

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, MAY 9, 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
	Village Attorney	N/A
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	None	

RECOGNITION OF FUTURE BUSINESS LEADERS

Mayor Rosenblum stated that this will be tabled to the next meeting.

Mayor Rosenblum asked to take the Public Hearing on the CDBG Application out of order.

**PUBLIC HEARING ON CDBG APPLICATIONS FOR FEDERAL FY 2012, 2013 & 2014 FUNDING
CYCLES**

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 9th day of May, 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 following projects to be included in the upcoming three year Community Development Block Grant Application Cycle for 2012-2014.

- Infrastructure Improvements – East Prospect Avenue between Phillips Park Road and Mamaroneck Avenue
- Infrastructure Improvements – Prospect Avenue between Mamaroneck Avenue and Mount Pleasant Road
- Waverly Avenue Bridge
- Infrastructure Improvements – Waverly Avenue Plaza between Plaza and Mamaroneck Avenue
- Center Avenue Pedestrian Bridge
- CVS Walkway
- Ward Avenue Bridge
- Mamaroneck Avenue Sidewalks to Mamaroneck Avenue School
- Infrastructure Improvements – Hillside Avenue to Howard Avenue sidewalks

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Projects 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: May 4, 2011

On motion of Trustee Santoro, seconded by Trustee Albert:

RESOLVED that the Public Hearing on the CDBG Applications for Fiscal Years 2012, 2013 and 2014 Funding Cycles be and is hereby opened.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Sarnoff stated that there is no official action that needs to be taken this evening. The grant applications will be authorized at the next Regular Meeting to be held on May 25, 2011. Mr. Sarnoff gave a brief explanation of the CDBG (Community Development Block Grant) program. He also stated that there are individuals from Village not-for-profits in attendance and they will make their presentations to the Board. The Village has been part of this county urban consortium for over 30 years and has received millions of dollars in grant funds due to our census track. The programs are three years. The applications will be submitted this year and the projects will be phased in over several years. Mr. Sarnoff stated that the funding for this program has been cut at the national level; therefore there will be fewer funds available at the county level. It is anticipated that there will be a 25% reduction.

Mr. John Ferris, Chair of the CAP Center Advisory Board appeared. He thanked his area director, Guisela Marroquin for working so hard on the grant application. It is being submitted for \$150,000; \$50,000 a year for three years to staff a social worker. Mr. Ferris stated that Ms. Marroquin works with over 350 residents a year helping them with issues from heat and electricity to educational programs and the hunger task force, which has increased 27% to 1100 individuals. She cannot possibly handle all of the individuals and the programs being offered by the CAP Center. Mr. Ferris thanked the Board for submitting the application on their behalf.

Ms. Kathleen McArdle, Administrator of Sarah Neuman Nursing Home appeared with Jessica Auerbach to present their submission for a grant to support the renovation of two kitchens and dining rooms in the Pavilion building project. Ms. McArdle gave background of Sarah Neuman and the work they do. Most of their long term care patients are very low income. The building undergoing renovation was built in 1961. The residents at that time were more ambulatory. The needs of those residents have changed as they have aged in place. At this time, staff has to move residents down three floors three times a day for their meals. The moving of the kitchens and dining rooms would afford the residents to have their meals on the same floor as their rooms. This will allow residents to feel more at home and it would be a more intimate setting; having residents eat around family dining tables with their staff and family members.

Mr. Jeremy Ingpen, Executive Director of the Washingtonville Housing Alliance appeared. He presented a resolution passed by their Board for three projects that are being submitted for funding. The first is a continuation and expansion of the financial literacy program begun in 2010; the second and third are for rehabilitation of two buildings owned by I-Care. Washingtonville Housing works with the poorest of the poor; between 50% and 60% are part of the unbanked population. Eviction prevention grants and emergency utility grants are done on a one time basis, which is not solving the problem. They have taken the opportunity to train these individuals on how to handle their finances. The classes started last year and they would like to continue. Peoples Bank has provided the start up funding for this project. The second and the third requests have the same language. The Housing Alliance is taking over the management of two, two family homes, with the expectation to put affordability covenants on these buildings.

Ms. Liz Liscio, Treasurer of the Hispanic Resource Center appeared. There are two proposals being submitted by the HRC. They service low and extremely low income immigrants in the community. Their first request is for \$60,000; \$20,000 each year for three years for program space expansion and renovation on a property they propose to purchase in the Village. This will allow them to provide more workforce development programs. The second request is for \$30,000; \$10,000 each year for three years to partially fund additional case manager salaries and the operating cost of case management costs. She thanked the Board for their consideration.

Mayor Rosenblum expressed his thanks to the four organizations that appeared for the work that they do for the residents of the Village.

Mr. Dan Sarnoff appeared to present the projects proposed in the Village of Mamaroneck. We will be submitting 10 applications. The majority of the projects are infrastructure improvements. The projects are:

- Infrastructure Improvements on East Prospect Avenue between Phillips Park Road and Mamaroneck Avenue. This project cost will be \$110,000 with the Village matching the requested grant of \$55,000.
- Infrastructure Improvements on Prospect Avenue between Mamaroneck Avenue and Mount Pleasant Avenue. The project cost would be \$131,000 with a \$65,000 Village match.
- Replacement of the Waverly Avenue Bridge, incorporating pedestrian sidewalks and raising the height of the bridge. The project cost will be \$500,000; with a Village match of \$250,000. We have contacted the Town of Mamaroneck to see if they would be interested in participating in this grant as the bridge is in the Town of Mamaroneck. This would affect the Center Avenue Pedestrian Bridge. If we can incorporate a pedestrian walkway on the Waverly Avenue Bridge, it would abrogate the need for the Center Avenue Bridge and it could be removed at a cost of \$100,000, with a \$50,000 Village match. This would help with the water flow as well.
- Infrastructure Improvements on Waverly Avenue between Plaza and Mamaroneck Avenue. This project will cost approximately \$210,000 with a \$105,000 match by the Village.
- Infrastructure Improvements on Jefferson Avenue between Meadow and the Jefferson Avenue extension. The cost will be \$170,000, with a match of \$85,000 by the Village.
- Infrastructure Improvements on Hillside Avenue to Howard Avenue. The cost will be \$110,000, with a \$55,000 match by the Village.
- Infrastructure Improvements on Mamaroneck Avenue from New Street to Hillside Avenue. The request will be for \$300,000, with a \$150,000 match by the Village.
- Heithaus Walkway (CVS) – Phase II. This portion of the project would cost approximately \$400,000 with a \$200,000 Village match.
- Ward Avenue Bridge – to incorporate pedestrian amenities and improve the sidewalk. This is anticipated to be an \$80,000 project with a \$40,000 Village match.

Mayor Rosenblum asked if the projects are prioritized when sent. Mr. Sarnoff informed him that they are. These projects will be phased into the five year capital improvement plan. The grant needs to be submitted by June 1. Resolutions authorizing the submission of these applications will be presented to the Board at their May 25 meeting.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that the Public Hearing on the CDBG applications for federal fiscal year 2012, 2013 and 2014 funding cycles be and is hereby closed.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

PUBLIC HEARING ON PLL J-2011 (AMENDING ARTICLE VII, SECTION 65, 66 & 67 OF CHAPTER 326)

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 9th day of May, 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 PROPOSED LOCAL LAW J-2011, a local law amending Article VII (Penalties for Offenses) Section 65 (Miscellaneous penalties), Section 66 (Permit parking areas) and Section 67 (Metered parking zones) of Chapter 326 (Vehicles and Traffic) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law J-2011 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: April 29, 2011

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on PLL J-2011 be and is hereby opened.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Slingerland stated that this is an increase in the fee for parking tickets from \$20 to \$25, which puts us at or just slightly above the county median. The Mayor stated that the Village needs to find a way to raise revenues other than from property tax. Trustee Hofstetter agrees with the Mayor.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Public Hearing on PLL J-2011 be and is hereby closed.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that Proposed Local Law J-2011 be and is hereby adopted and shall read as follows:

AN INTRODUCTORY LOCAL LAW amending Article VII (Penalties for Offenses) Section 65 (Miscellaneous penalties), Section 66 (Permit parking areas) and Section 67 (Metered parking zones) of Chapter 326 (Vehicles and Traffic) of the Code of the Village of Mamaroneck

BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:

Section 1. *Section 65 (Miscellaneous Penalties) Part C of Chapter 326 (Vehicles & Traffic)* is hereby deleted in its entirety and replaced with the following language:

§ 326-65. Miscellaneous penalties.

- A. Every person convicted of a violation of § 326-6 or 326-7 of this chapter shall, for a first conviction thereof, be punished by a fine of not more than \$100. For a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$200. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$350. In lieu of or in addition to such fine, a sentence of imprisonment for not more than 30 days may be imposed for a second or third conviction within 18 months.
- B. In addition to any penalty provided by the Vehicle and Traffic Law, any person violating any of the provisions of § 326-4 or Article III of this chapter shall, upon conviction, be punished for the first offense by a fine not exceeding \$25, for the second offense by a fine not exceeding \$35 and for any subsequent offense by a fine not exceeding \$45, except for those violations as indicated in Subsections D, E and F below.
- C. In addition to subsection B above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
 - (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection C(1).
 - (3) If paid after 90 days of summons being issued: double of Subsection C(2).

Section 2. *Section 66 (Parking permit areas) Part B of Chapter 326 (Vehicles & Traffic)* is hereby deleted in its entirety and replaced with the following language:

§ 326-66. Permit parking areas.

- A. Any person violating any of the provisions of Article IV of this chapter, except § 326-49G and H, may, upon conviction, be punished for the first offense by a fine not exceeding \$25, for the second offense by a fine not exceeding \$35 and for any subsequent offense by a fine not exceeding \$45.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:

- (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
- (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection B(1).
- (3) If paid after 90 days of summons being issued: double of Subsection B(2).

Section 3. Section 67 (Metered parking zones) Part B of Chapter 326 (Vehicles & Traffic) is hereby deleted in its entirety and replaced with the following language:

§ 326-67. Metered parking zones.

- A. Any person violating any of the provisions of Article V of this chapter, except §§ 326-59G and 326-61, may, upon conviction, be punished for the first offense by a fine not exceeding ~~\$20~~ \$25; and for the second offense within a twenty-four-hour period by a fine not exceeding ~~\$30~~ \$35; and for any subsequent offense within a twenty-four-hour period by a fine not exceeding ~~\$40~~ \$45.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
 - (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection B(1).
 - (3) If paid after 90 days of summons being issued: double of Subsection B(2).

Section 4. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 5. This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

PRESENTATION OF PHASE II ANNUAL REPORT

Mr. Slingerland stated that as an MS4 District, we are responsible for filing an annual report on our stormwater system. Mr. Sarnoff gave the following presentation:

Over the past several years, the Village has spent a great deal of time talking about flooding. Tonight, I would like to spend some time talking about a similar topic, water quality, and report on the Village's Phase II

Notice of Intent Annual report to be submitted to the New York State Department of Environmental Conservation later this month. This is the eighth annual report and covers the period March 10, 2010 – March 9, 2011.

By way of background, the Federal Environmental Protection Agency estimates that 65% of all water pollution is caused by non-point source pollution with that figure being as high as 75% in highly urbanized areas like the New York City Metropolitan area. For those who do not know what non-point source pollution is, it is caused by water from rainfall and melting snows flowing over and through the landscape, picking up and carrying contaminants from many different sources, such as pesticides and fertilizers from lawns, oils and greases from cars, and other contaminants. This polluted water ends up in our streams, lakes and oceans by flowing directly in or by going through storm drains.

In March 2003, the Village of Mamaroneck submitted to the New York State Department of Environmental Conservation (NYSDEC) a Notice of Intent (NOI) for coverage under the State Pollutant Discharge and Elimination System (SPDES) General Permit for Storm Water Discharges from Municipal Separate Storm Sewer Systems or as we more commonly refer to them, MS4s.

The submittal of the NOI to the State was to comply with the federal regulations and the requirements of New York's overall Phase II storm water management program and permit requirements. The NOI outlined the elements of the Village's storm water management program and the "measurable goals" associated with implementation of the program's best management practices (BMPs).

The Village's NOI included the following six minimum storm water management control measures:

- Public education and outreach
- Public participation and involvement
- Illicit discharge detection and elimination
- Construction site storm water runoff control
- Post-construction storm water management
- Pollution prevention/good housekeeping for municipal operation

Public Education & Outreach

- The Village established and continues to maintain display areas for non-point source pollution at Village Hall. Over the next year, we also plan to implement an educational materials area at the Building Department at 169 Mount Pleasant Avenue.
- The Village continued to air educational videos on stormwater pollution on our Government Access Channel.
- The Village updated its handout given to all dog owners as part of the annual license renewal with information on the proper handling of pet waste and its impact on our waterways
- The Village updated its website and created a water quality/stormwater management page with educational information
- The Village participated in an Intermunicipal Grant Program being administered by Westchester County to prepare and distribute additional educational materials. Under this program, the County prepared and distributed educational materials and created a water quality kiosk.

Public Involvement/Participation

We are truly fortunate to live in a community with so many residents who are desirous of helping out. This was evidenced most recently by the 116 volunteers who participated in the Village's third annual clean-up day on April 30. Although this clean-up will be accounted for in next year's annual report, we did hold a clean-up in May 2010 at which we had approximately 30 volunteers.

In addition, the Village has met with the Mamaroneck Union Free School District staff to review the potential for cooperative initiatives for public involvement/participation.

Illicit Discharge Detection and Elimination

The Village completed the digitizing of its storm sewer and sanitary sewer maps during the past year.

In addition, the Village considered and adopted an amendment to our local code dealing with illicit discharge detection and elimination. The Village continues to provide ongoing training to the professional staff.

Despite these positive steps, there is much work yet to be done.

As you know, on March 18, 2011, the Village of Mamaroneck received an "Administrative Order" from the federal Environmental Protection Agency (EPA) apprising the Village that we were in violation of the Clean Water Act. The basis of this order was the illicit discharge of effluent material into the storm water conveyance system draining to the Mamaroneck River and Sheldrake River.

The EPA conducted sampling events at several outfalls in the Village of Mamaroneck in 2007 and the results indicated high levels of fecal coliform. To confirm their results, EPA conducted wet weather sampling events in September of 2010. The results were confirmed and the "Administrative Order" was issued.

The appearance of sanitary sewage in the stormwater system is unfortunately, not uncommon and has a major impact on water quality in the Long Island Sound. It is noted that water quality is not solely a Village of Mamaroneck problem, but rather it is a regional concern and requires a regional solution. As an example of the impact of illicit discharges, similar "Administrative Orders" were issued to surrounding municipalities along the L.I. Sound Shore in Westchester.

Although no formal remediation plan has been approved, the Village Administration has already met with representatives from EPA to discuss how the Village, in the context of working with our regional partners, can help identify and eliminate the sources of these illicit discharges. The Village has retained the firm of Dolph Rotfeld Engineering, PC, (DRE) to assist us in this effort. DRE is also working with most of the other L.I. Sound shore communities noted above and by working together, we hope to achieve economies of scale and enhance our base of information. Pursuant to the order, we anticipate submitting a remediation plan for review and approval on or before May 31, 2011.

It is likely that over the course of the next several years, significant inspection, testing and remediation work will take place. Some of the activities that the Village will engage in may include: continued sampling of stormwater outfalls to track both the level of effluent material and as best as possible find and eliminate the source of such material (i.e. human or animal); video inspection of our storm sewer lines; re-lining of storm sewer lines to stop leaks and repair deficiencies; dye testing to identify illicit connections; and finally correction and removal of illicit connections. To the extent that illicit connections exist and are located on private properties, the Village will work with property owners to correct those illicit connections.

Construction site runoff control and post-construction site runoff control

The Village Board amended its code during the Y8 reporting year and enacted chapter 294 entitled Stormwater Management and Erosion and Sediment Control to meet the requirements of both minimum measures. By adopting this law, the Village has implemented a program to reduce pollutants from construction sites. As part of a building permit, a plan detailing the handling of surface water during construction must be filed prior to the start of the project.

New requirements for the current permit relative to the inclusion of green standards of design will require further modification to this law which will likely be presented to the Board of Trustees for their consideration in the next 1-2 months.

Good Housekeeping

The Village continues to maintain its own facilities through our aggressive street sweeping program, catch basin cleaning and use of Best Management Practices at our Village facilities. The Village also specifies that our fields' maintenance vendors utilize an integrated pest management program and use low-impact pesticides and fertilizers.

A Policies and Procedures manual for non-point source pollution prevention was prepared for the DPW crews and personnel. Training was conducted during Year 8. Additional training materials and videos were shown to DPW Highway personnel.

The Village has an aggressive street sweeping program whereby all streets are swept on a monthly basis from April to October. Heavy traffic areas that are known to accumulate a lot of debris are cleaned on a more frequent basis.

During Year 8, the Village began a watercourse maintenance program and spent approximately \$85,000 to clean up silt deposits at four locations, The North Barry Ext. Bridge, the Anita Lane Bridge, the Grove St. Bridge over I-95 and the Fenimore Road Bridge over the Sheldrake River. In the FY 2011/2012 budget recently adopted by the Board, continued funding for stormwater maintenance has been provided.

The annual report will be made available for public review and comment in the Village Clerk's Office. A final copy, incorporating public comments will be sent to the New York State Department of Environmental Conservation before the end of this month.

MAYOR'S REPORT – THIS IS MAMARONECK

Dr. David LaRocco, Village resident and local community wellness expert appeared. Dr. LaRocco owns and operates the Greater Wellbeing wellness center with his wife. Dr. LaRocco had a picture of himself six years ago when he was diagnosed with Crohn's disease. At the same time, he was losing his father to brain cancer. He told the Board and residents how he got from that point in his life to where he is now. He took a

vested interest in his health. He has successfully helped many people by using non surgical and non pharmaceutical approaches. He is also a chiropractor. Dr. LaRocco gave background on his practice. He believes in alternatives to medicine and as he does not encourage people to stop taking their medications, he believes that we should look at the cause of the disease and to be informed of the many ways in which disease can be treated. He invited all residents who are interested in their greater wellbeing to contact him.

1. COMMUNICATIONS TO THE BOARD

Mr. Carl Alterman of Indian Cove Road appeared. He believes that Harbor Island Park can generate more revenue; however, we should be proactive and not reactive to situations. He has read about the possibility of having a jazz club boat in the park. He has tried for over 20 years to have the Village apply for a grant to write a master plan for Harbor Island Park.

Dr. Charles Morelli of Beach Avenue appeared to discuss Pine Street. He stated that at the April 4 work session the Board stated that the Village would take the action needed to solve or mediate the problem with Pine Street. Dr. Morelli asked what specifically has been done since that meeting to reduce flooding. Mr. Slingerland stated that he met with the key owner on the street to discuss the alternatives and he is waiting for this gentleman to get back to him. They discussed sending the street to the Planning Board to determine if the street is suitable improved. The Village is working on the EPA project for completion and correction of the Village's storm sewers, which would include Beach Avenue and Pine Street could be connected as well. Trustee Hofstetter stated that he believes that this is going to be referred to the Planning Board either way. They are waiting to hear from the builder if he will be doing the work done on the catch basins. If not, it will still go to the Planning Board. The Village expects to hear from the builder within a week.

Mr. Stuart Tiekert of Beach Avenue appeared. He asked if the Village's consulting engineer has worked out a storm drainage plan. Mr. Slingerland stated that he is working on it and that it is being funded by the EPA grant. Mr. Tiekert understands that the Village is moving ahead with tree planting in May. He believes that we are receiving 86 trees. He stated that the RFQ did not seem to relate to the list of trees ordered and locations of the trees to be planted. Mr. Tiekert has problems with where some of the trees are going to be planted.

Ms. Doreen Roney of Highview Street appeared. Ms. Roney sent a letter to the Board today regarding the LWRP meeting that took place the past week. Her first concern is that the next meeting takes place on a Saturday in June. She feels that it will be difficult time as it is the busiest time for the marine community. She disagrees with the role that the Planning Board will assume in the LWRP approval process. Her letter also

raises the issue of the Nolles Ridge wetlands application that was approved by the Planning Board before being reviewed and disapproved by the Harbor & Coastal Zone Management Commission. Ms. Roney also asked if the land use board members get the required training every year. Ms. Roney's letter is filed for the record.

Mayor Rosenblum stated that Ms. Roney is mistaken on some of her comments. He also stated that both Frank Fish and Charlie McCaffrey opined that the way the Nolles Ridge application was handled was correct and it could not have been done any differently.

Trustee Hofstetter also brought up the question of the land use board member training. Trustee Ryan stated that when she was liaison to the HCZM, they tried to get the State to conduct training. She stated that she believes that the State has come at least three times to conduct training. She understands that other boards need to have a certain amount of training hours each year to be certified. She is not sure how that is handled. Trustee Ryan also stated that the HCZM participated in training last year with the Town.

2. APPROVAL OF MINUTES

Mayor Rosenblum stated that there were comments received today from Trustee Ryan and Trustee Hofstetter which will be incorporated into the minutes. Mr. Tiekert approached the Board with comments on the minutes.

A. Minutes of BOT Regular Meeting of April 11, 2011 (tabled from previous meeting)

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED that the minutes of the Board of Trustees Regular Meeting of April 11, 2011 be and are hereby approved.

Ayes: Santoro, Rosenblum

Nays: Albert, Hofstetter, Ryan

B. Minutes of BOT Work Session of April 4, 2011 (amended and resubmitted)

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED that the minutes of the Board of Trustees Work Session of April 4, 2011 be and are hereby approved.

Ayes: Santoro, Rosenblum

Nays: Albert, Hofstetter, Ryan

C. Minutes of BOT Regular Meeting of April 25, 2011

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

RESOLVED that the minutes of the Board of Trustees Regular Meeting of April 25, 2011 be and are hereby approved.

Ayes: Santoro, Rosenblum

Nays: Albert, Hofstetter, Ryan

Trustee Hofstetter asked that all items tabled at meetings be include on agendas.

3. AUDIT OF BILLS

On motion of Trustee Santoro, seconded by Trustee Albert:

RESOLVED that the Abstract of Audited Vouchers listed below dated May 9, 2011, copy being filed with the Village Clerk, be and the same are hereby ordered paid:

General Fund	\$	346,574.94
Expendable Trust		306.16
Agency Fund		<u>22,199.46</u>
	\$	369,080.56

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Tax Certiorari Settlement for Orienta Yacht Club

RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT WITH PETITIONER ORIENTA YACHT CLUB, INC., FOR PROPERTY LOCATED AT 325 EAST BOSTON POST ROAD

WHEREAS, petitions have been filed by the property owner 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 \$37,507.84 without interest; and

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

On motion of Trustee Ryan, seconded by Trustee Albert:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorizes the Village Attorney to execute the following settlement on behalf of the Village for the property listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Amount of Reduction</u>	<u>Reduced A/V</u>
2004	\$78,700	-0-	\$78,700
2005	\$78,700	-0-	\$78,700
2006	\$78,700	-0-	\$78,700
2007	\$78,700	\$31,500	\$47,200
2008	\$78,700	\$31,500	\$47,200
2009	\$78,700	\$31,500	\$47,200
2010	\$78,700	\$31,500	\$47,200

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. IMA with Harrison for Removal of Road to Nowhere

The following residents appeared and spoke in support of this resolution:

Mr. Joseph Silvestro of Ellis Avenue
Ms. Susan Sidel of Chestnut Avenue
Ms. Mary Stein of Chestnut Avenue
Ms. Peggy Jackson of N. James Street and Chair of the Flood Mitigation Advisory Board
Ms. Marianne Ybarra of Standish Place and New Street and former Trustee

Mayor Rosenblum read the proposed IMA.

RESOLUTION RE:

AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF HARRISON TO ALLOW FOR THE REMOVAL OF THE DEAD END OF GLENDALE ROAD (ROAD TO NOWHERE)

WHEREAS, the Village of Mamaroneck and Town of Harrison municipal boundaries are contiguous on the northeast and southwest ends of the Village and Town respectively, with said boundary line traversing through the Mamaroneck River ("the River"), and

WHEREAS, the location of the municipal boundary line splits the ownership of the River between the Village and Town; and

WHEREAS, the dead end of Glendale Road ("the Road") in the Town extends into the River, commonly referred to as the "Road to Nowhere" which the Village believes exacerbates flooding in the Village, specifically in the Harbor Heights neighborhood; and

WHEREAS, the Village believes that the removal of a portion of the Road that acts as an impediment in the River will decrease the overall base flood elevation; and

WHEREAS, the Village and Town are desirous of entering into an inter-municipal agreement to allow for the removal of a portion of the Road that is an impediment; and

WHEREAS, General Municipal Law (GML) §119-o authorizes municipal corporations to enter into inter-municipal agreement(s) for materials and service contract(s) subject to general laws applicable to municipal corporations.

On motion of Trustee Hofstetter, seconded by Trustee Albert:

RESOLVED, that the Village Manager is herein authorized to execute an Intermunicipal Agreement with the Town of Harrison allowing the Village of Mamaroneck to remove the "Road to Nowhere", and be it further

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

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum stated that the original cost of this project was approximately \$150,000 and there has been a proposal of \$35,000 to complete this work. Trustee Hofstetter asked that the IMA be revised in paragraph 2 to read that all work performed shall be performed pursuant to contracts entered into by the Village and at the sole cost and expense of the Village not to exceed \$35,000. The Board agreed to add this language to the agreement.

Ms. Randy Robinowitz of Lawn Terrace and former Trustee appeared. Ms. Robinowitz asked who the individual is who has agreed to complete this work for \$35,000. Mr. George Mgrditchian of Orienta Avenue appeared as the individual who has offered to complete this work for \$35,000. Mr. Mgrditchian believes that a Request For Proposals (RFP) should be sent out.

C. Preparing RFP for Construction and Operation of Downtown Garage

Mayor Rosenblum stated that this has been discussed in work session and he has requested the Village Manager to draft RFPs for garage sites in the downtown, specifically behind CVS and on Spencer Place. This should also include other parking alternatives. Trustee Hofstetter asked how the Manager could be instructed to prepare RFPs if the Board has not directed him to do so. The Mayor disagreed and stated that the Village Manager prepares drafts all of the time and brings them to the Board in work sessions. Trustee Ryan stated that the parking options were discussed in work session and she would prefer looking into different options; particularly valet parking, before looking at building a garage, as there are spaces available that people are not using. Trustee Hofstetter believes that we need better signage and usage of our existing parking. He has been to the existing parking lots on the weekends and found many open spots in all lots and on Mamaroneck Avenue. He does not understand the need for a garage and why this direction is being looked at. Trustee Hofstetter also believes that the last thing in the world that the Village needs to be involved in is a large construction project. Mayor Rosenblum stated that if the Village does not look at ways to raise revenue other than property tax, we are going to be forcing people out of the Village as they will not be able to afford to live here. Trustee Hofstetter stated that the parking revenues in the Village has dropped over the last couple of years and he cannot understand why we would want to enter into a business that is taking in less money every year. The Mayor stated that he did not say that the Village would necessarily run the garage.

Ms. Randi Robinowitz of Lawn Terrace appeared. When she was a Trustee, she was on the Ad Hoc Task Force to study the downtown and they looked at parking. Their conclusion was that there are other alternatives, such as valet and there are other spaces that are not used. As a resident, she would not like to spend money on a capital improvement which helps outsiders as Village residents can walk to restaurants.

Trustee Albert stated that from the time that he has had a business on Mamaroneck Avenue to today, there are many parking spaces taken up by employees of the businesses on the Avenue. The owners need to realize that they are hurting their own business. The Village, working with the Chamber of Commerce needs to figure out how to make it attractive for the employees to park elsewhere, freeing up these spots for shoppers.

Mr. George Mgrditchian of Orienta Avenue appeared. He reminisced about the days when the meter maid would mark your tire so that you could only park for a limited time. Mr. Mgrditchian stated that when he dines in the restaurants in Mamaroneck, he does not see anyone he knows. He believes that many of the diners are coming here from out of town. He agrees that one way to help parking is with valet parking as people want to park right in front of the restaurant they are going into. To help with revenue, Mr. Mgrditchian suggested having the meter parking up until 11 p.m. or midnight. He also believes that it would not hurt to look at a parking structure, but not with an RFP, but with thoughts and ideas from residents.

Trustee Hofstetter asked to look at new signage for the lots as many of the spots are not being utilized.

D. Authorization of Award for Contract for Bait Station

Trustee Santoro stated that he would like to go into Executive Session to discuss this contract.

On motion of trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Board of Trustees convene to Executive Session to discuss contract negotiations.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum asked that a thirty day notice of termination of lease be added to the agreement. The Board agreed.

**RESOLUTION RE:
ACCEPTANCE OF PORPOSAL TO OPERATE THE BAIT & TACKLE CONCESSION AT HARBOR
ISLAND PARK**

WHEREAS, the Village Manager reports that on March 23, 2011, the Village released an Request for Proposals (RFP) for the operation of the Bait & Tackle Concession at Harbor Island Park, said RFP, clearly expressing the Village's intent and desire to contract with a responsible vendor to operate the concession in a professional manner; and

WHEREAS, among, the major terms of the RFP, the concession is to be operated at such times and at such hours as may be mutually agreed upon, however, it is in the Village's interest to have the concession operated for as long as may be consistent with light and weather conditions, generally during daylight hours; and

WHEREAS, on the RFP response date of April 13, 2011, two (2) submissions were received, with the most favorable proposal received from Steven Jagoda, 38 Stratton Road, New Rochelle, NY 10804, for a total of \$25,300 over the course of the two-year term of the concession license; and

WHEREAS, Village staff, in accordance with their due diligence responsibilities contacted references provided by Mr. Jagoda, and they responded that Mr. Jagoda was eminently qualified to operate such a concession and was very professional in their business dealings; and

WHEREAS, Village staff also spoke with Mr. Jagoda and during the course of this conversation he conveyed a clear understanding of the bait & tackle concession operation and comfort with his response to the RFP.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED, that the concession to operate the Bait & Tackle concession at Harbor Island Park is herein awarded to Steven Jagoda, 38 Stratton Road, New Rochelle, NY, in accordance with his response to the Village's RFP; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake such administrative acts as may be necessary to effectuate the license.

Ayes: Albert, Hofstetter, Ryan, Rosenblum

Nays: Santoro

E. Authorization for CSEA Settlement

Amending Code to Enact Organic Waste Dumping Program Fees

The Board asked that the word cubic be added to the resolution under the Volume heading.

RESOLUTION ADOPTING AN UPDATED FEE SCHEDULE FOR CHAPTER A347 IN THE CODE RELATED TO THE DUMPING OF WASTE WITH THE VILLAGE OF MAMARONECK

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the current fees set forth in Chapter A347 regarding Dumping pursuant to Chapter 200, Garbage, Rubbish and Refuse, of the Code of the Village of Mamaroneck is updated, deleting the previous fees and schedule related to the dumping of waste, and enacting a new fee schedule for the dumping of waste in the Village of Mamaroneck as follows:

Chapter 200 Garbage, Rubbish and Refuse	Volume	Fee
Village transfer station deposition	0 to 4 cubic yards	\$50 fee per load
	4 to 8 cubic yards	\$100 fee per load
	8 to 12 cubic yards	\$150 fee per load

BE IT FURTHER RESOLVED that the Village Manager, the Village Clerk Treasurer, the General Foreman, and all other appropriate Village staff are directed to take the necessary appropriate actions to enact, codify and implement these fee changes effective immediately.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

F. Amending Code to Increase Fees for Taxi Vehicle and Driver Licenses

RESOLUTION ADOPTING AN UPDATED FEE SCHEDULE FOR CHAPTER A347 IN THE CODE PURSUANT TO CHAPTER 308 RELATED TO TAXI VEHICLE AND TAXI DRIVER LICENSE FEES

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the current fees set forth in Chapter A347 regarding Taxicabs for Vehicle Licenses and for Driver Licenses, pursuant to Chapter 308 Taxicabs of the Code of the Village of Mamaroneck is updated, deleting the previous fees and schedule, and enacting updated fees and schedule for annual licensing of taxi vehicles and taxi drivers in the Village of Mamaroneck, as follows:

Chapter 308 Taxicabs	Description	Annual Fee
	Annual taxi license, per vehicle	\$200
	Annual taxi driver's license, plus cost of fingerprint background check	\$100
	License transfer	\$100

BE IT FURTHER RESOLVED, that the Village Manager, the Village Clerk Treasurer, the Police Chief and all other appropriate Village staff are authorized to take the necessary and appropriate actions to enact, codify and implement these fee changes effective immediately.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

G. Authorizing Non-Union Raises

Mr. Fusco noted that there were two positions left out of this resolution; a part time clerical position in the Police Department and a part time position in the Records Management Department. Mayor Rosenblum stated that further to their discussion in work session, he would like to sever the next to last paragraph and have it voted on separately. Trustee Hofstetter believes that it should all be voted on at the same time.

RESOLUTION
AUTHORIZING THE ENACTMENT OF NON-UNION MANAGEMENT
AND NON-UNION EMPLOYEE RAISES FOR THE VILLAGE OF MAMARONECK

WHEREAS, upon review and discussion with the Board of Trustees, the issue of non-union employee raises has been discussed and agreed upon in concept; and

WHEREAS, the estimated budgetary impact for the following list is approximately \$42,000, retroactive to June 1, 2010, which is provided for without additional budgetary appropriation by the Village of Mamaroneck.

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

NOW, THEREFORE, BE IT RESOLVED that the following salaries and budget lines are authorized to be increased to provide for two percent (2%) salary increases, retroactive to June 1, 2010, for the following employee titles:

Budget Code	Employee Title
1230	Village Manager
1230	Asst. Village Manager
1230	Secretary to the Village Manager
1230	Intermediate Clerk, Part Time
1110	Court Clerk
1110	Court Clerk
1110	Village Justice
1110	Village Justice
5110	Asst. Gen. Foreman
1325	Clerk-Treasurer

1420	Senior Office Assistant, Legal Office
1420	Legal Assistant, Part Time
7230	Harbor Master
7230	Intermediate Clerk, Part Time
7140	Superintendent Of Recreation
7140	Recreation Assistant
1355	Assessor, Part Time
1355	Intermediate Clerk, Part Time, Assessor's Office
3620	Building Inspector
3620	Assistant Building Inspector
3620	Code Enforcement Officer
3620	Fire Inspector
3620	Assistant Building Inspector Part Time

AND BE IT FURTHER RESOLVED, that the following part-time employee titles shall also receive a two percent (2%) wage rate increase, with a total estimated budgetary impact of \$11,500:

- Crossing Guards
- Bay Constables
- Parks Watch Persons
- Parking Meter Collection Persons
- Clerical Police Department
- Records Management Clerk

BE IT RESOLVED that the Village Manager, Clerk/Treasurer, and other appropriate employees and Village staff are authorized to take the necessary actions to amend the budget lines and make payment of these salary increases.

- Ayes: Santoro, Rosenblum
- Nays: Albert, Hofstetter, Ryan

Trustee Hofstetter stated that the reason why the General Foreman is getting the raise in the resolution below is that when discussing who should and who should not be getting overtime, the majority of the Board felt that department heads should not get overtime. The Board spoke with their labor attorney and was advised that the General Foreman's salary should be raised to a level comparable with other Village department heads. At that time, Trustee Santoro made an issue of Mr. Iacovelli receiving overtime and again, the labor attorney advised that he should not be getting overtime, but should be compensated as a department head. Trustee Santoro stated that it was brought to his attention that according to civil service, a Department of Public Works General Foreman is entitled to overtime. Mr. Slingerland informed the Board that it is not solely based on title; however, duties and responsibilities of an employee determine whether or not they are entitled to overtime. In an analysis of Mr. Iacovelli's position, it was determined that he is not entitled to overtime. If this is the case, Trustee Santoro believes that his title should be changed to Department Head. Trustee Santoro further stated that in a survey of surrounding communities that he performed, all General Foremen get

overtime. Mr. Slingerland believes that this is not true. If a General Foreman is a department head, they are not entitled to overtime. Trustee Hofstetter reiterated that according to our labor counsel, department heads are not entitled to overtime.

**RESOLUTION
AUTHORIZING THE ENACTMENT OF NON-UNION MANAGEMENT
AND NON-UNION EMPLOYEE RAISES FOR THE VILLAGE OF MAMARONECK**

WHEREAS, upon review and discussion with the Board of Trustees, the issue of non-union employee raises has been discussed and agreed upon in concept; and

WHEREAS, the estimated budgetary impact for the following list is approximately \$42,000, retroactive to June 1, 2010, which is provided for without additional budgetary appropriation by the Village of Mamaroneck.

On motion of Mayor Rosenblum seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED that the following salaries and budget lines are authorized to be increased to provide for two percent (2%) salary increases, retroactive to June 1, 2010, for the following employee titles:

Budget Code	Employee Title
1230	Village Manager
1230	Asst. Village Manager
1230	Secretary to the Village Manager
1230	Intermediate Clerk, Part Time
1110	Court Clerk
1110	Court Clerk
1110	Village Justice
1110	Village Justice
5110	Asst. Gen. Foreman
1325	Clerk-Treasurer
1420	Senior Office Assistant, Legal Office
1420	Legal Assistant, Part Time
7230	Harbor Master
7230	Intermediate Clerk, Part Time
7140	Superintendent Of Recreation
7140	Recreation Assistant
1355	Assessor, Part Time
1355	Intermediate Clerk, Part Time, Assessor's Office
3620	Building Inspector
3620	Assistant Building Inspector
3620	Code Enforcement Officer

3620	Fire Inspector
3620	Assistant Building Inspector Part Time

AND BE IT FURTHER RESOLVED, that the following part-time employee titles shall also receive a two percent (2%) wage rate increase, with a total estimated budgetary impact of \$11,500:

- Crossing Guards
- Bay Constables
- Parks Watch Persons
- Parking Meter Collection Persons
- Clerical Police Department
- Records Management Clerk

BE IT FURTHER RESOLVED that the position of General Foreman shall receive a salary reclassification to the equivalent of the Building Inspector, retroactive to June 1, 2010, which is \$105,438, with a total estimated budgetary impact of \$15,000; and

BE IT RESOLVED that the Village Manager, Clerk/Treasurer, and other appropriate employees and Village staff are authorized to take the necessary actions to amend the budget lines and make payment of these salary increases.

Ayes: Albert, Hofstetter, Ryan

Nays: Santoro, Rosenblum

Trustee Santoro stated that he voted no because he believes that the General Foreman should not have been raised to a level equivalent to the Building Inspector and in the event the Building Inspector's salary is raised, will the General Foreman's salary be raised again as well? Trustee Santoro is also concerned with the pension costs. Mayor Rosenblum believes that it is not justified to give anyone an 18% raise, when all other non union employees are getting 2%. This is an affront to the taxpayers and that is why he voted no.

H. Authorizing an application COPS Grant to Fund Vacancy in Police Department
This item was withdrawn.

I. Authorization for Auction and Sale of Surplus Vehicles and Equipment

RESOLUTION

AUTHORIZATION FOR AUCTION AND SALE OF SURPLUS VEHICLES

WHEREAS, certain Village vehicles 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 at public auction.

On motion of Trustee Albert, seconded by Trustee Ryan:

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 by public sale:

YEAR/MAKE	VEHICLE ID #	MILEAGE	ASSIGNED TO	DISPOSITION
1999 Mack	1M2P296C1XM042075	8,571	DPW	to be sold
1997 GO-4	2W9MPK633VP044063	24,356	PD	to be sold
1994 GO-4	2W9MPK638RP044680	33,782	PD	to be sold
2000 Chawk	KMEL1010F000	Broken reads 0	Harbor	to be sold

BE IT FURTHER RESOLVED that the disposal of these vehicles 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.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

J. Authorization for St. Vito Church Road Closure Request

This item was withdrawn.

K. Authorization for Renewal of Workers Compensation Insurance Coverage

RESOLUTION RE: AUTHORIZATION TO EXECUTE RENEWAL AGREEMENT FOR WORKERS COMPENSATION INSURANCE

WHEREAS, by resolution of May 27, 2010, the Village Board of Trustees authorized the retention of New York State Insurance fund to provide Workers Compensation Insurance for the Village of Mamaroneck; and

WHEREAS, for fiscal year 2010/2011, the cost of such insurance was \$534,308 with the potential for dividend repayments depending on the experience of the Workers Compensation pool through this process; and

WHEREAS, the dividend has never been less than 20%, and based on conversation with the Village's insurance consultant, it is anticipated that such a 20% dividend will be received by the Village during FY 2011/2012; and

WHEREAS, New York State recently amended its rules for Workers Compensation Insurance whereby it increased the weekly benefit allowance, a factor which has caused an increase in Workers Compensation Insurance premiums across New York State; and

WHEREAS, the Village's insurance consultant has spoken with New York State Insurance Fund to obtain a quote for Workers Compensation Insurance Coverage for Fiscal year 2011/2012 and based on such conversations, a quote of \$612,971 was received; and

WHEREAS, since receiving all said quote from New York State Insurance Fund, Village staff, in pursuit of its due diligence responsibility, has engaged in a detailed analysis which includes a review of price, insurance coverage limits, deductibles, financial stability of insurance providers, services/programmatic offerings and speaking with other municipal clients to gauge their experience and determine their level of satisfaction; and

WHEREAS, based on its due diligence analysis, Village staff has believes the quote of \$612,971 to be appropriate in light of the potential for a dividend repayment of at least 20% depending on the experience of the Workers Compensation pool the Village is in.

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED, that the Village Manager is herein authorized to execute a renewal with New York State Insurance Fund to provide Workers Compensation Insurance for the Village of Mamaroneck in the amount of \$612,971 and undertake such administrative acts as may be necessary and effectuate this action including the execution of any and all contracts and making the payments necessary to retain such coverage.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

L. Authorization for Appointment by the Mayor of Village Attorney

Mayor Rosenblum stated that he and Trustee Ryan received and reviewed resumes in which they narrowed the number down to four. All had different strengths and weaknesses. They also asked for fee proposals from these four and two were much more than was being paid to the previous Village Attorney.

Because of that, the Mayor struck these two from the running. From the remaining two, he has chosen Michael J. McDermott of the firm of McDermott & McDermott, as he has more municipal experience.

**RESOLUTION RE:
AUTHORIZING THE MAYOR TO APPOINT AND AUTHORIZING THE VILLAGE MANAGER
TO EXECUTE AN AGREEMENT FOR VILLAGE ATTORNEY SERVICES WITH THE LAW FIRM OF
MCDERMOTT & MCDERMOTT**

WHEREAS, upon contact and interviews with potential candidates, the Mayor and Board of Trustees have reviewed the potential individual and law-firm candidates for the position of Village Attorney.

On motion of Trustee Santoro, seconded by Mayor Rosenblum:

NOW THEREFORE BE IT RESOLVED that the Board of Trustees herein authorizes the appointment by the Mayor of the law firm of McDermott & McDermott; and

BE IT FURTHER RESOLVED that the Village Manager is authorized to execute a retainer agreement for Village Attorney services on behalf of the Village of Mamaroneck with the law firm of McDermott & McDermott with the terms of such retainer agreement to be to the satisfaction of the Board of Trustees.

Ayes: Ryan, Santoro, Rosenblum

Nays: Albert, Hofstetter

Trustee Hofstetter stated that he thought that there were better candidates for the position and that is why he is voting no. Trustee Ryan asked to see the retainer agreement as he was the only candidate who did not send one. Trustee Ryan stated that he was not her first choice. Mayor Rosenblum thanked the Board, in particular, Trustee Ryan for her assistance with the process.

6. REPORT FROM VILLAGE MANAGER

A. File for the Record – Agreement with Wormser, Keily, Galef & Jacobs LLP

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

B. File for the Record – Agreement with NYS DOT Snow and Ice Agreement July 1, 2011-June 30, 2012

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

7. FLOOD MITIGATION REPORT

Mr. Slingerland reported that he and Mr. Sarnoff attended a meeting hosted by Congresswoman Nita Lowey in Greenberg. There were representatives in attendance from the DEC, the Army Corps and PACE University's Land Use Law Program. Communities from all over Westchester were represented. When asked what communities could do to help mitigate flooding, much of what they answered is things that the Village is already doing or has done. The Town of Mamaroneck was there and they reported that the Garden's Lake project is almost complete. Mr. Sarnoff reported that we are in receipt of the 30% design plans for the Jefferson Avenue Bridge and the first estimate of approximately \$3,070,000, which is somewhat in line with what we thought, was received. The Village met with WSP Sells to review the project. There are a couple of items that need to be addressed. They are the 50 feet to bedrock, a 40 inch storm drain main that transverses one of the abutments and the center abutment has to be removed to allow for future dredging.

8. REPORT FROM CLERK-TREASURER

A. GP Parking Permit Reminder

Mr. Fusco reminded residents that General Parking permits are expiring at the end of May.

B. Resignation by Ethics Board Member

Mr. Fusco read a letter of resignation from Rev. Deborah Tammearu from the Ethics Board. The Board thanked Rev. Tammearu for her service to the Village.

9. REPORT FROM VILLAGE ATTORNEY

None

10. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

A. Tree Committee – August 2, September 7, November 23, October 4, December 6, 2010 & February 7, 2011

Mayor Rosenblum stated that these minutes were previously questioned and sent back to the Tree Committee. The Tree Committee resubmitted them as the true reflection of what transpired at the meeting.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Tree Committee August 2, September 7, November 23, October 4, December 6, 2010 and February 7, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Tree Committee – April 4, 2011

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Tree Committee of April 4, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. HCZM – February 16 and March 16, 2011

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the HCZM of February 16 and March 16, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Traffic Commission – March 9, 2011

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Minutes of the Traffic Commission of March 9, 2011 be and are hereby adopted.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Updates from the Board

Trustee Ryan reported on the Village wide clean up that recently took place. She thanked the Committee for the Environment, especially the Chairs, as well as the Tree Committee, Recreation Committee, Flood Mitigation Advisory Committee and all other Village staff who were involved in organizing this. The day would not have been as successful without them. Trustee Ryan displayed a 1948 license plate she found, as well as old glass and a doorknob. She also thanked all the Village businesses and volunteers. Trustee Ryan reminded residents of the upcoming screening of Project Rebirth at the Emelin Theatre. On May 22, Mozart for Kids will be presented at the Emelin Theatre. Trustee Ryan stated that the Sunday night music in the park events have all been scheduled. All bands are from the Village of Mamaroneck.

Trustee Hofstetter hoped all mothers had a nice Mother's Day.

Trustee Albert also reported on the clean up day. He stated that the residents who walk their dogs in the Bub Walker Park do not pick up after them. He thanked the DPW for their extraordinary job in picking up all of the debris the next day.

Trustee Santoro announced that day camp registration is going on until June 3. The Recreation Department is looking for two more volleyball teams. Columbus Park basketball team rosters need to be received by May 13. Trustee Santoro reported on the day for the Veterans sponsored by the Elks Club.

Mayor Rosenblum thanked all who participated in the clean up day. He also noted that there was a fundraiser at the Larchmont Avenue Church for the CAP Center, in memory of Jim McDonald, which was very well attended. The Mayor announced the grand opening of the Fred Astaire Dance Studio under new ownership and that there is a new Greek restaurant opening on the Post Road.

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