

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MAMARONECK HELD ON MONDAY, APRIL 9, 2012 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	Charles Goldberger
	Clerk Treasurer	Agostino A. Fusco

ABSENT:

MAYOR AND MANAGER FOR THE DAY

Mayor Rosenblum congratulated Brandon Joselson who was declared Village Mayor and Manger for the Day. Mr. Slingerland presented Brandon with a proclamation thanking him for his interest in serving the public.

OATH OF OFFICE CEREMONY FOR POLICE SERGEANT

Chief Leahy thanked all for attending the swearing in of Officer Timothy Galvin as the newest Police Sergeant in the Village. Chief Leahy gave an overview of the duties of a Sergeant and Officer Galvin's past experience on the force. He thanked Officer Galvin for all of his hard work and dedication and congratulated him on his promotion. Mayor Rosenblum swore Officer Galvin in as Sergeant.

Mayor Rosenblum stated that Item 4M will be taken next out of order.

4. NEW BUSINESS

M. Resolution Authorizing One-time, Non-precedent Setting 50/50 Funding of Funeral for Police Sergeant
Mayor Rosenblum stated that there was communication received from Sue McCrory questioning if this is a violation of New York State gift and loan prohibition. The Mayor believes that this action was based on an existing PBA contract; however, since this was brought up, it will be researched by the Village Attorney and discussed at the next work session. Mayor Rosenblum further stated that it was the intention of the Board to recognize that we are a community and we act in the sense.

PUBLIC HEARING on PLL E-2012 Amending Chapter 126, Building Construction Regarding COO or Completion

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 April, 2012, 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 E-2012, a local law amending Chapter 126, Building Construction, of the Code of the Village of Mamaroneck, regarding "Certificates of Occupancy."

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law E-2012 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 2, 2012

Mayor Rosenblum stated that communication was received from Sue McCrory stating that she believes that there are minimum requirements that need to be reviewed before going forward. This law was reviewed by the Village Attorney and Dan Sarnoff. It is the Board's belief that this can take place as it is a policy set by the Board of Trustees.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law E-2012 be and is hereby open.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Ms. Nora Lucas of Beach Avenue appeared. She asked if there will be a fee for this in addition to the fee paid when applying for a building permit and if so, the fees are not stated in the law.

Mr. Slingerland stated that the certificate of occupancy process is being split out of the building permit process, so it will be a completely separate step. There will be a separate fee. Ms. Lucas asked if this will be for all outstanding permits or only those going forward. Mr. Slingerland confirmed that this will be only for building permits going forward after the adoption and filing of the law.

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Public Hearing on PLL E-2012 be and is hereby closed.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Mayor Rosenblum, seconded by Trustee Santoro:

RESOLVED that Proposed Local Law E-2012 be and is hereby adopted and shall read as follows;

LOCAL LAW 4-2012

A LOCAL Law amending Chapter 126, Building Construction, of the Code of the Village of Mamaroneck, regarding "Certificates of Occupancy."

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

Section I. Amend Chapter 126 as follows:

§ 126-14. Building permit fees.

- C. Fee for certificate of occupancy, compliance or completion. The fee for certificates of occupancy, compliance or completion issued to close out a building permit shall be as set forth in Chapter A347, Fees.

§ 126-20. Issuance of certificate of occupancy.

- A. When, after final inspection, it is found that the proposed work has been completed in accordance with the applicable building and zoning laws, ordinances and regulations and also in accordance with the application, plans and specifications filed in connection with the issuance of the building permit, the Director of Building, Code Enforcement and Land Use Administration shall issue a certificate of occupancy upon the form provided by him.
- B. The certificate of occupancy shall certify that the work has been completed and that the proposed use and occupancy is in conformity with the provisions of the applicable building laws, ordinances and regulations and shall specify the use or uses and the extent thereof to which the building or structure or its several parts may be put.
- C. Certificates of Occupancy or Completion - The applicable fees set forth in Chapter A347, Fees, shall be paid to the Village of Mamaroneck prior to the issuance of a Certificate of Occupancy or a Certificate of Completion

Section II. This Local Law shall take effect immediately upon filing with the Secretary of State.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

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 April, 2012, 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 a Petition to Amend the Village Zoning Code to permit private schools to temporarily operate by special permit on properties within the M-1 District with frontage along Fenimore Road, or properties within the M-1 District located to the east of Fenimore Road. Under said special permit, a private school could operate only within existing buildings at the aforementioned properties, and no increases in building footprint could occur to accommodate such occupancy. The duration of any such special permit would be no more than three years, and could be renewed only one time by a permit holder.

PLEASE TAKE FURTHER NOTICE that a copy of the Petition 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: March 28, 2012

On motion of Trustee Ryan, seconded by Trustee Albert:

RESOLVED that the Public Hearing on PLL G-2012 be and is hereby open.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mayor Rosenblum informed the residents that they will take public comments this evening; however the hearing will be continued as this has to be referred to the Harbor and Coastal Management Commission for consistency.

Mr. Michael Zarin or Zarin and Steinmetz, attorney for the French American School appeared on behalf of FASNY. A member of their traffic and planning consultants was in attendance as well as their architect, a member of the FASNY Board, the Director of Finance for FASNY and attorney for the landlord/site owner. Mr. Zarin gave a brief overview of the proposed project, which is to temporarily operate by special permit on properties within the M-1 District with frontage along Fenimore Road, or properties within the M-1 District

located to the east of Fenimore Road. There will be no external improvements to the building; it will house six classes of approximately 120 eleventh and twelfth grade students and one office. The French American School has been before the Planning Board and a positive recommendation was issued by the Planning Board and the Village's planner. An extensive amount of study of the buildings and area has been done. Meetings have taken place with area business owners and they have been productive. There are concerns by the business owners which they are trying to address. The permits would be for three years with only one renewal permitted and at the end of the three year period, the Planning Board would have the opportunity to determine whether or not to extend the renewal. Mr. Zarin believes that they are able to demonstrate that this rezoning would not permit or encourage a large scale relocation of school facilities but would be in harmony with the various uses that are already in this area. A traffic study was done particularly in regard to heavy truck traffic. All levels of service at the key intersections are C or better except for Fenimore Road and Hoyt Avenue, which is at level D. The business owners are concerned that the FASNY traffic will queue up and block their entrances and FASNY has shown that the queues on those roads will not increase at all. Mr. Zarin reviewed the traffic study stating that they would only add 19 vehicles in the key intersection or 5% during the a.m. peak. Parking on the site was looked at as this is a concern of people in the area. The zoning requirement for parking is 43 spaces; they have 49 and only need 16. There will be approximately 40 cars entering and exiting the parking area during the morning peak hours. The queue created can handle two large buses and eight cars at one time. The drop off sequences by bus will be divided into two 15-minute segments. Mr. Zarin believes that this should not impact the major intersection.

In reference to concerns by area business owners of the policing of the area that will have to take place because of having students in the area, Mr. Zarin believes that this will be minimal as there are already students in the area and the FASNY students are well controlled and don't meet those criteria. The issue of flooding is understood. FASNY has been in this area as well as on New Street for years. They are not increasing the impervious surface. The zoning amendment only permits the re-use of existing structures. FASNY is also mindful of Marvel's concerns regarding the train track behind the building and the noise. This does not impact them as the train passes late in the evening. Mr. Zarin realizes that some of the other businesses in the area may have issues with their putting classrooms in the area and they are working with them and will continue to work with them to be good neighbors.

Mr. Andrew Spatz, owner of a business in this area appeared. He has met with the FASNY council and had a productive dialogue. Mr. Spatz believes that FASNY is trying to impose itself on an area that is industrial and he would like to review what is appropriate and what is not appropriate. He believes that this is absolutely not compatible with what is in the area. He has a particular problem with an active railroad track being next to the entrance to the school (approximately 10 feet away). This is not appropriate. Past studies

have been done on this area and suggestions made as to what would improve this area for the entire Village. At no point was there a discussion of having a school in this area. There are issues in this area that never have been mitigated; one of which is traffic. He believes that it is the Wild West on Waverly Avenue, with double and triple parking and the way that trucks unload. Mr. Spatz stated that the response by FASNY that there would be no need for additional Village services if they move to that area is completely false. As far as this being a temporary situation for the French American School, the change of zoning will not be temporary. This will be in affect until changed again by the Board. Mr. Spatz also feels that the Board is being rushed into this decision by FASNY as they need to be in before the school year begins in September. All issues need to be studied and resolved before the Board should be making this decision. Mr. Spatz believes that the traffic problems in this area will be compounded by the school and reviewed the specifics of the on-going issues which will be exacerbated. Mr. Spatz also stated that Railroad Way was not factored into this scenario, which could be a huge issue for area businesses.

Mr. Spatz brought up the flooding problem and does not understand how you can subject 121 students and numerous staff to an area subject to flash flooding. In the event of an evacuation, these students will not be able to leave the area quickly. They would have to wait for buses or family members to pick them up. Having a school here will also significantly impact our fire, police and emergency responders. Mr. Spatz thanked the FASNY council for being professional and courteous in their dealings with him. He is more concerned about another entity coming in now that the door will be open. Mr. Spatz reiterated that this is too important an issue with too many possible dangers to be rushed into. He respectfully asked that the Board consider whether or not this conforms with what the 2025 Committee had in mind and consider that there are other areas in the Village that are zoned to accept a school.

Mr. Robert Levine, attorney for the land and building owner of the buildings that FASNY would like to occupy appeared. Mr. Levine and the building owner support this use and stated that there are other businesses in the area that are not manufacturing, i.e. LA Boxing, Perfect Pitch and Swing and a music school. Other statements made by Mr. Spatz are concerning to him. The photo showing the entrance of the school crossing the railroad tracks is not true; this is the entrance to Mr. Levine's office. FASNY enters the building on the opposite side of the track. Mr. Levine attested to the use of the tracks. They are used once or twice a month late in the night or very early in the morning; anywhere between 10 p.m. and 1 a.m. There are also police officers there and flares put down. In terms of traffic concerns, the only issue is on the Waverly Avenue Bridge due to the tonnage maximum. The proposed use would result in safer traffic patterns, in his belief. Mr. Levine stated that he has been there when the area has flooded and he has never seen the water raise as fast as Mr. Spatz claims, prohibiting the students from being able to evacuate the area. Mr. Levine believes that this use

fits in with the Village's plan for this area and this will not interfere with Mr. Spatz' or any other industrial uses in the area. In terms of safety issue, Mr. Levine has suggested that protective fencing be built.

Mr. Andrew Spatz appeared again. This is an industrial zoned area and is used as such. Mr. Spatz believes that you cannot build any structures on railroads without getting the approval from CSX, another interested party. Mr. Spatz stated that the relationship between his family and the property owner has always been cordial and professional and he would like to keep it that way.

Mr. Martin Spatz, business owner in this area appeared. He presented the Board with a photograph of the ingress and egress from the proposed site.

Mr. Tom Zimmerman, owner and operator of Marvel Industries appeared. The railroad is an important part of his business and the reason he moved the business here in 1970. Each railcar carries five truck loads of materials to his facilities. Through the years, there has been issue with children climbing on and getting into the railcar. Fortunately, no one has been hurt. Mr. Zimmerman is concerned with a child getting hurt on his property. He is also concerned about the flooding. Mr. Zimmerman stated that the water does come quickly and there is no way to drive through it. Mr. Zimmerman gave an overview of their industrial business, which runs twenty four hours a day. Mr. Zimmerman believes that having a school in the area will be a deterrent to his business. There will also be noise right outside the classroom windows during the day as well as in the evening. Mr. Zimmerman is also concerned about the traffic and believes that a study should be done.

Mr. Michael Zarin appeared again. He believes that the school would be compatible with the existing uses, which are all successful and important members of the community. Mr. Zarin stated that the traffic on Fenimore Road from east to west was studied and the results of this study was reviewed with Messrs. Spatz. The school's architects have been in the building an extensive amount of time and Marvel does not generate the kind of noise that will disturb the students. As far as compatibility, Mr. Zarin pointed out that there is diversity and various uses in this area; there has been a music school there, there is a boxing facility and residential homes in the area. This area is also planned for multi family residential in the Comprehensive Plan. With respect to the train and the photograph submitted by Mr. Spatz, there is a path that has been there for years and will continue to function as a path to the building. Mr. Zarin also stated that if there was another school that wanted to come into this area; they would have to go before the Planning Board for a site plan approval.

Mayor Rosenblum stated that this hearing will be adjourned and continued at a future meeting after it is heard by the HCZM for consistency. Trustee Hofstetter asked for confirmation of which building the classrooms will be in. Mr. Zarin stated that the majority of the classrooms will be in 300 Waverly Avenue.

On motion of Trustee Ryan, seconded by Mayor Rosenblum,

RESOLVED that the Public Hearing on PLL F-2012 be and is hereby adjourned to a future Board of Trustees Regular Meeting.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Slingerland stated that the continuation of the Budget Hearing was inadvertently left off of the agenda and he asked that the Board please add it.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on the Fiscal Year 2012-13 Budget be and is hereby added to the agenda of the Board of Trustees Regular Meeting of April 9, 2012.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

PUBLIC HEARING ON FISCAL YEAR 2012-13 PROPOSED BUDGET

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on the Fiscal Year 2012-13 Proposed Budget be and is hereby continued.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

On motion of Mayor Rosenblum, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Fiscal Year 2012-13 Proposed Budget be and is hereby adjourned to a future Board of Trustees Meeting.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

MAYORS REPORT

None

I. COMMUNICATIONS TO THE BOARD

Mayor Rosenblum stated that the Village received correspondence from the Department of State and the NY State Office of Emergency Management regarding the Hazard Mitigation Plan and that it is approvable pending adoption. They did ask that Earthquakes and the Indian Point Power Plant be added to the Plan. Mayor Rosenblum asked that this be put on the April 16 work session and April 23 regular meeting for adoption. He thanked the committee who worked on this plan for the great job.

Mr. Stuart Tiekert of Beach Avenue appeared. Mr. Tiekert commented that the February 27 Board of Trustees Meeting minutes are not accurate. There is a specific point that was left out of the minutes regarding the Pine Street matter. When Dr. Morelli asked if the Pine Street work would go ahead if the agreement with the developer did not go ahead, Mr. Tiekert stated that the Mayor answered definitively that it would not. Mr. Tiekert asked that the tape be viewed and the minutes corrected. Mr. Tiekert gave a review of the issues with Pine Street and how we got to this point. Mr. Tiekert stated that the current plan began with the April 4, 2011 executive session, which he believes was gone into illegally. By July 2011 the Village was in a federal lawsuit, which he and Dr. Morelli were dragged into. Mr. Tiekert further stated that in August of that year, the Village engineers, without any authorization began doing tens of thousands of dollars work creating the plan we have today. At the February 27, 2012 meeting, the Village authorized the Village Manager to put forth a plan which at that time was dated February 24. Mr. Tiekert stated that plan lacked spurs for the neighbors to connect to, which was promised, no plans to protect the Tompkins Oak were stated and no support to back up the plan stated. Mr. Tiekert expressed these concerns and three weeks later a new set of plans appeared and as soon as they did, an RFP was sent out with no time to comment. He stated that this plan still lacked a plan for the Tompkins Oak and consistent direction for spurs for the neighbors and any calculations as to the propriety. Mr. Tiekert stated that this kind of contract invites overages. He also stated that he believes that this is in violation of the gift and loan clause. There is little public benefit, mostly private benefit to the original and most current developer. Mr. Tiekert stated that this happened with the Road to Nowhere project. At that time, the Village was going to seek an opinion from the State Comptroller regarding the gift and loan clause. Mr. Tiekert asked if an opinion was ever received. Mayor Rosenblum reminded Mr. Tiekert that this is a public comment, not a question and answer period. Mr. Tiekert reiterated the issues with this project.

Dr. Charles Morelli of Pine Street appeared. He had a question that he has been asking for years regarding Pine Street and he would appreciate an answer. It appears that the Village is spending tax payer money to benefit a private individual and he feels that this is not appropriate. He does not know why this is being done. With this being said, Dr. Morelli asked why isn't the developer who caused this problem in the first place being asked to pay for the repair. It is not appropriate for Village or Federal residents to pay to fix the problem that this developer caused. As far as the gift and loan clause, which he read on line, if the Board knows that they are doing something that is against the law; Dr. Morelli asked why they would be doing it.

Ms. Nora Lucas of Beach Avenue appeared. She is also concerned about the plans. There are no spurs shown, but a note telling the contractor that spurs to homes need to be put in. There are also no specifications for these spurs. There is a similar conflict with the tree. On the plans, it notes that a certain soil can be used, but it also notes that this soil cannot be used under pavement and there will pavement here. Ms. Lucas asked about the All Hazard Plan and the public comment period. She was told that the public comment period will be complete on April 12, and that this was posted; however, on the plan, it states that the public comment period ends April 16. Ms. Lucas said that it is difficult to find the notice that the period ends on April 12. She therefore respectfully requests that the comment period be extended to April 16. Mr. Sarnoff stated that the timeline in the plan was a draft timeline that was prepared last summer. Mr. Sarnoff stated that he did announce at the last meeting that the comment period would be extended to April 16; however, technically you have thirty days from the date of the public notice to comment.

Dr. Charles Morelli appeared again regarding his question. He asked when the questions asked during a public comment period get answered. The Mayor stated that he will ask that the Village Manager with the Village Attorney reply whenever they are able to do so. Dr. Morelli stated that if he does not get an answer in the next two weeks, he will be back to ask the question again.

3. AUDIT OF BILLS

Trustee Hofstetter asked if a charge for the FEMA meeting at Beach Point is included in this abstract. Mr. Slingerland stated that there was no charge.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED that the Abstract of Audited Vouchers listed below dated April 9, 2012 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	\$354,872.04
Water Fund	18,000.00
Expendable Trust	1,090.67
Agency Fund	<u>12,786.00</u>

\$386,748.71

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

3. OLD BUSINESS

A. Resolution Confirming and Authorizing Non-Substantive Errata Changes to Comprehensive Plan

Ms. Doreen Roney of Highview Street appeared. She submitted two maps; the first the Westchester County GIS map and the second was Figure 6.5 from the Comprehensive Plan, which was left out of the last errata sheet. The County GIS map identifies slopes, both 15 – 20% and those over 25%. Ms. Roney read the list of streets that are identified as steep slopes according to this map. Ms. Roney stated that the narrative in the Comprehensive Plan leaves many of these locations out. Figure 6.5 show isolated, but not all steep slopes in the Village and the key indicates that no slope is steeper than 15-25%. This data differs significantly from the data on the County GIS map. Not only are there more locations on the County map, but they show numerous locations where the slopes are over 25%. Ms. Roney stated that the Comprehensive Plan establishes parameters for development on slopes over 15%. Ms. Roney reviewed these development constraints. Ms. Roney stated that as the Comprehensive Plan inaccurately maps the steep slopes in the Village, this could lead to applicants and the Planning Board going ahead with applications that do not meet the goals established in this plan. Ms. Roney urged the Board to have this map corrected.

Ms. Nora Lucas of Beach Avenue appeared. Ms. Lucas stated that the errata sheet being voted on for approval has stricken any change or correction to Figure 6.5, where the errata sheet being considered two weeks ago showed corrections to this. Ms. Lucas stated that if the map is not going to be corrected as previously stated it would be by the Planning Consultants, then it should be stamped as incomplete or inaccurate. Ms. Lucas read from Table 3.2 regarding Nollles Ridge and how this development is awaiting the consistency approval from the Harbor and Coastal Zone Management Commission. Ms. Lucas stated that this application was denied by the HCZM as well as the State denied its consistency. If this project were to come back, it would be an entirely new application.

Trustee Hofstetter asked the Village Attorney if the map should be corrected if it is inaccurate. Mr. Goldberger stated that he does not know if the map is incorrect and he therefore cannot comment. He is taking

Mr. Fish's report at face value. Mayor Rosenblum stated that Mr. Fish had informed the Board that a map revision is not appropriate for an errata sheet and the only thing being approved tonight is the errata sheet. Trustee Hofstetter understands that but because the errors are known, and some are major errors, he does not understand why all of the errors that are known are not being corrected. Mr. Slingerland stated that he had a conversation with Mr. Fish and due to the scale of the document, and the degree of inaccuracy you could find at this level, perhaps the Board would want the map noted, "for illustrative purposes only". Trustee Hofstetter does not understand why the Planner would download the County GIS map, but not include it. Mayor Rosenblum stated that it could be noted on the errata that Figure 6.5 is for illustrative purposes only. Trustee Hofstetter stated that it is odd that an incorrect map would be included when the Planners downloaded the correct map. Trustee Ryan stated that she is willing to accept the errata changes before them this evening, but she would like the question of the inaccuracy of Figure 6.5 addressed by the Planner. Mr. Slingerland also reminded the Board of Mr. Fish's comment during a public hearing on this Plan that from a regulatory and accuracy standpoint, reducing a map to this scale is not an encyclopedic coverage as everything is reduced to an infinitesimal level. Trustee Hofstetter stated that he has a problem with this as the County did an inventory of steep slopes and these should be noted. Trustee Ryan asked if the County link could be referred to in the Plan. Mr. Slingerland stated that this could be done. Mayor Rosenblum made a motion to accept the errata sheet submitted and to state that in reference to Figure 6.5, the County GIS map should be referred to. Trustee Ryan seconded the amended motion.

RESOLUTION
FOR THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK
TO ADOPT THE COMPREHENSIVE PLAN UPDATE ERRATA SHEET
CONTAINING NON-SUBSTANTIVE CLERICAL CORRECTIONS

On motion of Mayor Rosenblum, seconded by Trustee Ryan:

BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck hereby adopts the Comprehensive Plan Update ERRATA SHEET which contains non-substantive clerical corrections to the plan, which is attached hereto and made a part hereof of this resolution, on this date of April 9, 2012; and

BE IT FURTHER RESOLVED, that the Comprehensive Plan Update, as corrected by the adoption of this ERRATA SHEET, shall be corrected by BFJ Planning, and as corrected shall be filed in the office of the Village Clerk and a copy thereof shall be filed in the office of the Westchester County Planning Board; and

BE IF FURTHER RESOLVED, that for clarification purposes, the words "for illustration purposes only", and "accurate steep slope maps are on file at the Westchester County Planning Board Department and may be found at www.westchestercounty.gov" be added to Figure 6-5; and

BE IT FURTHER RESOLVED, that if for any reason any of these clerical corrections are dismissed or deemed null and void, the original comprehensive plan as adopted on February 27, 2012, shall remain in full force and effect without the dismissed corrections.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

4. NEW BUSINESS

A. Resolution to Adopt Negative Declaration under SEQRA on PLL G-2012 (Zoning Text Amendment)

Mr. Les Steinman, Land Use Board Consulting Attorney appeared to notify the Board that this resolution reflects the Long Form EAF and the expanded Part III and additional analysis done by the applicant which the Board has been given. This also reflects the Coastal Assessment Form, which has also been given to the Board. This resolution would enable the referral of this to the HCZM.

**RESOLUTION ADOPTING A NEGATIVE DECLARATION UNDER SEQRA
IN CONNECTION PLL G-2012 - PERMITTING PRIVATE SCHOOLS AS TEMPORARY
EDUCATIONAL SPECIAL PERMIT USE IN THE M-1 ZONING DISTRICT**

WHEREAS, the French American School of New York (FASNY) submitted a petition for an amendment to the Village of Mamaroneck Zoning Code to allow a private school as a permitted special permit use in the M-1 District; and

WHEREAS, by resolution of February 13, 2012, the Village Board of Trustees referred said application to the Planning Board for the purpose of providing an advisory report pursuant to §342-95 of the Zoning Code; and

WHEREAS, by resolution of March 12, 2012, the Village Board of Trustees declared itself Lead Agency for the SEQR review as pertained to the proposed zoning text amendment; and

WHEREAS, at their March 14, 2012 meeting the Planning Board issued a positive recommendation on said petition based upon FASNY's agreement to revise the proposed zoning text amendment to provide that a Temporary Educational Special Use Permit may be granted for a period of time not to exceed three (3) years for private schools having a comprehensive curriculum of studies similar to a public school provided that the following criteria are met:

1. The private school shall operate only on property in the M-1 District fronting on Fenimore Road or anywhere in the M-1 District to the north-northeast of Fenimore Road,
2. The private school shall occupy only existing buildings, and no external improvements or increases in building footprints may occur to accommodate such occupancy, and
3. The Planning Board may renew a Temporary Educational Special Use Permit for a second term of no longer than an additional three (3) years, and only one such renewal may be issued to a permit holder by the Planning Board; and

WHEREAS, FASNY has revised its proposed zoning text amendment to incorporate the above described provisions and conditions and further limited the permissible locations to property in the M-1 District fronting on Fenimore Road or anywhere in the M-1 to the east of Fenimore Road; and

WHEREAS, by resolution of March 23, 2012, the Village Board of Trustees scheduled a public hearing on the revised proposed zoning text amendment to be held on April 9, 2012; and

WHEREAS, the Board of Trustees, with the assistance of BFJ, has classified the Action as Type I under NY SEQRA Section 617.4; and

WHEREAS, the Board of Trustees has received and reviewed a Coastal Assessment Form and Long Form Environmental Assessment Form and supporting documentation for the Action prepared by the planning consulting firm of AKRF, on behalf of FASNY, and has considered the probable impacts as set forth in the EAF.

On motion of Trustee Albert, seconded by Trustee Ryan:

RESOLVED, that the Board of Trustees accepts and adopts the EAF and the information and assessments set forth therein; and be it further

RESOLVED, that on the basis of the EAF and CAF, the Village Board finds that the Action will not result in significant adverse environmental impacts and adopts a Negative Declaration under SEQRA and authorizes the execution of the EAF, and for the reasons set forth, authorizes the Village Manager or his designee to take the necessary and appropriate actions to execute, file and publish the Negative Declaration in accordance with the applicable law.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

B. Resolution Referring GAF and PLL G-2012 to HCZM for Consistency Determination

**RESOLUTION RE: REFERRAL OF PLL-G 2012 – TO THE HARBOR & COASTAL ZONE
MANAGEMENT COMMISSION FOR CONSISTENCY REVIEW**

WHEREAS, the French American School of New York (FASNY) submitted a petition for an amendment to the Village of Mamaroneck Zoning Code to allow a private school as a permitted special permit use in the M-1 District; and

WHEREAS, by resolution of February 13, 2012, the Village Board of Trustees referred said application to the Planning Board for the purpose of providing an advisory report pursuant to §342-95 of the Zoning Code; and

WHEREAS, by resolution of March 12, 2012, the Village Board of Trustees declared itself Lead Agency for the SEQR review as pertained to the proposed zoning text amendment; and

WHEREAS, at their March 14, 2012 meeting the Planning Board issued a positive recommendation on said petition based upon FASNY's agreement to revise the proposed zoning text amendment to provide that a Temporary Educational Special Use Permit may be granted for a period of time not to exceed three (3) years for private schools having a comprehensive curriculum of studies similar to a public school provided that the following criteria are met:

1. The private school shall operate only on property in the M-1 District fronting on Fenimore Road or anywhere in the M-1 District to the north-northeast of Fenimore Road,
2. The private school shall occupy only existing buildings, and no external improvements or increases in building footprints may occur to accommodate such occupancy, and
3. The Planning Board may renew a Temporary Educational Special Use Permit for a second term of no longer than an additional three (3) years, and only one such renewal may be issued to a permit holder by the Planning Board; and

WHEREAS, FASNY has revised its proposed zoning text amendment to incorporate the above described provisions and conditions and further limited the permissible locations to property in the M-1 District fronting on Fenimore Road or anywhere in the M-1 to the east of Fenimore Road; and

WHEREAS, by resolution of March 23, 2012, the Village Board of Trustees scheduled a public hearing on the revised proposed zoning text amendment to be held on April 9, 2012; and

WHEREAS, the Board of Trustees, with the assistance of BFJ, has classified the Action as Type I under NY SEQRA Section 617.4; and

WHEREAS, the Board of Trustees has received and reviewed a Coastal Assessment Form and Long Form Environmental Assessment Form and supporting documentation for the Action prepared by the planning consulting firm of AKRF, on behalf of FASNY, and has considered the probable impacts as set forth in the EAF; and

WHEREAS, by resolution of April 9, 2012 the Board of Trustees has adopted a Negative Declaration under SEQRA finding that the Action will not result in significant adverse environmental impacts; and

WHEREAS, it is necessary for the Village Harbor & Coastal Zone Management Commission to review FASNY's proposed zoning text amendment and attendant Coastal Assessment form prepared by the planning consulting firm of AKRF for consistency with the Village's Local Waterfront Revitalization Program.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED, that the Board of Trustees herein refers PLL-G 2012 – Permitting Private Schools as Temporary Educational Special Permit Use in the M-1 Zoning District to the Village Harbor & Coastal Zone Management Commission and requests that it be placed on the agenda for the April 18, 2012 meeting for the express purpose of determining whether it is consistent with the Village's Local Waterfront Revitalization program.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

C. Resolution Honoring National Police Week May 13-19

RESOLUTION RE: NATIONAL POLICE WEEK 2012

WHEREAS, in 1962, President John F. Kennedy signed a proclamation which designated May 15th as Peace Officers Memorial Day and the week in which that date falls as Police Week; and

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Village of Mamaroneck Police Department; and

WHEREAS, approximately 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

WHEREAS, since the first recorded death in 1791, over 19,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, in calendar year 2011, 177 officers were killed in the line of duty and the names of these fallen heroes are added to the National Law Enforcement Officers Memorial each spring; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 24th Annual Candlelight Vigil on the evening of Sunday, May 13, 2011; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 13-19; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.

On motion of Mayor Rosenblum, seconded by Trustee Ryan:

RESOLVED, that the Village of Mamaroneck Board of Trustees designate the week of May 13-19, 2012 as National Police Week and publicly salute the service of law enforcement officers in our community and in communities across the nation and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

D. Resolution Scheduling a Public Hearing on PLL H-2012 Amending Chapter 126 to Establish Expiration Dates for Building Permits

Trustee Hofstetter asked if this proposed local law will affect any pending lawsuits. Mr. Goldberger stated that he would have to check as he is not familiar with all the suits against the Village. He did state that this would not affect any pending building permit applications. This would only affect building permits going forward after the law is adopted and filed.

On motion of Mayor Rosenblum, seconded by Trustee Albert:

RESOLVED that a Public Hearing on Proposed Local Law H-2012 be and is hereby scheduled for April 23, 2012 at 7:30 p.m. at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be a **Type II action** not subject to the State Environmental Quality Review Act (SEQRA).

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

E. Resolution Scheduling a Public Hearing on PLL I-2012 Removing Cumulative from Chapter 186

Mayor Rosenblum stated that this is a proposed local law that could potentially help flood victims in the Village of Mamaroneck.

On motion of Mayor Rosenblum, seconded by Trustee Ryan:

RESOLVED that a Public Hearing on Proposed Local Law I-2012 be and is hereby scheduled for April 23, 2012 at 7:30 p.m. at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York.

BE IT FURTHER RESOLVED that the Board of Trustees has determined itself to be Lead Agency as it is the only board/agency who can take this action and this matter has been determined to be an **Unlisted Action** and the Board of Trustees has reviewed a long form EAF and determined that there are no negative environmental impacts.

BEIT FURTHER RESOLVED that the Proposed Local Law I-2012 will be referred to the Harbor Coastal and Zone Management Commission, with a Coastal Assessment Form, for consistency.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that although he is in favor of the hearing and voted yes, it will take a lot of convincing to make him believe that removing cumulative is a good idea.

F. Resolution Honoring National Arbor Day

Mr. Stuart Tiekert of Beach Avenue appeared. He hopes that the sentiments of Arbor Day play out over the entire year. Mr. Tiekert stated that the Village has been doing a much better job planting trees, although we have a long way to go. He stated that we are losing trees at a rate of five times those that we are replacing. We plant trees every year, but are not using the entire reforestation budget. Mr. Tiekert further stated that the trees are not being planted according to the policy the Board adopted in the past two years. In the last round of planting, 80-90% of the trees were planted on three streets. Mr. Tiekert believes that the trees should be planted around the Village, not just on specific streets for no apparent reason. Mr. Tiekert stated that in the last year, developers have removed over \$100,000 worth of trees and as far as he knows, there have been no recouping of those losses or even establishing the level of the losses. The Tree Committee has not submitted a management plan, their only requirement under the Code. Mr. Tiekert stated that the Manager's office has promised that they would establish a policy for notifying residents of Con Edison Tree pruning events and that has not happened.

Mr. Tiekert is also concerned about the cable in the tree that has branches overhanging the playground in Harbor Island. The Village was notified of the danger of this tree three years ago. Ultimately the Village's greatest failure was their not being any resident participation in the plan for the Tompkins Oak.

**RESOLUTION RE:
ARBOR DAY 2012**

WHEREAS, the Mayor and Board of Trustees would like to express our best and warmest wishes in celebration of National Arbor Day which is celebrated nationally on the last Friday in April – April 27, 2012 and reflect upon the importance of trees to the Village of Mamaroneck; and

WHEREAS, trees are an important part of the character of the Village of Mamaroneck and provide many benefits to residents, such as improving air quality, reducing the need for air conditioning, serving as windbreaks, stabilizing soils, and providing wildlife cover and food; and

WHEREAS, trees are of great benefit to our watershed as each individual tree can consume 50-100 gallons of water per day thereby allowing for greater absorption of rain waters by the soil; and

WHEREAS, the Village of Mamaroneck will be planting a tree on our scheduled Village-wide community and river clean-up, scheduled for Saturday, April 21, 2012; and

WHEREAS, trees have for centuries been an important part of the look and feel of the Village of Mamaroneck. They are a symbol of our responsibility and commitment to our environment and to our future. It is the Village of Mamaroneck's desire to continue our participation in the National Arbor Day Foundation's Tree City USA program, a program in which the Village just celebrated its 30th year.

On motion of Trustee Santoro, seconded by Trustee Ryan:

RESOLVED, that in recognition of the Village of Mamaroneck's past and future commitments to the care and replacement of trees due to the environmental, economic and cultural value to Mamaroneck, it is our honor and privilege to recognize Friday, April 27, 2012, as Arbor Day throughout the Village of Mamaroneck, NY.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

G. Resolution Acknowledging Default Resignation of Craig Casterella from FMAC

**RESOLUTION RE: RECONGNIZING DE FACTO RESIGNATION FROM FLOOD
MITIGATION ADVISORY COMMITTEE**

WHEREAS, Craig Casterella is currently a member of the Village of Mamaroneck Flood Mitigation Advisory Committee and also serves as 2nd Assistant Chief of the Village of Mamaroneck Fire Department; and

WHEREAS, due to a scheduling conflict associated with his official duties as 2nd Assistant Chief of the Village of Mamaroneck Fire Department, Craig Casterella has been unable to attend meetings of the Flood Mitigation Advisory Committee, leading to his de facto resignation.

On motion of Trustee Santoro, seconded by Trustee Albert:

RESOLVED, that the Village Board of Trustees herein recognizes the de facto resignation of Craig Casterella from the Flood Mitigation Advisory Committee and thanks him for the service he has given, and continues to give to the community.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

The Board thanked Mr. Casterella for his time served.

H. Appointment of Tree Committee Member

**RESOLUTION RE:
APPOINTMENT TO TREE COMMITTEE**

WHEREAS, a vacancy exists on the Tree Committee and Mr. Peter Varley has volunteered to serve on this board.

On motion of Mayor Rosenblum, seconded by Trustee Albert:

RESOLVED; that Peter Varley be and is hereby appointed a member of the Tree Committee to fill a vacancy, such term to expire at the 2014 Annual Organization meeting.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

I. Appointment of HCZM Member

**RESOLUTION RE:
APPOINTMENT TO THE HARBOR AND COASTAL ZONE MANAGEMENT COMMISSION**

WHEREAS, with the resignation of Ms. Laura Schneider, there is an opening on the Harbor & Coastal Zone Management Commission; and

WHEREAS, Mr. Kevin LaFollette has graciously volunteered to serve on this Commission.

On motion of Mayor Rosenblum, seconded by Trustee Hofstetter:

RESOLVED; that Kevin LaFollette be and is hereby appointed a member of the Harbor and Coastal Zone Management Commission to fill a vacancy, such term to expire at the 2014 Annual Organization meeting.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that he has known Kevin his whole life and he will be a great asset to the Commission. Trustee Ryan stated that she was liaison to the HCZM when Laura was appointed and thanked

her for her insight and her service. Trustee Ryan also worked with Kevin while he was on the Committee for the Environment. HCZM asked for someone with environmental experience and that Kevin will be a great fit.

J. Resolution to Officially Dedicate Parklands in the Village of Mamaroneck

Trustee Hofstetter asked about the difference in the list in the resolution and a list given to the Board previously which listed parklands by section, block and lot. He also stated that the un-named parks are not included in the list that is part of the resolution. Mr. Slingerland stated that this is correct, however, the resolved clause that states that the Board of Trustees of the Village of Mamaroneck hereby acknowledges, reaffirms, and restates the facts that all lands that may have been deeded, dedicated, purchased or improved with public funds as Parks in the Village of Mamaroneck are hereby re-recorded and acknowledged as Parks in the Village of Mamaroneck takes care of this issue. Mr. Slingerland stated that some of these lots may be landlocked by other others and inaccessible.

RESOLUTION FORMALIZING AND ACKNOWLEDGING
ALL VILLAGE OF MAMARONECK PROPERTIES
DEEDED, DEDICATED, PURCHASED OR IMPROVED WITH PUBLIC FUNDS
AS PARKS IN THE VILLAGE OF MAMARONECK

WHEREAS, parks are an integral part of any community and are vitally important to establishing and maintaining the quality of life in our community, ensuring the health of all residents, and contributing to the cultural, economic and environmental well-being of the Village of Mamaroneck; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those with mental or physical disabilities, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and recreation areas improve water quality, protect groundwater, assist with the prevention and reduction in severity of flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and public spaces ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, it is proper and appropriate for the Village to recognize the value of its parks and public spaces formally dedicate them as parkland.

On motion of Trustee Albert, seconded by Trustee Santoro:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby acknowledges, reaffirms, and restates the facts that all lands that may have been deeded, dedicated, purchased or improved with public funds as Parks in the Village of Mamaroneck are hereby re-recorded and acknowledged as Parks in the Village of Mamaroneck; and

BE IT FURTHER RESOLVED, that this is a purely ministerial action of re-recording these properties as park lands for filing and record-keeping purposes; and

BE IT FURTHER RESOLVED, that the lists of properties in the Village of Mamaroneck are hereby re-adopted and recorded as Park land properties based on existing files in the possession of the Village of Mamaroneck, and as adopted and included in the adoption of the Village of Mamaroneck Comprehensive Plan adopted on February 27, 2012, as follows.

List of properties:

- Bub Walker Park** - End of Grand & Plaza Avenues
- Columbus Park** - Van Ranst Place off Mamaroneck Avenue.
- Florence Park** - Florence Street between Park & Keeler Avenues.
- Gianunzio Park** - Plaza & Washington Streets.
- Gillies Park** - Intersection of Orienta Avenue and Old Post Road.
- Guion Creek Nature Trail** - Along Shore Acres Drive.
- Harbor Island Park** - Mamaroneck Avenue and Boston Post Road.
- Jefferson Avenue Park** - Jefferson Avenue & North Barry Avenue.
- Meighan Park** - Boston Post Rd. diagonally across from Harbor Island.
- O'Connell Park** - Phillips Park Road.
- Pape Memorial Park** - Old White Plains Rd. and Madison Street.
- Stanley Avenue Park** - Stanley Avenue & Fenimore Road.
- Tompkins Park** - Intersection of Beach Avenue, East Post Road and Tompkins Avenue
- Ward Avenue Park** - Ward Avenue and Spencer Place.
- Warren Avenue Park** - Warren Avenue off Mamaroneck Avenue.

AND BE IT FURTHER RESOLVED that the Board hereby adopts the attached list of properties with Sections/Blocks/Lots (which may be duplicative with the above list) previously kept on file with the Village Manager's Office and noted in the files as lands either deeded, dedicated, purchased or improved with public funds as parks, whether improved or not, in the Village of Mamaroneck.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Trustee Hofstetter stated that although he voted yes on the above, he would like the other parkland addressed as well. Mr. Slingerland stated that the Board adopted the attached list of properties as well, which is the listing of all parklands deeded to the Village, even those that are un-named.

K. Resolution Authorizing Agreement with PERMA for Worker's Compensation Tail Claims Administration

RESOLUTION
AUTHORIZING AN AGREEMENT BETWEEN
THE VILLAGE OF MAMARONECK AND PERMA
TO CONTINUE TO HANDLE THE VILLAGE'S "TAIL CLAIMS"
OR CONTINUING, OUTSTANDING WORKERS COMP CLAIMS
THAT ORIGINATED DURING PERMA'S PRIOR COVERAGE OF THE VILLAGE

On motion of Trustee Albert, seconded by Trustee Ryan:

BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck hereby authorize an agreement with PERMA, for the administration of "Tail Claims" for the continued representation and administration of outstanding, continuing workers' compensation claims; and

BE IT FURTHER RESOLVED that the Village Manager is authorized to execute an agreement between the Village of Mamaroneck and PERMA, for PERMA to provide these services, at continuing expenses as outlined in the agreement, in form and content that is acceptable to the Village Attorney.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

L. Resolution Settling Tax Certiorari with H&L Real Estate at 431 Fayette Avenue

WHEREAS, petitions have been filed by the property owner(s) below challenging real property tax assessments on the Village's assessment roll; and

WHEREAS, petitioner's court challenges are now pending in Supreme Court, Westchester County; and

WHEREAS, the Village and petitioner(s) have reached a mutually agreeable resolution and the Village Clerk-Treasurer has calculated that the cost to the Village is \$14,905.25 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 properties listed below:

<u>Year</u>	<u>Present A/V</u>	<u>Reduced A/V</u>	<u>Amount of Reduction</u>
2007	\$39,900	\$34,000	\$5,900
2008	\$39,900	\$33,500	\$6,400
2009	\$39,900	\$30,300	\$9,600
2010	\$39,900	\$25,200	\$14,700
2011	\$39,900	\$28,000	\$11,900

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

M. Resolution Authorizing One-time, Non-precedent Setting 50/50 Funding of Funeral for Police Sergeant Tabled earlier.

N. Resolution to Amend Fee Schedule Adopted on 2/27/12 to Correct Fee for Electrical Permits

**RESOLUTION ADOPTING AN UPDATED FEE SCHEDULE
FOR CHAPTER A347 IN THE CODE OF THE VILLAGE OF MAMARONECK
TO CORRECT A TYPOGRAPHICAL ERROR RELATED TO ELECTRICAL FEES**

On motion of Trustee Ryan, seconded by Trustee Albert:

BE IT RESOLVED, that the current fees set forth in Chapter A347 of the Code of the Village of Mamaroneck are deleted, and the following updated schedule is adopted, to correct a typographical error regarding Electrical Fees, as follows:

Chapter 164, Electrical Standards and Permit Fees

Chapter/Type of Application, License or Permit	Previous Fee	New Fee
Electrical job permit	\$50, plus \$11 for each additional \$1,000 cost of work	\$50, plus \$12 for each addl. \$1,000 cost of work

Editor's Note:

The new fee should have been \$12 per \$1000 costs of work, but was mistakenly left at \$11 per \$1000 costs of work.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

O. Resolution to Remove the Retroactive Pay for the Mamaroneck Village Justices

Mayor Rosenblum stated that in review, it was discovered that the Village Justices as elected officials should not have been included in the retroactive pay raise.

RESOLUTION
AUTHORIZING THE CORRECTION,
AND DELETION OF RETROACTIVITY
FOR MAMARONECK VILLAGE JUSTICES, RELATED TO
NON-UNION EMPLOYEE RAISES

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, upon review with labor counsel, it was determined that it is not legally permissible to authorize retroactive raises for elected officials.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

NOW, THEREFORE, BE IT RESOLVED that the salary increases for the Mamaroneck Village Justices remain in effect as of their date of adoption on March 26, 2012, but the retroactivity is not permissible.

BE IT RESOLVED that the Village Manager, Clerk/Treasurer, and other appropriate employees and Village staff are authorized to take the necessary actions to affect these salary increases as authorized.

Ayes: Albert, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

5. REPORT FROM VILLAGE MANAGER

A. File for the Record – Executed Amendment No. 1 State Assistance Contract No. C304305
Mr. Slingerland stated that this was filed for the record with the Clerk-Treasurer's office.

B. File for the Record Contract 12-02 for Two or More Prius Vehicles

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

6. FLOOD MITIGATION REPORT

Mr. Slingerland announced that the All Hazards Plan has been accepted and adopted by FEMA pending approval by the Village. This will be on the next work session agenda.

Mr. Slingerland reminded residents that Saturday, April 21 between 9:30 a.m. and 4:30 p.m. will be the fourth annual clean up day in the Village of Mamaroneck beginning with a tree planting ceremony at Harbor Island Park. Mayor Rosenblum stated that Hampshire Country Club will be lending their super vacuum to the Village to clean up the goose droppings. Depending on how successful this is it may be something the Village would consider purchasing. The Mayor requested that the Village Attorney find out what the legal options are for the Village to get rid of the geese once and for all as it is now a health hazard particularly for the children playing there. Mr. Slingerland thanked all those who are contributing and helping organizing this clean up event. Trustee Albert stated that not only are goose droppings an issue at the Harbor, but now that we allow dogs there all year, their droppings are becoming a problem. He reminded all residents to pick up after their dogs. Trustee Hofstetter asked if we could use coyote decoys to help keep the geese away. Mr. Slingerland said that he would look into this.

7. REPORT FROM CLERK-TREASURER

A. Reminder of RR Parking

Mr. Fusco reminded resident that parking stickers for the railroad station parking expired on March 1 and anyone who has not purchased their new sticker should do so.

8. REPORT FROM VILLAGE ATTORNEY

None

9. MINUTES – COMMISSIONS, BOARDS, COMMITTEES

Mayor Rosenblum stated that the following are being noted for the record.

A. BOT – Regular Meeting of February 27, 2012

Mayor Rosenblum reminded Ms. Roberts to check this meeting in reference to Mr. Tiekert's comment.

B. Committee for the Environment – January 17, 2012

Updates from the Board

Trustee Ryan stated that in addition to the upcoming Clean Up Day there are two other events taking place in April; the first is an anti-idling Day on April 23. The second is the Poetry Live event on April 29 which will honor National Poetry Month. There will be 45 young poets presenting their poems at the Library. This will also be streamed live on LMC-TV.

Trustee Albert thanked Paige Rentz for her great stories and wished her good luck on her new assignment in Alabama.

Trustee Santoro reported that Fire Chief's night took place and the new officers were installed. He congratulated the new officers as well as the two police officers who were recently promoted.

Mayor Rosenblum also thanked Paige Rentz for her work reporting on the Village.

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