has been changed at the suggestion of the Village Counsel to read in policy 9.3 *Shall Preserve the public interest in, and use of, lands and waters held in public trust by the State*"; and

WHEREAS the LWRP Update Committee concurred with the above change strengthening Village's commitment preserving lands held in public trust; and

WHEREAS, the current draft of the update to the LWRP states in Policy 9.1 *"Limit grants, easements, permits, or lesser interest in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands."*; and

WHEREAS NYS Office Of General Services has stated through the office of their Commissioner, Roann Destito on May 2011, that the New York State Office of General Services (OGS) has made a determination that a portion of the property used in Mamaroneck Beach & Yacht Clubs application and approvals process is State owned land; and

WHEREAS Mamaroneck Beach and Yacht Club has requested that the New York State office of General Services transfer their rights to the property in question to the Beach Club; and

WHEREAS Part of NYS OGS' notification process requires that the Notice of Application be served on the local municipality being a minimum of 20 days prior to the date of Application to allow time for the local municipality to express their view on said Application.

NOW THEREFORE BE IT RESOLVED that the Village of Mamaroneck policy is that State owned lands held in trust for the public should remain in the hands of the public and that grants, easements, licenses, permits etc only be granted for water-dependent uses that do not compromise or diminish the environmental integrity of the associated area, particularly in light of the water quality and quantity issues the Village faces.

BE IT FURTHER RESOLVED that New York State be encouraged to restore previously filled public trust lands in environmentally sensitive areas and insure those lands be ecologically and environmentally productive as well as provide for public access in a manner that is consistent with our LWRP.

BE IT FURTHER RESOLVED that a copy of this resolution be immediately transmitted to Roann Destito, the Commissioner of New York State Office of General Services upon adoption on this date of October 11, 2011.

No vote was taken as the motion was not seconded.

Mayor Rosenblum stated that Communications to the Board will be taken out of order

I. COMMUNICATIONS TO THE BOARD

Ms. Susan Sidel of Chestnut Avenue appeared on behalf of the Harbor Heights Neighborhood Association. Ms. Sidel questioned the issues brought up by Mr. Wildenberg at the last meeting. She asked if the Village has sent the letter to County, State and Federal officials asking for immediate financial assistance. Mr. Slingerland stated that the letter is ready for Board signature. The Village has also posted a letter on its website for use by residents to send to elected officials. Mr. Slingerland expects that the letters from the Village will be sent this week. Ms. Sidel asked if there is any further information on help for residents wanting to raise their homes. Mr. Slingerland stated that there have been several discussions with FEMA and the NY State Office of Emergency Management who advise that there are funds available through an ICC Program. Unfortunately, there are difficult parameters that have to be met to be eligible for these funds. You also have to go through your insurance company as well as FEMA. Mr. Slingerland stated that the name of the individual at FEMA who can answer questions on this program will be posted on the website. Mr. Slingerland read some of the provisions of this program and how important it is for individuals who have suffered damages register with FEMA. Mr. Sarnoff further stated that when the Village's All Hazards Mitigation Plan is complete and submitted, being registered could mean the difference of receiving 90% of the funds needed to mitigate flooding damage in your home rather than 75% funding. Mr. Sarnoff stated that the more homes on the list, the better the funding options for homeowners.

Mr. Slingerland stated that the Village currently has only six property addresses on the SRL (severe, repetitive loss) list. These would be the only properties eligible for these funds. He asked that all residents affected by the flood or tropical storm, contact his office so that they may be registered with FEMA. This will help the Village with the Army Corps of Engineers study as well as the funding of any fixes. Mr. Sarnoff stated that he and Trustee Hofstetter attended a forum held by Congresswoman Lowey, where there were over twenty municipalities present. At that forum, the qualifications for being considered a severe, repetitive loss property were discussed. There are two ways to qualify, the first being if you have experienced two separate claims over the last ten years that account for more than 50% of the total homes value before the loss or if you have had four \$5,000 claims over the last ten years and two of those claims have to be due to events that are more than 10 days apart. Ms. Jackson asked if funds will be available retroactively for people who are in the process of raising their homes at this point, as this is before the All Hazards Mitigation Plan has been submitted. Mayor Rosenblum stated that it was his understanding from speaking with representatives from SBA and FEMA that you can go back to qualifying events, as long as you registered, to get aid. Ms. Jackson understood it differently. She believes that the only monies available will be through an SBA loan.

Mr. Slingerland reminded residents that the deadline for registering with FEMA and SBA is October 31. You may submit your claims after that point.

Ms. Sidel asked about the \$500,000 that Senator Suzi Oppenheimer stated was available for flood mitigation. Mr. Slingerland stated that has not been confirmed. It is his impression that money was given to Westchester County; however, his office was not able to confirm this. Mayor Rosenblum stated that the Village spoke to the County and to Assemblyman George Latimer and both the County and Mr. Latimer have not gotten back to them. We are waiting for a reply.

Ms. Sidel asked about the Road to Nowhere. Mr. Slingerland stated that the Village got all of the answers needed from our engineer and the job should go out to bid by the end of the week. Ms. Sidel asked for an update on the county budget that was rewritten without the \$2.5 million for flood mitigation projects. Mr. Slingerland stated that he has asked for additional funding for the Road to Nowhere and any other project we may have and he was told that the county has no money. Mayor Rosenblum stated that he was told that when the County Board of Legislators passes a budget, they in essence tell the County Executive how he has to spend the money, but he is not required to spend it that way; therefore if the \$2.5 million was in the budget, there is no guarantee that it would be spent for flood mitigation. Trustee Ryan stated that it was her understanding that the money would be used for the purpose that it was stated for.

Ms. Sidel asked for an update on the RFP for cameras in the sewer lines. Mr. Slingerland stated that he and Mr. Sarnoff are working on this and they hope to get out by the end of the month. One of the key issues we face throughout the Village is that the sewage treatment plan gets overwhelmed during a flood event.

Ms. Sidel stated that although there was sufficient time to prepare for Hurricane Irene, there was no notification that flooding was eminent during Tropical Storm Lee. She stated that emails are one way to notify residents; however, not everyone has access to a computer and if the power is out, this method as well as telephone calls will not work. She remembers a time when the fire whistles would blow if flooding was eminent. Emergency personnel would also drive around with a bullhorn making announcements. Ms. Sidel does not feel that there is a plan in place to notify residents in the event of eminent flooding. Mr. Slingerland stated that the Village tracks the weather constantly and if there is a chance of flooding, reverse 911 calls are made and blasts are sent out via email. During Tropical Storm Lee, the amount of rain fall was not predicted. We therefore did not have any advance notice. Mr. Slingerland also asked any resident who did not get a reverse 911 call to contact his office. Ms. Sidel asked the Village to come up with a plan to alert residents during a flood event. Trustee Ryan agreed that the Village needs to look at how we failed during the last event and work on a way to make small fixes. This is something that we can fix easily.

Mr. Slingerland stated that the Village received a grant in the amount of \$125,000 from Mrs. Lowey's office and received a waiver for not having the All Hazards Mitigation Plan in place so that we can continue to perform work under that grant. This money will be matched by \$30 - \$40,000 from the Village and one of the projects is for an emergency notification plan using river telemetry. Ms. Sidel thanked Mr. Slingerland for visiting her street on the day of Tropical Storm Lee to make sure that she and her neighbors were okay.

Ms. Kelly Galvao of Rockland Avenue appeared. She owns two homes that abut Mamaroneck High School. She asked if she was going to get an answer to the letter sent by her attorney that non-school events being held at the school are held to Village of Mamaroneck rules and regulations. Mr. McDermott stated that this is still under review by the Village. He spoke with her attorney about this as well as the head of the school district. Ms. Galvao spoke to a gentleman at the Department of State and he informed her that the Village does have jurisdiction over non-school events being held at the school. Mr. Slingerland will follow up with this person. She also stated that there is a nine-point test that needs to be conducted to grant a school immunity. She does not believe that this test was done. Mayor Rosenblum stated that Dr. Schaps was going to work with the neighbors to have the lights turned off by 9 p.m. during the week and 10 p.m. on Friday and Saturday. Mr. McDermott stated that he would talk to Mr. Mazin again.

Mr. Dan Natchez of East Boston Post Road appeared on agenda item 5E and how this was not passed on advice of counsel. He cannot let this go without comment. The letter from Mamaroneck Beach and Yacht Club's attorney has reached a new low standard. There is no reason why people cannot have a difference of opinion and when you start threatening individuals who are performing their public functions, this is reaching a low that we have never reached before. This is intimidation and it should not be tolerated. Mr. Natchez would hope that the Board has not felt intimidated; however, he cannot believe that the resolution proposed that reiterates Village policies already in place is not being discussed.

PUBLIC HEARING – COMPREHENSIVE PLAN UPDATE

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 11th day of October, 2011, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider the Update of the Village of Mamaroneck Comprehensive Plan.

PLEASE TAKE FURTHER NOTICE that a copy of the Comprehensive Plan is on file with the Clerk-Treasurer of the Village of Mamaroneck and on the Village of Mamaroneck website.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco
Clerk-Treasurer

Dated: September 30, 2011
October 7, 2011

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Public Hearing on the Comprehensive Plan Update be and is hereby opened.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum stated that several emails have been received on this plan; one from Bob Galvin, Chair of the 2025 Committee, as well as Greg D'Angelis member of the 2025 Committee, Nora Lucas and Sue McCrory stating that they would like this hearing kept open after this evening.

Mr. Frank Fish and Ms. Susan Favate of BFJ Planning appeared and presented to the Board and residents. A copy of their PowerPoint presentation has been filed for the record. Mr. Fish stated that this plan is on the Village's website and copies have been sent to the Planning Board and HCZM. An electronic and hard copy has been sent to the County Planning Board. There are also hard copies available for view at the library and the Clerk-Treasurer's office. The state requires that when you have a committee, that committee officially recommend the plan to you. Mr. Galvin is present this evening as Chair of the 2025 Committee to formally recommend this to the Board. Mr. Fish stated that the previous Master Plan dates to 1986 and that the Village has changed significantly since that time. In 2005, the Village set up a 2025 Vision Committee to update the Comprehensive Plan. This was done in two phases; the first phase was adopted in 2007; however, it was always meant to have both phases adopted. The Plan being presented this evening incorporates all of Phase 1 as well as new content, in 12 total chapters. Two public workshops were held on this plan. The intent of Phase 1 was meant to incorporate zoning and land use changes. When this was done, the Committee focused on Phase 2. Mr. Fish is hoping that after the Board has received comments and are comfortable with the plan, they will close the hearing, then meet with the Committee to make revisions to the plan and that document would be submitted to HCZM for a Determination of Consistency. Once that is done and the SEQRA has been completed, the Board would then be in a position to adopt or adopt as revised. A time line to have this done by January 2012 has been formulated and Mr. Fish believes that this is enough time to make any changes to the plan that the Board feels necessary.

Ms. Susan Favate gave an overview of each chapter. The four themes used in the Vision of the Plan are quality of life, keeping the small-town character, diversity of the area and the environment. The chapters are:

Introduction
Regional Setting
Demographics & Housing
Land Use & Zoning
Industrial Area
Environmental Protection/Mamaroneck Harbor/Long Island Sound
Neighborhoods & Housing
Commercial Districts
Traffic & Transportation
Open Space & Recreation
Municipal Services & Cultural Facilities
Recommendations & Priorities

Trustee Ryan asked about climate change and if this is being considered. Mr. Bob Galvin, Chair of the 2025 Committee appeared and stated that climate change had been addressed somewhat. What the Committee tried to do was look at green measures for what the municipality and the residents could do and goals to measure these initiatives. Trustee Ryan stated that the Committee for the Environment is looking at

the Village's carbon footprint and ways to reduce this. Trustee Ryan asked how the rising tides due to climate change should influence setbacks and building heights. Mr. Galvin stated that there are areas where these issues are being addressed. These issues can be raised during the SEQRA process. Mr. Galvin stated that the Committee encompasses a very broad range of people and a good representation of residents. Mr. Galvin was recently at a Planning Federation event and many municipalities have three ring binders and replace sections of their plan as they are updated.

Ms. Doreen Roney of Highview Street appeared regarding the letter she sent to the LWRP Committee and to the Planning Board with a picture of Fenimore Road to the north of 95, showing a storm drain overflowing. Ms. Roney stated that if the FEMA flood maps were correct, this area should not be flooding. She believes that both the Comprehensive Plan and the LWRP need to address this issue as it is a health safety issue.

Mr. Dan Natchez appeared again regarding the Comprehensive Plan that is posted on line and that it being a pdf makes it very difficult to work on. He asked that this document as well as others be uploaded as a word document so that those interested can work on it. He also asked that the hearing be left open. Mr. Natchez believes that this plan needs to dovetail with the LWRP Update as they affect each other. There were many comments to this Board regarding zoning changes to help mitigate flooding. Mr. Natchez stated that there are real fundamental issues that need to be focused on. Mr. Natchez suggested that the Board look at the Nature Conservancy study that he believes gets to the heart of the issue and needs to be part of the Comprehensive Plan.

Mr. Tony Weiner of Beach Avenue appeared. He believes that in adopting this plan, we are relying on an LWRP which may not be accepted by the state. Parking has been a problem in the Village for years. He was part of a committee that studied this in the 1980s. There are laws on the books that talk about parking enforcement. He suggested that we simply follow and enforce the laws we already have on the books. Mr. Weiner stated that the Landmarks law is unique and because of it, we do not qualify for some grants. Regarding re-zoning the commercial areas, he asked if this is a way to legalize things that have been ignored. He also asked if blaming the FEMA map is a way to not do anything and blame someone else. He asked if SEQRA is being done correctly on the LWRP Update and Comprehensive Plan. Lastly, Mr. Weiner stated that the best way to save money with consolidated municipal functions is to get rid of the Village of Mamaroneck, as we have overlapping functions with the Town.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on the Comprehensive Plan be and is hereby adjourned to the next Regular Meeting scheduled for October 24, 2011.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

2. MINUTES

Trustee Ryan stated that there are many mistakes in the minutes and she believes that they should be looked at by the members and comments should be made before they are filed. Trustee Hofstetter stated that he thought that the Board was no longer voting on approving minutes. Trustee Ryan asked that the specific case that was discussed in their Executive Session of September 6, 2011 be noted. The Board noted the receipt of the following minutes with changes made by Trustee Ryan.

- A. Minutes of BOT Work Session September 6, 2011
- B. Minutes of BOT Work Session September 19, 2011
- C. Minutes of BOT Regular Meeting August 15, 2011
- D. Minutes of BOT Accounts Payable Meeting August 29, 2011
- E. Minutes of BOT Regular Meeting September 26, 2011

3. AUDIT OF BILLS

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated October 11, 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	\$	337,793.11
Capital Projects		71,995.42
Water Fund		18,000.00
Expendable Trust		35.96
Guarantee & Bid Deposit		2,400.00
Escrow & Bid Deposit		<u>18,157.47</u>
	\$	448,381.96

4. OLD BUSINESS

None

5. NEW BUSINESS

Trustee Hofstetter asked if a Board member could be held personally liable for a vote on a resolution. Mr. McDermott stated that he cannot answer that question in the abstract. There has to be a damage caused for anything to be actionable. Mr. McDermott stated that it is too broad of a topic to be answered in the abstract. Trustee Hofstetter is concerned on voting on any of the resolutions this evening due to the discussions that took place in Executive Session.

A. Resolution Authorizing Auction of Surplus Equipment

**RESOLUTION
AUTHORIZING THE SALE OF SURPLUS VEHICLES/EQUIPMENT**

WHEREAS, certain Village vehicles and equipment have been recommended to be declared as surplus or they have exceeded their useful life and purpose; and

WHEREAS, the Village is desirous of selling these vehicles and equipment at public auction.

On motion of Trustee Santoro, seconded by Trustee Albert:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby declare the following vehicles as surplus Village property and authorizes the disposal of the following vehicles and equipment by public sale:

YEAR	MAKE/MODEL	VEHICLE ID #	MILEAGE	ASSIGNED TO
1989	Dodge - Van	2B5WB35Z2KK403291	47,566	DPW
2001	Ford - Crown Vic	2F2FP71W11X193074	84,545	Police
2008	Ford - Crown Vic	2FAHP71V98X173018	76,050	Police
2004	Ford - Crown Vic	2FAHP71W74X142093	66,171	Police
1999	Ford - Crown Vic	2FAF971W3XX202172	72,697	Police
2007	Verado - Port 250 CXXL Motor	30" Shaft - LH Blown Lower	1950 hours	Police
2007	Verado - Starboard 250 CXXL Motor	30" Shaft - RH Runs Good	1953 Hours	Police

*Disposal of all Xerox photo copiers bought out as part of the Canon lease transition (a list of all copiers and ancillary equipment will be compiled and kept on file in the Clerk Treasurer's office).

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

Trustee Hofstetter stated that he will be abstaining from voting as he did not get a satisfactory answer to his question regarding personal liability.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Abstention: Hofstetter

B. Resolution Authorizing Recreation Department Budget Amendment for Additional Summer Camp Bus Expense

**RESOLUTION RE:
AUTHORIZING BUDGET AMENDMENT FOR RECREATION DEPARTMENT**

WHEREAS, by resolution of March 28, 2011, the Board of Trustees awarded Contract #11-04 – Bid for Providing Bus Transportation, to Mile Square Transportation, 15 Worth Street, Yonkers, NY for a price of \$293 per day, per bus for camp transportation, \$317 per day per bus for special events and \$281 per day per van for special events; and

WHEREAS, in preparing the Fiscal Year 2011/2012, the Village anticipated approximate 200 Day Camp registrants based on a historical growth of eleven percent (11%) per year; and

WHEREAS, the 2012 the Village of Mamaroneck Day Camp was extremely successful and experienced a twenty-six percent (26%) as compared to 2010; and

WHEREAS, because of this unprecedented increase in enrollment, additional buses were required to transport camp attendees, leading to increased busing costs; and

WHEREAS, the costs for such bus transportation services are largely offset by the increased camp registration revenue and it is appropriate to amend the FY 2011/2012 budget to reflect such revenue and expenditure increases.

On motion of Trustee Santoro, 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 in day camp registration revenue and increase in bus transportation expenditures as follows:

<u>REVENUE</u>	<u>INCREASE</u>
A.0220.2003 Day Camp Registration	\$10,000.00
<u>EXPENDITURE</u>	<u>INCREASE</u>
A.7317.0422 Day Camp Contractual Services	\$10,000.00

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Abstention: Hofstetter

- C. Resolution Authorizing a Purge of Outstanding Parking Tickets more than ten years old from Financial Reports

**RESOLUTION RE:
PURGING OF PARKING TICKETS**

WHEREAS, the Village of Mamaroneck as of May 31, 2011 has a database of approximately 47,000 outstanding parking violations dating back to 1987, totaling approximately \$1.8 million of which, nearly 37,000, or 78% of the outstanding parking tickets, totaling approximately \$1.2 million are in excess of five years old; and

WHEREAS, the Village Auditors noted value of these outstanding parking tickets exceeded \$1million and were greater than one year, and that the Village should implement a more aggressive collection policy and determine what amounts are deemed collectible.

WHEREAS, the Village has taken steps for a more aggressive collection evidenced by the retaining of a new parking citation management service which has resulted in increased parking violation collection revenue; and

WHEREAS, the Village has determined what amounts are collectible and by purging the tickets from the Village's outstanding parking tickets list, the Village will thereby addressing the comments in the Management Letter; and

WHEREAS, should the Village purge such non collectable parking tickets in excess of five years, the Village will be provided with a separate data file which will archive the purged parking tickets and allow for the receipt of revenue if individuals pay old parking tickets or future action be taken as may be appropriate.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Village Board herein requests that the Village Manager work with the Village's Parking Citation Management Company to purge the non collectible parking tickets issued on or before May 31, 2006;

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Abstention: Hofstetter

D. Resolution Authorizing a Tax Certiorari Settlement to Delvito Realty for 632 Fayette Avenue

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER DELVITO
REALTY FOR PROPERTY LOCATED
AT 632 FAYETTE 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 \$41,029.23 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 Santoro, seconded by Trustee Ryan:

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

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2006	\$46,500	\$27,800	\$18,700
2007	\$46,500	\$28,400	\$18,100
2008	\$46,500	\$24,000	\$22,500
2009	\$46,500	\$20,600	\$25,900
2010	\$46,500	\$20,600	\$25,900
2011	\$46,500	\$20,600	\$25,900

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Abstention: Hofstetter

- E. Resolution Confirming Village Policy that State Owned Lands Held in Trust for the Public Remain in The Hands of the Public

Heard Earlier.

6. REPORT FROM VILLAGE MANAGER

Mr. Slingerland stated that the Mobile Disaster Recovery Center that FEMA opened at Harbor Island Park last week had a very large turnout from all over Westchester County. He hopes that emergency services will keep this in mind when opening a disaster recovery center.

Mr. Slingerland stated that he attended a shared services expo this morning hosted by the County. There was all kind of information that could be explored with the different departments and he will discuss these with the department heads.

7. FLOOD MITIGATION REPORT

Mr. Slingerland stated that the flood report was covered during the earlier discussion

8. REPORT FROM CLERK-TREASURER

Nothing to report.

9. REPORT FROM VILLAGE ATTORNEY

Nothing to report.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Committee for the Environment – August 16, 2011

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Committee for the Environment of August 16, 2011 be and are hereby accepted.

Ayes: Albert, Ryan, Santoro, Rosenblum

Nays: None

Absent: Hofstetter

Updates from the Board

Mayor Rosenblum announced that there will be a grand re-opening of Nan's Gift and Party Store on Saturday at 10 a.m. He also announced that on Sunday, October 23, the Spooktakular will take place.

Trustee Santoro attended the Fire Department Inspection. Everything looked good. Trustee Santoro asked for an update on changing the decking at the Harbor. Mr. Slingerland stated that the support structure is being redone and replacement decking material is being looked at.

Trustee Hofstetter read the beginning of a letter that was received from Flemming Zulack Williamson Zauderer regarding Item 5E. He is filing this letter for the record. Trustee Hofstetter believes that this was sent to the Board as a means to intimidate them from not voting on the resolution he proposed. He believes that the State can make its own determination; as the land is either owned by the Mamaroneck Beach and Yacht Club or not owned by them. The resolution is non-binding and has no force of law. Trustee Hofstetter is disappointed that this was not moved on.

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