

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, OCTOBER 24, 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 Rosenblum stated that he received two thank you notes regarding the handling of the fire at Nan's Gift and Party Shop from the owners of the shop. The notes thanked the Police and Fire Departments for their support, fast response and professionalism. They are grateful for the lives and property that were spared that day due to their actions. A token of appreciation was sent as well.

CONTINUATION OF PUBLIC HEARING – COMPREHENSIVE PLAN UPDATE

Mayor Rosenblum read a letter sent from Mr. Lee Wexler, resident and member of the Planning Board in support of the Comprehensive Plan. He believes the 2025 Committee represented a large and diverse group of residents. Mr. Wexler was a member of the 2025 Committee who first drafted this Update. His letter has been filed for the record. An email was also received from Ms. Susan Favate of BFJ, who recommends that the hearing be closed after comments are heard this evening.

Trustee Hofstetter believes that the hearing should be kept open until the next meeting so that residents have ample opportunity to submit their comments, as we are also looking at updating the LWRP at this time. Trustee Ryan believes that these two updates should be done in tandem and would be agreeable to keeping this hearing open to the November 14 meeting. Trustee Albert agreed. Trustee Santoro stated that he will go with the majority of the Board and leave it open to the next meeting. Mayor Rosenblum agreed to hold the hearing open to the next meeting. Trustee Ryan asked when the LWRP hearing will be closed. Mr.

Slingerland stated that there will be a public information session held on November 2. Mr. Sarnoff stated that after that, there will be additional comments added to the LWRP and they are hoping to get the document to the state at the beginning of 2012. Mr. Sarnoff also stated that he believed that it was the wish of the Village to have the Comprehensive Plan Update done first.

On motion of Trustee Albert, 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 November 14, 2011.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

MAYOR'S REPORT – THIS IS MAMARONECK

Dr. Marybeth Walsh from Burke Rehabilitation Center presented to the Board. She gave an overview of the Center and the work they do there.

Supervisor Joe Carvin from the Town of Rye appeared to report on the dissolution study. This is a study being done with the Village of Mamaroneck, Village of Rye and Village of Port Chester. The PowerPoint presentation given by Mr. Carvin has been filed for the record.

The owners of Soyo Yo Yummy yogurt shop appeared. They recently opened on Mamaroneck Avenue and informed the residents of their products and services.

I. COMMUNICATIONS TO THE BOARD

Mayor Rosenblum reported on the Spooktakular and the success that it was. He recognized the volunteers and the local merchants who made this such a great event, contributing their time and merchandise.

Mayor Rosenblum received several communications on flooding and flood mitigation. One was a grant program comparison, which describes several different grants available that do not rely on the completion of the All Hazards Mitigation Plan. One grant will pay 100% of the cost to raise homes. This is not available until 2013; however, the Mayor believes we should start preparing for this now. There are additional grants available that he believes the Village should look at and begin to work on. Mayor Rosenblum stated that the Village got two replies to the letter that was sent out to officials; one from Nita Lowey and the second from George Latimer. Mayor Rosenblum asked that the Village Manager coordinate a flood forum with the Mayors and

Supervisors from the Town of Rye, Town of Mamaroneck, Village of Larchmont, City of Rye, Scarsdale and Harrison as well as our State Senator, US Senator, Assemblyman, and any one else from an agency that could contribute to the discussion of how we are going to get the funding to fix the flooding problem. Trustee Hofstetter stated that Congresswoman Lowey did have a meeting on October 3 in the Village of Mamaroneck on the subject of flooding, with the Army Corps, FEMA, SEMO and the New York State Department of Transportation. Trustee Hofstetter believes that she is doing all that she can, going out of her way to hold a meeting with more than 50 officials and holding it here in the Village. Mayor Rosenblum agrees; however, without securing funding from our elected officials, he believes that we are just spinning our wheels. Trustee Ryan asked how this forum will be structured. Trustee Hofstetter stated that many of the officials, who came here for the photo ops during times of crises, have moved on. Trustee Hofstetter stated that Congresswoman Lowey and Assemblyman Latimer have been the only ones to secure funding for the Village to help with this issue.

Mr. Slingerland reported that he spoke to the State. The Hazard Mitigation Grant program was mentioned as well as the Repetitive Flood Claims and the Severe Competitive Loss programs. All of these programs need for the Village to have their All Hazards Mitigation Plan in place. We expect to have this done in March or April. The Repetitive Flood Claims is not yet open. They expect for it to be around the time that our All Hazards Mitigation Plan will be done. The Severe Repetitive Loss program will be open at the end of the year. His office stays on top of the grant calendar and is coordinating constantly with the state.

Trustee Ryan believes that there are things that the Village can do; one of which is to bring vendors in to educate our residents on things that they can do to help mitigate flooding in their homes and to make them more flood safe.

Trustee Santoro asked about the funds that Mrs. Lowey secured in the past that have not yet been spent. There is \$500,000 for storm drains. Mr. Slingerland stated that the Village was trying to get this reprogrammed for use on the Inflow and Infiltration work, as we had to comply with the IMA with the County. Because of the change in congress, we could not get this reprogrammed; therefore, are continuing to work on storm drains around the Village. This will address the failing catch basins on Boston Post Road. We are also going through the process for the \$125,000 grant from FEMA, however, the paperwork has not yet been received to move this forward.

Ms. Peggy Jackson of James Street appeared. She offered the FMAC as a coordination device for the Board to help organize a forum. She believes that we have lost momentum storm after storm and we have to

continue to send this message to the officials. Ms. Jackson spoke to officials at FEMA and SEMO and was told that we should apply for the grants even if the All Hazards Mitigation Plan is not finished as there may be an exception made. There are residents in the Village who are in severe need and this is not the first time that we have been devastated by flooding. Ms. Jackson believes that we need a “flood” person in the Village who would be responsible for keeping on top of our officials and the grants available. She also believes that we need a county flood czar; to coordinate the grant information and she suggests appealing to the county for an individual that we can rely on. Trustee Ryan asked for a copy of the matrix that the Mayor, Mr. Slingerland and Ms. Jackson are referring to.

Mr. Andrew Spatz of Halstead Avenue appeared. Mr. Spatz stated that during the last storm, it was the county’s sewer lines that were backing sewage up in the industrial area, where he owns property. He stated that they (the county) need to get down here and take care of their lines, whether it is before a storm or on a regular basis, as we cannot touch them. Trustee Hofstetter believes that we should pressure the county to have a storm sewer district like their sanitary sewer district. He believes that there has to be more cooperation from the county as the municipalities up stream do not see the value in this as the flooding does not affect them the way that it does the Village.

Ms. Stella Danka of Warren Avenue appeared on behalf of the Harbor Heights Neighborhood Association. Ms. Danka has flooded two times in the past five years. Ms. Danka asked about any grants that are available now to help residents. Mr. Slingerland reiterated that the Repetitive Flood Claims Program is not yet open, the Hazard Mitigation Program for Hurricane Irene and Tropical Storm Lee is not yet open and the Severe Repetitive Loss Program will open in January or February. Mr. Slingerland spoke several times with the State Director of the Office of Emergency Management and asked that they reopen the Repetitive Flood Claims Program to allow residents to reapply for this year and he said that this would not work as there would not be enough time to notify people as some of these programs are nationally competitive. Mayor Rosenblum stated that as we missed the boat in 2008; he wants to make sure that we don’t miss the boat again. Ms. Danka wrote a flood action letter to eight officials and only received a response from two. They both suggested that Ms. Danka take a loan out from the SBA. She already has a mortgage and borrowed money in 2007. She cannot keep borrowing money to put into a house that is losing value. She asked about the Board’s following up with the county and Senator Oppenheimer regarding \$500,000 available to the Village. The Mayor stated that he would speak with County Executive Astorino and Trustee Ryan suggested that he speak with Senator Oppenheimer directly. Mayor Rosenblum stated that he spoke to the County Executive’s office and they know nothing about the \$500,000 and as far as the \$2.4 million that may be a bone of contention between the County Executive and the County Board of Legislature as he was told that although a budget is enacted by the Board of

Legislature, they cannot direct the County Executive to spend the money budgeted. In essence, we are getting nowhere on these questions. Mr. Slingerland stated that he spoke to Steve Otis in Senator Oppenheimer's office today and he mentioned that they did get grants for the county's flood program, but because the county is no longer funding this program the money has not been tapped into. Ms. Danka asked when the RFP for the removal of the Road to Nowhere will be going out. Mayor Rosenblum stated that it is ready to go; however, he is concerned with the response time. He believes that it should be moved up to no more than two weeks maximum to respond. He is afraid that with the cold weather coming, it will be more expensive to have this work done. Mr. Sarnoff stated that as it takes several days to have this advertized in the Journal News. We also need to give contractors enough time to get the bid, visit the site, do their prep work and get any questions answered, which needs to be done by law. The IMA with Harrison was discussed; however, the Village is not going to pay any part of the work being done in Harrison. Also, the work being done in Mamaroneck does not have to be done at the same time as the possible work that will be done in Harrison.

Ms. Jackson suggested that we may have passed the time to get the project done before the winter. Mr. Doug Dunaway appeared regarding the difference in road construction costs during the warmer and colder weather.

Ms. Danka asked about the RFP for putting cameras in the sewer lines in the Harbor Heights area. Mr. Slingerland stated that his office is estimating how many cameras will be needed and are working with the Village's consulting engineer who is working with the EPA. He is meeting again with the Village engineer this coming week to confirm what will be needed and hopes to get the RFP out in one week to ten days after that meeting.

Ms. Danka inquired as to what low tech means have been investigated to get the word out to residents the next time flooding is eminent. Mr. Slingerland stated that the Village did have reverse 911 calls and also the police drove around the flood prone areas announcing the possible flooding on bull horns as well as placing letters in resident's mailboxes. Mr. Slingerland understands that the residents in the Heights did not get the warning from the police and will make sure that this happens with the next event.

Ms. Marianne Ybarra asked why the Village does not reinstitute the blowing of the fire whistle in times of eminent flooding. The Mayor stated that this is something that needs to be looked at.

Ms. Danka asked if the Village contacted White Plains about releasing water from their dams during a storm event. Mr. Slingerland stated that he contacted the NY State DEC and the County Planning Department and was told that White Plains does not release water from their dams during a rain event.

Mr. John Bucknavage of Barry Avenue appeared. He has experienced four major flooding events during the last five years. He appreciates the work done by the Village to date; however, believes it would be a good idea to invite officials back to a forum to keep the pressure on them for funding. He believes that residents who are experiencing flooding can ill afford to continue to mount these losses on a regular basis. He asked if the Village can become comprehensively aware of what funding is available, so that individuals can get assistance and we have a strategy to get funds to the residents suffering the losses. Mr. Bucknavage asked if there is someone in the Village who could be given the responsibility of keeping on top of grants/funding. The Mayor suggested the Building Inspector working in concert with the Village Manager's office might be a good idea as an example. The Board agreed that this does have to be looked at.

Mayor Rosenblum reported on the home at 611 Orienta Avenue. There is a Village policy to clean up the yards of properties in disrepair and bill the homeowner for the work as a lien on the property. The home at 611 Orienta Avenue has been sold and there are applications made to the Building Department for restoration to the home. This is very good news. Mr. McDermott believes that this is a very important move as the previous owner of the home is a company who is out of business and any legal actions could have been costly and may not have been successful.

2. MINUTES

A. Minutes of BOT Work Session of October 3, 2011

The Board noted the minutes for the record.

3. AUDIT OF BILLS

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated October 24, 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	\$595,197.74
Capital Fund 2011	20,000.00
Capital Fund 2012	30,503.00

Expendable Trust	200.00
Agency Fund	<u>3,862.60</u>
	<u>\$649,843.31</u>

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

- A. Resolution Authorizing the Execution of Agreement to Participate in the Hudson Valley Municipal Purchasing Group

**RESOLUTION RE:
AUTHORIZING THE EXECUTION OF AGREEMENT TO PARTICIPATE IN THE HUDSON VALLEY
MUNICIPAL PURCHASING GROUP**

WHEREAS, pursuant to Village's Purchasing Policy and General Municipal Law §103(4), guidelines have been established in order to ensure transparency in the solicitation, purchase and procurement of goods and services; and

WHEREAS, when Requests for Proposals/Quotations (RFP & RFQ) and sealed bid contracts are prepared, staff sends notices for this work to contract news systems and local vendors that are known to be qualified to provide said services; and

WHEREAS, BidNet is a national vendor unit providing e-procurement, vendor management and surplus auctions to state and local governments and has established the Hudson Valley Bid System with membership from municipal governments in Dutchess, Orange, Putnam, Rockland, Ulster and Westchester County; and

WHEREAS, through this regional purchasing group, BidNet is able to automate the public bidding process by forwarding notices of RFPs, RFQs and sealed bid Contracts to other qualified vendors in the Hudson Valley Region; and

WHEREAS, after speaking with representatives of BidNet and reviewing the BidNet program and draft agreement, Village staff believes that it is proper and appropriate for the Village to join BidNet's Hudson Valley Bid System; and

WHEREAS, the only charge associated with joining BidNet is a one-time mailing cost to current vendors informing them that they can continue to receive notices of contracts by registering with the Hudson Valley Bid System.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the Village Manager is herein authorized to execute an agreement with BidNet, in substantially the same form as attached hereto, allowing the Village to join the Hudson Valley Bid System; and be it further

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

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Resolution Authorizing the Submission of a Grant Application to the NY State Department of State under the Unified Grant Program

**RESOLUTION RE:
AUTHORIZING THE SUBMISSION OF A GRANT APPLICATIONS TO THE NEWYORK STATE
DEPARTMENT OF STATE**

WHEREAS, New York State has established a new process for submitting grant applications through the creation of regional economic development councils and the development of a new consolidated funding application that will allow municipalities and other entities to submit grant applications to multiple state agencies; and

WHEREAS, each regional economic development council is responsible for initial review and scoring of grant applications which are then forwarded to the appropriate State agencies; and

WHEREAS, an objective of the grant program is to implement projects identified in the Village's Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the Village is desirous of applying for a grant application to the New York State Department of STATE to rehabilitate and restore portions of the sea wall located in the west basin of Harbor Island Park, a project identified in the proposed update to the Village's LWRP, currently estimated at \$300,000; and

WHEREAS, the Village is also desirous of applying for a grant application to the New York State Department of Parks, Recreation and Historic Preservation to rehabilitate and enhance the flagpole deck at Harbor Island Park located by the Post Road entrance, a project which is supported by the proposed LWRP as it would help implement aspects of the Harbor Island Master Plan, currently estimated at \$500,000.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED, grant application to the New York State Department of State to rehabilitate and restore portions of the sea wall located in the west basin of Harbor Island Park, currently estimated at \$300,000; and be it further

RESOLVED, that the Village Manager is herein authorized to submit a grant application to the New York State Department of State to rehabilitate and enhance the flagpole deck at Harbor Island Park located by the Post Road entrance, currently estimated at \$500,000.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- C. Resolution Authorizing the Submission of a Grant Application to the NY State Office of Parks, Recreation and Historic Preservation under the Unified Grant Program

**RESOLUTION RE:
AUTHORIZING THE SUBMISSION OF A GRANT APPLICATIONS TO THE NEW YORK STATE
DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION**

WHEREAS, New York State has established a new process for submitting grant applications through the creation of regional economic development councils and the development of a new consolidated funding application that will allow municipalities and other entities to submit grant applications to multiple state agencies; and

WHEREAS, each regional economic development council is responsible for initial review and scoring of grant applications which are then forwarded to the appropriate State agencies; and

WHEREAS, the Village is desirous of applying for a grant application to the New York State Department of Parks, Recreation and Historic Preservation to rehabilitate and restore portions of the sea wall located in the west basin of Harbor Island Park, currently estimated at \$300,000; and

WHEREAS, the Village is also desirous of applying for a grant application to the New York State Department of Parks, Recreation and Historic Preservation to rehabilitate and enhance the flagpole deck at Harbor Island Park located by the Post Road entrance, currently estimated at \$500,000; and

WHEREAS, both projects are eligible activities as they promote waterfront access.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED, grant application to the New York State Department of Parks, Recreation and Historic Preservation to rehabilitate and restore portions of the sea wall located in the west basin of Harbor Island Park, currently estimated at \$300,000; and be it further

RESOLVED, that the Village Manager is herein authorized to submit a grant application to the New York State Department of Parks, Recreation and Historic Preservation to rehabilitate and enhance the flagpole deck at Harbor Island Park located by the Post Road entrance, currently estimated at \$500,000.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Resolution Authorizing Letter of Support for Mamaroneck Senior LLC Grant Application

Mr. Jeremy Ingpen from Washingtonville Housing Alliance who are sponsors of Mamaroneck Seniors Citizens Inc., known as Mamaroneck Towers appeared. Together with the building manager and their construction firm, they have a proposal for a \$13 million tax credit and low interest loan application requiring no funding or guarantees by the Village. This would update the building with a heavy emphasis on energy efficiency. All but two residents are seniors on Section 8 housing, which means that they pay 25% of their monthly social security income. This gives seniors a safe and comfortable place to live. He further stated that this loan will refinance existing debt, which is at a historically high rate, will pay for a \$3-4 million rehabilitation and increase their reserve account; although the building is on very sound financial footing. It

will assure that the building will continue to operate and to pay an additional payment in lieu of taxes. Mayor Rosenblum stated that this will be an additional \$30,000 to the Village each year. The Mayor also stated that the cost to the residents will not change and the work will be done at the convenience of the residents.

**RESOLUTION RE:
LETTER OF SUPPORT FOR MAMARONECK SENIORS, LLC GRANT FUNDING APPLICATION**

WHEREAS, New York State has established a new process for submitting grant applications through the creation of regional economic development councils and the development of a new consolidated funding application that will allow municipalities and other entities, such as not-for profits, to submit grant applications to multiple state agencies; and

WHEREAS, each regional economic development council is responsible for initial review and scoring of grant applications which are then forwarded to the appropriate State agencies; and

WHEREAS, Mamaroneck Seniors, LLC, a not-for-profit 501(c)(3), is desirous of submitting a grant application to the New York State Division of Housing and Community Renewal (DHCR) to acquire and renovate the Mamaroneck Towers senior citizen development located on Halstead Avenue; and

WHEREAS, under the auspices of the grant program, Mamaroneck Seniors, LLC is seeking to receive a 9% tax credit allocation from DHCR, along with a low interest loan from the New York State Housing Trust Fund; and

WHEREAS, the Village has long supported the development of affordable housing, including the provision for affordable housing for senior citizens, and it is appropriate that the Village support Mamaroneck Seniors, LLC in their effort to modernize and enhance the current Mamaroneck Towers location.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Board of Trustees does herein recognize and support the efforts of Mamaroneck Seniors, LLC to submit a grant application to the New York State Division of Housing and Community Renewal; and be it further

RESOLVED, that the appropriate Village officials are authorized to execute a letter of support for such grant application.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Resolution Authorizing the Submission of a Grant Application to the Justice Court Assistance Program

WHEREAS, the State of New York Unified Court System is offering grant funds to Justice Courts to be used for a variety of purposes, including automation recording devices, security equipment, legal reference material, etc.; and

WHEREAS, the Village Manager's office has been notified of the need to file this grant application with the NYS Unified Court System prior to the deadline of November 15, 2011. It is the desire of the Justice Court to apply for grant funds up to a total of \$30,000 to fund improvements to the Court Room and Village of Mamaroneck facilities including new carpeting, furniture, air conditioners and other related capital improvements to the court offices and office space; and

WHEREAS, in order to submit a grant application, a resolution must be adopted by the Board of Trustees authorizing the submission of the grant application.

On motion of Trustee Ryan, seconded by Trustee Albert:

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees for the Village of Mamaroneck does hereby authorize the submission of an application to the Unified Court System pursuant to the Justice Court Assistance Program for grant funding; and

BE IT FURTHER RESOLVED, that the Village Justices and/or the Village Manager are hereby authorized to sign the grant application on behalf of the Village; and

BE IT FURTHER RESOLVED, that the Village Manager is hereby authorized and directed to sign the certification for the grant application.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

F. Traffic Commission Recommendations

This Item was Withdrawn – No Board Action needed.

G. Resolution Authorizing Settlement of Small Claims Assessment Review Stipulations

RESOLUTION APPROVING 2011 SMALL CLAIMS SETTLEMENTS

WHEREAS, a number of Small Claims Assessment Review Proceedings were filed by various property owners; and

WHEREAS, the Village of Mamaroneck and the Petitioners have reached mutually agreeable resolutions; and

WHEREAS, the Board of Trustees has had an opportunity to review the stipulations of settlement and have been satisfied that the settlements are just, reasonable and in the best interests of the Village of Mamaroneck.

On motion of Trustee Ryan, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck ratifies the settlements previously reviewed and presented to them at the Executive Session on October 17, 2011 as follows:

<u>RESIDENTIAL</u>			<u>TOTAL</u>		<u>95</u>			
<u>Sec Blk</u> <u>Lots</u>	<u>Name</u>	<u>Address</u>	<u>Present</u>	<u>Requested</u>	<u>Settlement</u>	<u>Reduced</u>	<u>Acct #</u>	<u>FILED BY</u>
			<u>Assessed</u>	<u>Assessed</u>	<u>Assessed</u>			
			<u>Value</u>	<u>Value</u>	<u>Value</u>	<u>Amount</u>		
4 25 8	Brown, Karl	420 Melbourne	13,600	10,415	12,500	1,100	497	AAA Property
4 27 23	Maida, Joseph	419 Beach Ave	13,000	8,400	(12,200 B/R)		577	Ralph
		*	12,200		9,750	2,450		
4 53 1B	Salanitro, B & S	609 Brook St	25,000	16,340	(21,500 B/R)		5293	SELF
					Withdrawn	0		
4 59 10B	Bauchmann, L	566 E Boston Post	44,100	28,875	Withdrawn	0	1306	Ciulla, P
	Briggs House Antique							
4 65F 27	Jiang, Xin	1213 Harrison Ave	8,500	5,899	6,900	1,600	1559	Burns, J
4 71 23	Naudin, Beatrice	1032 The Parkway	12,800	7,100	11,550	1,250	1721	Cresap, J
4 71 25	Specht, Brian	1024 The Parkway	18,500	14,448	15,000	3,500	1723	Ciulla, P
4 71 35	Loffredo, P & C	918 The Parkway	17,400	13,760	15,500	1,900	1733	West Prop Tax
4 75 1	Slap, Alice	551 The Parkway	19,100	14,450	16,000	3,100	1783	Ciulla, P
4 75 7B	Richard, Jean	595 The Parkway	23,500	15,996	17,650	5,850	1789	Fantino, L

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4 75 18	Goldberg, Daniel	546 Alda Rd	24,100	10,000	21,300 (17,600 B/R)	2,800	1798	Watkins
4 77 45	Orner, D & J	741 Soundview Dr	19,000	15,867			1843	AAA Property
		*	17,600		16,900	700		
4 79 7A1	Soneclar, Robert	941 Taylors Ln	59,200	43,187	47,300	11,900	1888	AAA Property
4 79 24	Fiorenza, Janet	22 Lake Rd	38,500	34,400	34,400	4,100	1902	GMS
8 6A 16	Friedman, Jay	1261 Raleigh Rd	11,800	7,099	10,000	1,800	2043	Home Team
8 6A 34	Cianci, D	1427 Raleigh Rd	11,750	6,020	8,850	2,900	2061	Sokol, B
8 8 19	Taylor, Kenneth	1520 Urban St	10,400	6,020	8,000	2,400	2095	Sokol, B
8 9 4	Fiorito, A & M Magnotta,	1603 N James St	11,100	6,880	9,050	2,050	2140	Sokol, B
8 10 1	Charles	1605 Ellis St	11,200	6,719	9,600	1,600	2147	Home Team
8 12 32	Trifiletti, Philip	215 Knollwood Ave	11,600	6,882	9,950	1,650	2185	Sokol, B
8 17 12 8 41B	Dalvito, Ann	1413 Arlington St	13,700	6,880	10,800	2,900	2257	Sokol, B
3B 8 78	Lipton, Dorothea	2 Rock Ridge Rd	11,500	8,630	0	0	2356	Home Team
18 8 78	Cristofalo, G	238 Grand St	11,200	6,719	0	0	4491	Home Team
38 8 81	Corsetti, Pat	197 Washington St	13,400	4,300	10,100	3,300	2612	GTA
30 8 81	Quadrini, Anthony	173 Madison	10,800	5,160	Withdrawn	0	2657	GTA
31 8 85	Quadrini, Anthony	201 Madison	12,200	6,880	9,200	3,000	2658	GTA
11 8 87	Domenjo Holding	509 Fayette Ave	18,300	9,460	14,200	4,100	2709	Whittenmore,D
25 8 87 30	Anavil, Apichit	147 Center Ave	13,200	8,200	9,900	3,300	4510	GMS
8 90 3C 8 90	Demerritt, Sherry	213 Center Ave	13,300	5,160	10,000	3,300	2742	Sokol, B
4A	Tsiros, Spiro	816 Hickory Grove	11,256	6,020	9,600	1,656	2762	Sokol, B
9 9 23	Bellin, G & H Chan, M.& Lu, M	812 Hickory Grove	12,800	9,632	9,600	3,200	2763	SELF
9 16 1A	Detmer, Eric	307-309 Stanley	14,800	F/V	11,100	3,700	3099	SELF
9 20 4A	Sansone, Joan	321 Fenimore Rd	9,800	5,879	9,100	700	3162	Home Team
9 27 13 9 31	Kundid, V Giuseppe,	403 Ward Ave	9,800	5,879	0	0	3257	Home Team
23A	Guaglia	508 Palmer Ave	16,100	5,160	12,100	4,000	3327	Sokol, B
9 35 3	Mateus, Manuel	260 Mamaroneck	11,800	6,050	Withdrawn	0	3391	Cresap, J
9 37 9 9 37	Lancia, Eleuterio	730 Prospect Ave	10,350	6,020	7,800	2,550	3417	Sokol, B
10B	Lancia, Bernardo	510 Prospect Ave	10,100	7,739	9,100	1,000	3444	Campbell, M
9 37 17	Allen, William	506 Prospect Ave	11,200	8,170	9,900	1,300	3445	Campbell, M
9 38 2	Bonacci, F	521 Munro Ave	11,300	7,315	10,000	1,300	3449	Cresap, J
9 40 24 9 47	Longacre, Frederick	418 Prospect Ave	9,600	7,137	8,600	1,000	3455	Campbell, M
24A 9 58	Sheehan, Colin	132 Mt Pleasant	13,400	6,880	10,050	3,350	3496	Sokol, B
18A	Lustgarten, H	405 Cortlandt Ave	9,800	6,020	9,300	500	3532	Sokol, B
9 58 36	Mrgdichian, G	914 Hall St	11,700	6,880	10,700	1,000	3664	Sokol, B
		225 Orienta Ave	15,900	6,880	12,900	3,000	3674	GTA

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9 66 1K	Clayton, Otto	335 Claflin Ave	24,200	19,800	19,800	4,400	3710	GMS
9 69 13	Postel, Elizabeth	920 Protano Lane	20,500	16,600	17,200	3,300	3742	GMS
9 70 16	Bempord, Jules	415 Toni Ln	19,800	13,200	17,300	2,500	3757	Ciulla, P
9 70 15	Childerley, J	405 Toni Ln	22,000	13,199	20,000	2,000	3756	Home Team
9 72 19B	Campili, Carol	911 Fairway Ln	28,800	21,565	22,700	6,100	3800	AAA
9 72A								
9B	Cecil, John	521 Eagle Knolls	70,400	49,020	53,300	17,100	3818	O'Donnell, R
9 72B								
1-2	McCutchen, F	102 Fairway Gr	15,000	10,800	12,000	3,000	4565	Ciulla, P
9 72B								
7-1	Levin, Lenore	701 Fairway Gr	14,200	8,000	11,200	3,000	4584	Lansky, B
9 72B								
7-2	Hoffman, P	702 Fairway Gr	16,000	8,000	12,000	4,000	4585	Lansky, B
9 72B								
9-2	Levin, Lenore	902 Fairway Gr	14,250	8,000	11,400	2,850	4593	Lansky, B
9 72B								
14-4	Cohen, Irwin	1404 Fairway Gr	12,400	8,000	12,400	0	4612	Lansky, B
9 75								
16,17A	Tropp, Yvonne	541 Claflin Ave	19,300	15,500	16,300	3,000	3828	GMS
9 76 1	Lavarone, G & R	506 Claflin Ave	17,250	13,121	14,100	3,150	3831	AAA
9 79 4B,								
5	Nadel, James	637 Fairway Ave	14,600	7,500	Withdrawn	0	3860	Watkins
9 81 5	Purtill, Sabra	620 Orienta Ave	26,500	11,775	22,300	4,200	3871	Sokol, B
9 84 7B	Mayerson, Philip	720 Walton Ave	21,600	13,760	Withdrawn	0	3901	Sokol, B
9 84 7B	Mayerson, Philip	720 Walton Ave	21,600	13,760	17,000	4,600	3901	AAA
9 84 11	Lasek, Bonnie	623 Forest Ave	25,300	13,760	19,100	6,200	3904	Sokol, B
9 85 18	Lall, K & A	715 The Crescent	23,700	13,760	21,300	2,400	3918	Sokol, B
	AW Oakwood							
9 85 1C	LLC	803 Oakwood	41,600	F/V	38,350	3,250	3910	Fantino, Lisa
9 85					(22,400			
16,17	Schole, Allen	725 The Crescent	24,500	21,500	B/R)		3917	Granite
			*	22,400		21,900	500	
	McCroy,							
9 85 25	Suzanne	720 The Crescent	59,400	37,364	46,400	13,000	3922	AAA
9 87 1B	Squilla, Donna	725 Forest Ave	18,900	12,040	14,200	4,700	3934	Sokol, B
	Zeidman,							
9 88 3B	Marjorie	620 Forest Ave	29,400	17,639	24,300	5,100	3945	Home Team
9 88 6	Davies, Michael	631 Bleeker Ave	16,300	9,779	15,800	500	3946	Home Team
9 88 9	Weinstein, David	826 Walton Ave	17,200	10,320	16,700	500	3949	Home Team
	Cohen, Fred,							
9 89A 3	Eileen	717 Orienta Ave	29,000	2,900	Withdrawn	0	3960	Herman
9 89A 4	Grad, A & E	722 Cove Rd	61,050	6,105	54,200	6,850	3961	Rodner, J
9 89A	Schlein, Dov &				(24,840			
14A	Deb	1110 Cove Rd	26,700	20,640	B/R)		3971	deBellis, A
			*	24,840		22,800	2,040	
9 90 2	Sonois, Olivier	840 Orienta Ave	22,700	11,775	20,250	2,450	3987	Sokol, B
9 91								
5,6A	Berkowitz, S	820 Claflin Ave	29,400	10,000	22,800	6,600	4002	Watkins
9 93A								
10	Jackson, Joan	1165 Greacen Pt	25,600	2,000	23,500	2,100	4025	Richmond
9 93								
B15	Leaf, Robert	1120 Greacen Pt	126,400	68,747	95,400	31,000	5018	AAA
9 94 13	Prouve, Cedric	943 Greacen Pt	49,500	21,500	43,000	6,500	4052	Sokol, B

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9 97A 2	Sansone, Joan & Bev	895 Port Drive	39,600	23,759	36,100	3,500	4057	Home Team
9 101 1	Wiener, R & S	1 Skibo Ln	129,200	12,920	Withdrawn	0	4082	Herman
9 103 7	Levi, Cecile	820 Pirates Cove	40,300	24,179	30,300	10,000	4097	Home Team
9 104 B	Lowenfels, Fred	889 Orienta Ave	37,800	25,400	28,350	9,450	4109	GMS
9 104 F	Cohen, Seth	961 Green Meadow Ln	23,000	10,000	21,300	1,700	4112	Watkins
9 105 7,8	Kahn, Jean	1260 Flagler Dr	55,200	44,720	47,100	8,100	4121	Beirne, T
9 105 38	Bindler, Paul	1444 Flagler Dr	82,200	49,319	0	0	4133	Home Team
9 105 64B	deBretteville, Alexis	1357 Flagler Dr	45,700	39,560	39,600	6,100	4140	Ciulla, P
9 105 67, 68A	Wiener, Robert	1347 Flagler Dr	57,300	5,730	55,650	1,650	4141	Herman
9 108 10	Nadel, James	1060 Constable Dr	30,000	10,000	22,500	7,500	4186	Watkins
9 109 12	Silverbush, M	1025 Seven Oaks Ln	31,500	17,200	25,650	5,850	4207	Sokol, B
9 111 9	Goldstein, C	1066 Seahaven Dr	60,600	20,000	45,500	15,100	4220	Watkins
9 111 15	Ansari, Talat	1025 Seahaven Dr	27,200	15,480	20,400	6,800	4225	Sokol, B
9 112A 2	Spiro, Ruth	1020 Nautilus Ln	21,800	13,760	16,400	5,400	4231	Sokol, B
9 113 1	Pecora, Anthony	1005 Nine Acres Ln	25,700	F/V	Withdrawn	0	4240	SELF
9 113 2	Delgatto, Tara	1000 Nine Acres Ln	23,500	13,760	17,625	5,875	4241	Sokol, B
<u>TOTALS</u>			<u>2,002,046</u>		<u>1,657,325</u>	<u>344,721</u>		

*Additional amount granted by small claims

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

H. Resolution Adding Agenda Item 5I and 5J

ADDITION OF AGENDA ITEMS 5I AND 5J

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 Albert, seconded by Trustee Ryan:

RESOLVED that Agenda Item 5I, Resolution Authorizing the Village Manager to Execute a Retainer Agreement with Wilson Elser Moskowitz Edelman and Dicker regarding a Fire Department Hearing Matter, be and is hereby added to the October 24, 2011 Board of Trustees Regular Meeting Agenda.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

And

RESOLVED that Agenda Item 5J, Continued Discussion of Cove Road issue, be and is hereby added to the October 24, 2011 Board of Trustees Regular Meeting Agenda.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- I. Resolution Authorizing Village Manager to Execute Retainer Agreement w/Wilson Elser Moskowitz Edelman and Dicker regarding a Fire Department Hearing Matter

**RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO RETAIN
COUNSEL FOR FIRE DEPARTMENT HEARING MATTER**

WHEREAS, there is a need for legal Counsel with respect to a Fire Department hearing matter; and

WHEREAS, the Board of Trustees has received and reviewed the retainer agreement from Wilson Elser Moskowitz Edelman & Dicker LLP.

On motion of Trustee Santoro, seconded by Trustee Ryan:

THEREFORE BE IT RESOLVED, that the Board of Trustees authorizes the Village Manager to retain Wilson Elser Moskowitz Edelman & Dicker LLP as Village counsel to handle the Fire Department hearing matter on an as-needed basis in accordance with the terms of the retainer agreement.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

- J. Cove Road (Continued Discussion)

Mayor Rosenblum stated that this is a continuation of a discussion that took place at the Board's last work session. The Mayor gave background on how Cove Road is a private road that is used by the public as it connects Orienta Avenue to Boston Post Road. Mayor Rosenblum stated that according to NY State law, a municipality cannot spend public funds on a private road under any circumstances. The Mayor stated that a study has been done by the Village's consulting engineer on setting up standards in which the Village should accept a private road. The Mayor received the report. Trustee Hofstetter stated that the report should not be

made public as it was not discussed by or accepted by the Board. Mayor Rosenblum disagreed as the report was sent to the Village Manager and Assistant Manager. Mr. McDermott suggested convening to Executive Session for advice of council.

On motion of Mayor Rosenblum, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees convene to Executive Session for advice of council on the Woodard and Curran report.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Board of Trustees adjourn from Executive Session.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

The Mayor stated that it is his understanding that the Village did patch the road when it was used as part of the Turkey Trot route. The Mayor also believes that the residents would like the Village to continue to maintain the road by patching it as it is used by the public and has become dangerous with large potholes. The residents, out of frustration and to make their point, closed the road. However, they reopened it as an act of good faith as it is a much used road especially for parents traveling from that area of Mamaroneck to and from the Hommocks Middle School.

Mr. Andrew Spatz, resident of Orienta and acting vice president of the Orienta Point Association appeared. He was joined by their president, John Dorf and other members of their executive committee. The goal of OPA is to provide a voice on behalf of the neighborhood. When they first heard about the closure of Cove Road, there were some residents who were outraged. There were others who supported it. The Association was asked to intervene and assist. Mr. Spatz pleaded with the Board and the Cove Road Association to keep the dialogue open. He invited the Board and Village staff to join them on November 7 at 7:30 p.m. at their meeting with the Cove Road Association and neighborhood collectively being held at Hampshire Country Club.

Dr. Jane Herzog, president of the Cove Road Association appeared and thanked the Board for keeping the dialogue open. She also thanked Mr. Spatz and the OPA for their support. Dr. Herzog has lived on Cove Road for over 20 years and during that time; the Village has always maintained the road by patching so that it was relatively safe for walkers, bikers and vehicles. Last week, the association was notified that the Village has stopped patching the road because the Turkey Trot was re-routed and no longer utilized Cove Road. There are a variety of reasons why the road has become so deteriorated. There is an enormous amount of traffic on Cove Road as the attendance at the Hommocks as well as the Day School has grown and the Hampshire Country Club has been reopened. Many residents also use Cove Road as a cut through to the Boston Post Road. They estimate that they have between 300 and 400 cars per day traveling on the road; a very narrow road that was never built for this purpose. The residents were told that the Village previously patched the road as it was dangerous for Turkey Trot runners. Dr. Herzog contests that the road is still dangerous; for runners, bikers, walkers, cars and emergency vehicles. While this issue is being resolved, the association would like to keep the road open. They learned many things in the three days that it was closed to the public; the road became very pleasant, parents allowed their children to bicycle and the traffic on Orienta Avenue was vastly different as cars were not allowed to cut through Cove Road. Dr. Herzog asked the Board to have the road patched as they have done before so that the road can be kept open and available to the public. She stated that this would not establish a precedent as the Village has been doing this for many, many years.

Mr. McDermott stated that there are key issues that need to be addressed. The NY State Village Law prohibits the use of public funds to maintain a private road. In 1946, the road was offered for dedication to the Village Board and it was declined. Mr. McDermott stated that this was significant as it indicated that the Village did not want to make Cove Road a public road. Mr. McDermott stated that filling in potholes for a particular Village sponsored event is not "maintaining" the road.

Dr. Herzog stated that she would then request that the Village patch the road as it has done in years past, as it is dangerous for pedestrians, vehicles and emergency vehicles. They are only asking for the continuation of what has been done previously, nothing more.

Mr. David Wenstrup of Cove Road asked if the Village could patch the road. Mr. McDermott stated that no, the Village cannot use public funds to maintain or patch a private road.

Mr. Kevin Santee of Cove Road appeared. He asked where the Village stands on trespassing on a private road; does the Village have to protect private property. Mr. Santee believes that half of the road in front

of his home is his property and wonders if the Village would come to his aid if someone trespassed on that property. Mr. McDermott stated that he would have to see his covenant to know the answer to that.

Mr. Leslie Shifrin of Cove Road appeared. He stated that they had never heard that the road had been patched because of the Turkey Trot. It seemed to be patched some time in October. This is something that was brought up at the last meeting. Mr. Shifrin asked if the patching due to the Turkey Trot was a matter of public record and if so asked for access to this documentation. Mr. Slingerland stated that this was a statement made at the last work session by the Department of Public Works Foreman and that there is no other documentation. Mr. Shifrin stated that if there is no documentation, then perhaps the patching was done for another reason. Mr. Shifrin asked that as his covenant states that he owns to the middle of Cove Road in front of his home, if someone trespassed on that part of the road and he called the police, would the police react. Again, Mr. McDermott stated that he would be happy to look at Mr. Shifrin's covenant.

Mr. John Dorf, resident of Claflin Avenue and president of the Orienta Point Association appeared. Mr. Dorf asked that if the Turkey Trot was re-routed to go down Cove Road, would the Village change its position.

Mr. Paul Noto, attorney for the Cove Road Association appeared. Mr. Noto contacted former engineers of the Village and was told that in fact, there is a sewage pump station off of Cove Road and the Village needs to maintain that pump. In addition as the Village plows and salts the road that deteriorates the road and provides other services, i.e. garbage pickup, this is more likely the reason why the potholes were filled in. Mr. Noto believes that there was a compelling public service to repairing this road and he suggests that former Village engineers be contacted.

Mr. David Wenstrup appeared again. At last week's discussion, the Mayor suggested that we need to think outside of the box. He asked what happened to this proposal. He agrees that the dialogue needs to stay open; however, the situation is getting worse every day. He asked the Board if it is just that they don't want to patch the road even if there is a compelling public service reason to do so, or is there no way around the laws preventing them to do so. Mr. McDermott again stated that under NY State Village Law, the Village cannot utilize public funds to do any work on a private road. As Village Attorney, Mr. McDermott would not suggest nor recommend that the Village do anything outside of the law. He again stated that the fact that the Board turned down the dedication of the road to the Village in 1946 is a very compelling piece of evidence.

Mr. Andrew Spatz appeared again. He asked what the cost difference is between patching the road and fixing a Village vehicle that could be damaged due to the condition of Cove Road.

Mr. Leslie Shifrin appeared again. He stated that it is not just the cost of the damage to vehicles. There is the issue that the Village needs to assure that there are appropriate roadways to get to Hommocks Middle School and without Cove Road, there are not appropriate roadways for this purpose. That is an asset that they own privately and they are willing to open up to the public at large; therefore, there needs to be give and take between the residents and the Village. Mr. Shifrin believes that the value of having the patching done is not just for the residents of Cove Road and the residents of Orienta, it is for all of the residents who use the road to take their children to and from the Hommocks School. If this does not happen, the residents of Cove Road and Orienta will have to take stock of the situation and the solution may not be in the best interest of the Village residents.

Dr. Jane Herzog appeared again. While Cove Road may not be the official evacuation route out of Orienta, it is a vital evacuation route during a flooding situation. If the homeowners of Cove Road have to close it, she believes that it would be a detriment to the residents of Orienta in times of flooding. She also stated that time is of the essence as with winter coming, it will be more costly to have the work done and the road is barely passable now. There are also countless numbers of school buses coming through a road that she believes is dangerous. Dr. Herzog finds it disturbing that they are now hearing that something that had been done for many, many years, no matter the reason for it, is illegal. They are only asking the Village to do what it has done for years; to make the road safe and passable before the winter sets in.

Mr. Stuart Tiekert of Beach Avenue appeared. He asked if the Board determined that the report done by the Village's consulting engineer, Woodard and Curran is a public document. Trustee Hofstetter stated that it is a draft document as it has not been accepted by the Board and is therefore not public. Mr. Tiekert asked if the Board will be accepting the report. Trustee Hofstetter stated that the report will not be accepted in its current form. As far as Cove Road is concerned, Mr. Tiekert stated that he believes that it does not matter what the Village did in the past, the law is the law and the Village needs to follow the law.

Trustee Santoro asked that if a private road is being serviced by the Village with the use of public works and emergency vehicles, can the Village maintain the road to ensure the safety of those vehicles and Village employees. Mr. McDermott stated that the law is very specific on this subject. If the Board chooses, they can pass a local law requiring the residents of the private road to maintain the road for the use by emergency and Village vehicles. The fact that the road is being serviced by the Village does not in fact make it a public road.

Mayor Rosenblum would not want to do this as it sets a bad precedent as then all private roads would have to do the same thing. Mayor Rosenblum believes that the dialogue needs to remain open and that a solution can be found that protects all residents of the Village.

Mr. Ken Resen of Orienta Avenue appeared. He stated that when he moved here 40 years ago, the bicycle path in front of his home was pitted and the Village could not pave it without the agreement of the homeowners. He is not sure of the exact situation, but at the time the Village decided to pave the road as they needed to maintain it for use by emergency and public works vehicles. Mr. Slingerland stated that he has never seen that road listed as a private road in the Village. Again Mayor Rosenblum stated he would like to continue to look for options to solve this problem.

Mr. McDermott stated that he will continue to work with the Board and residents to come up with a solution. He asked the residents to send him a copy of their covenants as there may be something in them of significance.

L. Resolution Conveying Concerns to Harrison Planning Board

Mayor Rosenblum read from the SEQRA document on the application being heard by the Harrison Planning Board. He asked that the resolution sent by the Board be stronger and that there be guarantees made to the Village that what is stated in the SEQRA document will be done and if not, what the Village's recourse would be. Trustee Hofstetter thanked Trustee Ryan for bringing this issue to the attention of the Board. Trustee Ryan stated that she learned about this from two residents who are very active in the community. Her concern is that the Board told residents that they would be proactive regarding any development in surrounding communities. Trustee Ryan believes that we need to be on record that we are concerned about any impacts this can have on flooding, as we are an LWRP community. She also believes that this sends a message to Harrison and any other communities as it states that we want to be notified about any development that could affect our community. Trustee Ryan stated that it is not good enough that Harrison wrote a very nice application stating that they would have zero percent runoff. The Board needs to live up to the promise they made to residents.

Trustee Ryan moved that the Board send the letter and the resolution presented as she believes the letter is strong enough. She looks to the Board for their support. Trustee Hofstetter seconded the motion.

Mayor Rosenblum stated his concern that the Board missed the date to comment on this application. Trustee Ryan stated that Mr. Slingerland checked and we did not miss the date. Mayor Rosenblum went on to say that the bigger concern is if you look at the comments and responses; they are from July 2008 and July 2009. He asked what happened with the previous Board and why they didn't comment on this. Trustee Ryan asked Mayor Rosenblum where he was in 2009. He stated that he was not on the Board at that time. Trustee Ryan answered that he was a citizen and she learned this from two citizens.

Trustee Hofstetter requested that at the Annual Organizational Meeting, the Board pass a resolution to notify all of our surrounding communities that we are interested in any development.

RESOLUTION
CONVEYING CONCERNS TO THE HARRISON TOWN PLANNING BOARD
REGARDING STORMWATER IMPACTS ON THE MAMARONECK RIVER
AND THE VILLAGE OF MAMARONECK, NY
CAUSED BY THE SHERMAN AVENUE SUBDIVISION, HARRISON, NY

WHEREAS, the Village of Mamaroneck recently became aware of a proposed fourteen (14) lot subdivision in the Town of Harrison, also known as the Sherman Avenue subdivision, under application by the Falcon Development Group, and at this stage in the application process the applicant is currently preparing and the Planning Board is reviewing a draft Final Environmental Impact Statement (FEIS), and

WHEREAS, this subdivision drains into the East Branch of the Mamaroneck River; and

WHEREAS, the Village of Mamaroneck, an LWRP Community, has frequent and regular problems with flooding from the Mamaroneck and Sheldrake Rivers, which collect stormwater from a watershed that is approximately thirty (30) square miles in area, reaching up to the Westchester County Airport and Rye Lake; and

WHEREAS, upon review of the documents available to the Village of Mamaroneck that are posted on Harrison's website for the Sherman Avenue subdivision, it appears that the applicant to the Town of Harrison is proposing stormwater retention for this project, to accommodate the creation of impervious surfaces and the removal of vegetation that will help retain stormwater and reduce the downstream flow of water that contributes to flooding, and the Village wants to convey our concerns to Harrison that these stormwater management controls be adequate.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby directs the Village Manager to convey the following information to the Town of Harrison:

1. Declares its interest in being considered an Interested Agency under the provisions of SEQRA for this project; and
2. Requests that it be copied on all SEQRA filings on this matter;
3. Requests that it be notified of all public meetings on this matter;
4. Adopts this resolution stating the position of the Village and directs the Village Manager to issue a letter with this attached to the Harrison Town Planning Board;
5. Declares its position that construction and design of stormwater control structures for this subdivision, and all subdivisions in the Mamaroneck River watershed, should accommodate stormwater detention to the level that will accommodate at least a one-hundred (100) year rainfall, which is approximately seven and a half inches (7.5") of rainfall within a 24-hour time frame, according to the NYS DEC Stormwater Management Design Manual.
6. Requests the Village Manager convey copies of this resolution to the USACE for consideration in their study of flooding along the Mamaroneck and Sheldrake Rivers.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

6. REPORT FROM VILLAGE MANAGER

- A. File for the Record – Community Capital Assistance Program (CCAP) Grant Agreement with the State of NY Dormitory Authority – Project ID #5393 - \$50,000

Mr. Slingerland stated that this is being filed for the record.

7. FLOOD MITIGATION REPORT

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

8. REPORT FROM CLERK-TREASURER

- A. Notification to the Board of 520 Tax Levies

Mr. Fusco reported that the Board is being notified of 520 tax levies, which are lost exemptions on properties.

9. REPORT FROM VILLAGE ATTORNEY

Nothing to report.

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

- A. Budget Committee – March 21, April 13 and May 17, 2011

Trustee Hofstetter stated that there was a report with recommendations that the Budget Committee submitted to the Board and the Board adopted. One of the issues discussed at the last Budget Committee meeting is that the Board set up a Technologies Committee made up of 3-5 residents who have experience in technology and help find where the Village can be more efficient in this area. Trustee Hofstetter would like this discussed at the next work session. The Board agreed.

On motion of Trustee Albert, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Budget Committee of March 21, April 13 and May 17, 2011 be and are hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Zoning Board of Appeals – July 7, 2011

On motion of Trustee Albert, seconded by Trustee Santoro:

RESOLVED that the Minutes of Zoning Board of Appeals of July 7, 2011 be and are hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Board of Ethics – July 6, 2011

On motion of Trustee Albert, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Board of Ethics of July 6, 2011 be and are hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Planning Board – July 13, July 27, August 8 and September 14, 2011

On motion of Trustee Albert, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Planning Board of July 13, July 27, August 8 and September 14, 2011 be and are hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Board of Traffic Commissioners – August 11 and September 8, 2011

On motion of Trustee Albert, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Board of Traffic Commissioners of August 11 and September 8, 2011 be and are hereby accepted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Updates from the Board

Trustee Santoro thanked all who worked on the Spooktakular. He also announced that on Veterans Day, the American Legion will be holding their yearly ceremony honoring veterans at 11 a.m.

Trustee Ryan thanked all for the Spooktakular as well. The Mamaroneck High School Class of 1961 held their 50th reunion this past weekend. It is Trustee Ryan's class and she congratulated all of her fellow classmates who were there. On a sad note, 35 classmates were deceased. What this taught all of them is to take care of themselves, live each day to the fullest and enjoy the time you have, which is a message she wanted to send out to all residents.

Trustee Hofstetter also attended the Spooktakular with his children and dog and they had a great time. He congratulated all volunteers.

Mayor Rosenblum received a letter from Eugene Meltzer from Mamaroneck Avenue claiming that while he enjoys living here, someone opened an aviation school nearby and the noise of the planes flying overhead is bothersome. Mayor Rosenblum stated that this complaint should be forward to Westchester County Airport. Mayor Rosenblum also noted that the United Way will be holding an event and silent auction on November 9, 2011. Mayor Rosenblum also announced that the Rye YMCA will be holding a Stop Diabetes Community Health Forum on Tuesday, November 1. Residents can call the Y for more information. Mayor Rosenblum congratulated his brother's race team for coming in 24th at Talladega.

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