

Village of Mamaroneck

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Board of Trustees Agenda

VILLAGE OF MAMARONECK BOARD OF TRUSTEES REGULAR MEETING MINUTES
May 29, 2012 AT 7:30 PM - COURTROOM AT VILLAGE HALL
NOTICE OF FIRE EXITS AND REQUEST TO TURN OFF ELECTRONIC DEVICES

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	Linda Whitehead
	Clerk Treasurer	Agostino A. Fusco

ABSENT: None

OPEN MEETING

On motion of Trustee Toni Ryan Seconded by Trustee Sid Albert The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert, Hofstetter, Rosenblum, Ryan, Santoro.

PUBLIC HEARINGS AND PRESENTATIONS

A. Public Hearing on PLL F-2012 Ban on Plastic Bags (Continuation)

Mayor Rosenblum stated that he has been advised by the Village attorney that because of timing, this cannot be voted on tonight. It can be voted on at the next meeting. Mayor Rosenblum stated that he is getting input, not only from the older electorate, but was extremely proud to receive a package from a Mamaroneck Avenue School art class which he is making part of the record. They also signed two petitions. He is not worried about the future of the VOM. Trustee Ryan asked that the Committee for the Environment get a copy.

Mayor Rosenblum noted at the last meeting that this law will probably pass. He does have issue with the definition of recyclable paper bag. He believes that while the goal is to stop the use of plastic bags for many reasons. He further stated that when there is printing on a paper bag, there are chemicals on the bag and this printing results in an added cost which he believes will be passed on to the consumer. He believes that it serves no purpose to be punitive. In the definition of retail sales, he would like to see not for profit corporations stricken from this. He believes that they should not be treated differently from for profit corporations. The Mayor would also like the effective date changed from six months to nine months to be able to get rid of existing stock.

Trustee Ryan stated that in response to the definition of paper bags, the Committee for the Environment did not want to change this. This will be brought up again. The Committee for the Environment also feels that the timing should be kept to six months as this has worked for other communities. The Committee also wants to keep not for profits in. All of the comments made in public hearings were discussed by the Committee. Trustee Ryan stated that the comments made tonight will be brought to the Committee. They also discussed whether or not stores delivering to the Village need to be held to this law. Mayor Rosenblum believes it is the responsibility of this Board to not go to the extreme and meet the main idea on the restriction of plastic bags. As

this law was modeled on one passed in the City of Rye and they have no grocery store, the Mayor understands the issues that this will have on the A&P. The Mayor appreciates comments from those outside of the Village; and hopes that the Town and Village of Larchmont will also think about passing a similar law so that our residents don't go shopping in a store in those areas and bring the plastic bags back to the Village. Trustee Ryan stated that Larchmont and the Town are looking at this law and waiting to see what happens here in the Village.

Trustee Ryan agrees that it is the Board of Trustees who will make the final decision and the Committee for the Environment understands this. Trustee Ryan also believes this law should be discussed in work session. Trustee Hofstetter believes that this law is geared to make social change, and that is the reason to do it. He further stated that we live in a waterfront community and we are always seeing plastic bags clogging up storm drains. He also believes that even though a neighboring municipality does not require a similar law at this point, it doesn't mean it is not a good idea. It is important to take this step and encourage residents to change the way they shop. Paper bags can be just as damaging to the environment and residents should be encouraged to bring fabric bags with them when they shop. In regard to the six months versus nine months phase in period, Trustee Hofstetter feels that six months is enough time. He also stated that like all laws passed, enforcement will be an issue and that public education will be the most effective way to get residents to change their behavior.

The Board agreed that the Public Hearing should be kept open. Ms. Whitehead stated that the law needs to be in final form for seven days before it is voted on. Trustee Hofstetter requested that the law in its final form be sent to the retailers in the Village so that they have an opportunity to review and comment on.

Ms. Sidney McKennis, Pelham resident appeared. She stated that Los Angeles, the largest city to ban plastic bags put in a \$.10 charge per paper bag to reinforce the message that residents should be using their own reusable bags. This encourages consumers to bring their own bags. A lot of towns are looking at the Village of Mamaroneck as an example. This is also being discussed on a county level. She also informed the Board that Hawaii was the first state to ban plastic bags. This was not done on the state level; all four counties passed the law. She encouraged the Board to adopt this law.

MAYOR'S REPORT- THIS IS MAMARONECK

A. Tri-State Transportation Campaign Grant Announcement

Mr. Jeremy Igpen of the Washingtonville Housing Alliance appeared. He thanked Mayor Rosenblum and Trustee Ryan for working with the Washingtonville Housing Alliance in an effort to be awarded grant. This grant will allow for a study of the area within one-half mile of a transportation hub; in Mamaroneck's case, the Metro North train station. The study will look at the potential for residential development and changes in zoning. This is also a great opportunity to extend the business district beyond train station. The Village was awarded a \$35,000 grant.

Ms. Catherine Marsh, Director of the Westchester Community Foundation appeared. They are one of a number of foundations who put funds in a communal pot, called the One Region Fund to award grants to various foundations, one of which is the Tri State Transportation Campaign. They are very focused on building community and making the entire county a better place to live. She cannot think of a better community than Mamaroneck to have been awarded this grant. It was a standout proposal and rose above many others that were reviewed.

Ms. Veronica Vanterpool, Associate Director of the Tri State Transportation Campaign appeared. She is also a Westchester resident and is very pleased to see Mamaroneck win this grant. Municipalities are responding to the mobility needs of their community and understand the need for livable communities in the transportation area. One of the reasons for Mamaroneck being awarded this grant was their collaborative effort working with the Washingtonville House Authority.

Trustee Hofstetter asked if there will be an inventory of existing uses in the area. Mr. Igpen stated that yes; this study will look at what is currently permitted and recommendations for changes in the use.

Trustee Ryan thanked the Washingtonville Housing Authority for the opportunity to join them in this and for giving them the opportunity to dream about what can be done in this area.

Mayor Rosenblum thanked all involved.

B. Mamaroneck AAU Basketball Presentation

Mr. Howard Jordan, coach of the Village's AAU basketball teams appeared. He stated that this year there were three new programs, 12 and under, 13 and under and 14 and under. He further stated that this is a national organization and in the past he and some of his teams have traveled all over the country. The new teams this year competed well. The fourteen and under team finished six points shy from competing in the national tournament. The twelve and under team finished one game away from competing on the national level. He is extremely proud of his teams.

1. COMMUNICATION TO THE BOARD

Mr. Stuart Tiekert of Beach Avenue appeared regarding the MS4 reports that were discussed at the last meeting. He asked

the status of comments and if answers to these questions will be included in these reports. Mr. Slingerland stated that they will be and that the submission date is June 1.

Mr. Tiekert asked about the Tompkins Farm Oak. Mr. Tiekert stated that for two centuries saplings from this tree have burst open. He is sad that the Village of Mamaroneck has chosen a path that might hasten the demise of this tree. Mr. Tiekert asked if the staff made the Board aware that there was an alternative that would have solved the flooding that would not endanger the Oak and at less than 25% of the cost. He further asked that if the Board was aware of this alternative would those who voted in favor of it, change their vote.

Ms. Nora Lucas appeared regarding the Pine Street project. She stated that the February 24 amended plan shows that the Village will be paving 40 feet in front of the new home. As this was late coming to the project she is not sure that the Board knew this when they voted three days later. In her opinion, this seems to be a gift to the developer. In reference to the SEQRA determination, the Board declared it a Type II. She further stated that page 35 of SEQRA manual makes it clear that if there is development that is not a subdivision, it cannot be a determined as a Type II action. She believes that this is not an approved subdivision and it is an Unlisted Action. She also believes that the Village is segmenting this portion of the project and it has not been reviewed properly. Because of this lack of review, the Village did not look at alternatives. Ms. Lucas is also concerned about the Oak Tree and its effect on the environment as having a tree with a 100 foot root base is the best stormwater management plan on their street. No one has calculated what affect losing this tree will have on stormwater management. She is not surprised that the Mamaroneck Avenue School children were shocked to get a response from their government as she emails the Village all the time and never gets a response.

Dr. Morelli of Beach Avenue appeared regarding Pine St. He has been asking questions for a very long time. He realizes that this is just a comment period, but he would like to have a response period. Dr. Morelli would like to be able to get together to have a conversation. He believes that the Pine Street problem was caused by a single developer yet we are going out of our way to fix this with government money. Wouldn't the Board rather be sued upholding the law? He asked the question again – why is the Village not holding the person responsible for this accountable? Dr. Morelli asked Mr. Slingerland if he can get an answer.

Mr. Victor Tofur appeared regarding the LWRP update process. He has been listening to Board of Trustees meetings and would like a status update on this process. Mr. Tofur has specific comments that he will submit for the records. There are two things in the grant that he would like the Board to pay attention to. The Village has a Department of State approved work plan which has two specific mandates regarding the LWRP policies. Mr. Tofur asked to get an update on where we are in this process from the consultant. One of the mandates is that the Village shall refine the policies to reflect the current status. Essentially the work is to review what we have and to refine them. Most importantly it states that State policy can be modified but cannot be diminished. The other important issue noted in the letter is that the Village should include new policies from the LI sound program dated 1999. Mr. Tofur stated that Rye and Larchmont currently have a LWRP Policy that includes all forty plus policies. If the Village of Mamaroneck moves to the thirteen policies, we are making a change that has never been tried and we should be very careful. Mr. Tofur offered his services to help in any way that he can.

Trustee Hofstetter stated that he would like to answer some of the comments. Mayor Rosenblum stated that he is out order. Dr. Morrelli stated that the way the meetings are handled is embarrassing.

2. AUDIT OF BILLS

A. Abstract of Bills

On motion of Trustee Sid Albert Seconded by Trustee Lou Santoro

Trustee Hofstetter believes that the Village is overspending on Pine Street project as according to Mr. Tiekert, as there was an alternative. Trustee Hofstetter stated there were very valid points made during the communication period and that the Board should be interested in having a dialogue that could potentially save the tax payers money.

RESOLVED that the Abstract of Audited Vouchers listed below dated May 29, 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	\$444,317.90
Capital Projects 2012	77,431.28
Expendable Trust	28.00
Agency Fund	<u>3,200.00</u>
	<u>\$525,007.18</u>

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert, Hofstetter, Rosenblum, Ryan, Santoro.

3. OLD BUSINESS

A. Resolution Authorizing Per-Meeting Payments to BFJ for Completion of LWRP Update

Mayor Rosenblum stated that reducing the number of policies makes no difference in the effect and all that was taken in consideration before are considered within the 13 policies. There is no weakening of the policies. He further stated that the first/original LWRP filed in the State of New York was from the Village of Mamaroneck. Trustee Ryan asked what status is in regard to original program and are we meeting the expectations of what would be done by this point in the process. Mayor Rosenblum stated that this has not yet been completed and that June 6 is next meeting. He further stated that we are three meetings away before completing this process and submitting the report to the State. There will be a request to meet with Marine community, which will happen after the June meeting and the report will then be presented to the Board of Trustees before it is sent to the State. Mayor Rosenblum stated that Mr. Fish is in attendance to answer any questions. Mayor Rosenblum noted that what was presented for tonight's meeting is not the same as what was presented at their work session. The Mayor stated that there were extended meetings requested that changed BFJ's charge.

Trustee Hofstetter stated that at work session it was agreed that a draft would be seen before a decision is made. The Board needs to see a draft before they approve any more money as they are over budget by far. Mr. Slingerland stated that an update has been asked for from BFJ. Mr. Slingerland confirmed that the reduction in number of policies is not a reduction of information, but that information is combined. Charlie McCaffrey, former DOS staff, has been taking the lead on updating the LWRP Update based on the input of the committee.

Mr. Frank Fish of BFJ gave a brief update on where we are to the Board. There is a working draft which is dated November 2011. The Village Manager has a copy; he gave a copy to Trustee Hofstetter and stated that he believes that it is on the Village's website. He brought a copy of the policies with him to the meeting. He believes that copies of the working draft have been shared with Department of State. Upon review at a third workshop and in meeting with the marine district concerns about policies arose. Mr. Fish stated that Charlie McCaffrey will have revised policies this week so that they can be reviewed before their next meeting. After the committee's meeting, they would like comments from the marine industry. Revisions will be made at that point and it will then go to the Board of Trustees. It is his understanding that if the Long Island Sound policies are not followed, the Department of State will not approve. Mr. Fish stated that it is not the intent to water the policies down. Mr. Fish recalls presenting a matrix that shows how each of the 40+ policies relates to the new 13 policies. Mr. McCaffrey is in charge of the policies. Mr. Fish hopes to get something to the Department of State this summer. Mr. McCaffrey believes that they will take the full sixty days for them to review.

Mayor Rosenblum stated that the consensus at the last meeting is that there are three specific meetings left, including one with the Board of Trustees. The Mayor further stated that the additional money requested is because of added charrettes and added public input. Trustee Ryan was surprised that Mr. Fish was in attendance tonight. She asked if we are following the commitment that was made when the grant was awarded, as no member of the current Board was on the Board when this took place. There was also a different Village Manager and Assistant Village Manager here. Trustee Ryan also asked the Village Attorney to look at this and let the Board know if we are where we are supposed to be at this point in the process. She thought it would be the committee members who are updating the plan. She is not questioning the work; she is questioning what we agreed to and where we are. Trustee Hofstetter would like to see policy changes before the committee gets them. Mr. Fish doesn't see any problems with this; however, to have an effective meeting, the committee needs to get this as soon as possible. Trustee Hofstetter stated that he has no problem receiving the information at the same time the committee gets it.

Mr. Victor Tofur appeared again. He would like the public to see the final version before it goes to the Department of State. Trustee Hofstetter stated that part of the problem is that the first LWRP was prepared by the residents and they had a vested interest in it. He believes that the community should have ample opportunity to review this document before it is finalized. Mr. Tofur believes that this is the most important law the Village has. Mr. Sarnoff stated that technically there are 13 policies, but they have subsections, therefore it is not accurate to state that the number of policies went from 44 to 13.

Ms. Nora Lucas asked what the date of the most recent working draft is and stated that the matrix would be beneficial for the public to view. She also requested that the public meetings be televised. Might be a good idea to hold in the Courtroom and be televised. She also requested that any draft received by the committee be made public. Trustee Hofstetter agreed. Mr. Fish confirmed that all documents sent to the committee are public. Mr. Fish stated that he will ask Charlie McCaffrey to bring matrix on June 6. Mr. Fish further explained the process that has to be followed before this document is scheduled for an official public hearing and that the public should have it for at least 60 days before this hearing is held.

Mr. Stuart Tiekert appeared and requested that the Board of Trustees makes a commitment regarding how many days the public will have to review the final draft before it is finalized. If he had the opportunity to review the Pine Street plans before the date of the meeting, perhaps the Board would not have gone this route.

Mr. Daniel Natchez asked if the draft could be available in a marked up, word document so that changes can be seen as the public will only have six days to digest policies before the last work session. He asked if the public will be allowed to comment at the June 6 meeting. Mayor Rosenblum stated that the committee set a policy that they will consider written comments; however, they will not accept verbal comments during a meeting. Mr. Natchez stated that the marine industry believes that the policies have been de-watered from original LWRP and earlier drafts. Mr. Fish will confirm that the policies be red-lined. Mr. Fish believes that

as the committee is interested in the revisions, they will have enough time to digest these changes. The committee asked that they have the opportunity to get through their meetings without public comment.

Mr. Stuart Tiekert appeared again to state that he is concerned how long the comment period will be after the final revisions are made by the Board of Trustees.

4. NEW BUSINESS

A. Declaration of Intent to be Lead Agency on Securing Property and Easements for Work & Structures to Support the Jefferson Avenue Bridge and Referral to HCZM

On motion of Trustee Norman Rosenblum Seconded by Trustee Lou Santoro

Trustee Hofstetter stated that he brought up in work session that this project should not be segmented. This is being listed as an Unlisted Action; however, if you read the resolution for the following item, this is being typed as a Type II. He further stated that we wouldn't be doing the second project if we did not have the easement obtained. In his view, these are interrelated and the Board is segmenting the project.

Ms. Nora Lucas appeared and agreed with Trustee Hofstetter that the Board is segmenting the review. Bridge is theoretically a Type II Action although she is not convinced; it is more a flood mitigation project. She believes that clearly easements are an Unlisted Action and parts of the project cannot be segmented. It all has to be looked at as one project. Ms. Lucas wishes that we would follow the environmental regulations.

Ms. Whitehead stated that in June 2011, the Board typed the bridge project after speaking with the DEC. This was done a year before it was known that we would need land acquisitions. She further stated that the main part of the project was typed correctly at the time, before it was known that there would have to be land acquisition, which is clearly an Unlisted Action. This action came up after the fact.

Trustee Hofstetter asked if it should not be retyped as one project; to make the SEQRA review for the entire project. Ms. Whitehead stated that this could be done; however it will delay the project significantly. Ms. Lucas appeared and stated again that you cannot type the segments separately. Ms. Whitehead stated that she believes this is not exactly right as the design was completed before the acquisitions were deemed necessary. Ms. Whitehead stated that there are some instances where there is permitted segmentation and in her opinion, the Board can proceed either way.

Mayor Rosenblum believes that the more quickly we mitigate the flooding situation, the better and he agrees with the attorney.

Mr. Slingerland stated that the replacement of the Jefferson Avenue Bridge is classified as a replacement in kind. The removal of the center abutment and inclusion of deeper abutments was recommended by the Army Corps and will help with future flood mitigation. The issue with the design of the bridge was the engineer's proposal to reduce the cord by 18 inches and by doing this, in their calculations; this would have created a no net benefit and a no net harm. It would have created a situation that has been experienced with other bridges in the Village that have low cords and that is why they create blockages during storms. It was therefore recommended that the height of the cord be maintained as it is and they resulted in creating stronger abutments in the bridge and that resulted in the taking of the properties.

Trustee Hofstetter is still concerned that this was segmented and should be viewed as one project and this project should be declared an Unlisted Action. Trustee Hofstetter will be voting against this action.

RESOLUTION RE:

DECLARATION OF INTENT TO BE LEAD AGENCY FOR AN UNLISTED ACTION TO ACQUIRE REAL PROPERTY

WHEREAS, the Jefferson Avenue Bridge over the Mamaroneck River (BIN 2225080), located in the Village of Mamaroneck, is a 2-span concrete encased steel multi-girder bridge with an overall length of eighty (80) feet, a center abutment, and an out-to-out width of fifty (50) feet originally constructed in 1931; and

WHEREAS, because of its continued use and damage and wear over the years from severe weather and regular and occasionally severe flooding, portions of the bridge are closed to access, including pedestrian sidewalks, and sections of the bridge have fallen through and based on a NYSDOT inspection report and supplemental analyses prepared for the Village, the bridge has been identified as being in need of replacement, said replacement being the joint responsibility of the Village of Mamaroneck and Town of Rye; and

WHEREAS, upon receipt of final design it was determined that in order to complete this project, the Village must separately acquire approximately 150 square feet of property to allow for the construction of new abutments, such acquisition is considered to be an Unlisted Action; now therefore be it

RESOLVED, that the Board of Trustees hereby determine this action to acquire 150 feet of real property to be an Unlisted Action and declares its intent to be Lead Agency and circulate the Notice of this Intent with the short form EAF to the Involved Agencies; and be it further

RESOLVED that the that this item be referred to the Harbor Coastal and Zone Management Commission, with a Coastal Assessment Form, for consistency determination.

The Motion Passed by a vote of 4 Aye, 1 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Rosenblum , Ryan , Santoro . Trustees voting Nay Hofstetter .

B. Resolution Authorizing the Issuance of Debt for Jefferson Avenue Bridge

On motion of Trustee Norman Rosenblum Seconded by Trustee Toni Ryan

Mr. Slingerland stated that we are bonding the entire amount of the project pursuant to a stipulation in our contract with the Town of Rye. They will be reimbursing us for half of the cost. Mr. Slingerland also stated that the Village received a \$400,000 grant for this project and thanked Assemblyman Latimer for helping us get this grant.

BOND RESOLUTION, DATED MAY 29, 2012, AUTHORIZING THE ISSUANCE OF UP TO \$3,800,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF MAMARONECK, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE JEFFERSON AVENUE BRIDGE.

WHEREAS, the Board of Trustees of the Village of Mamaroneck (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Jefferson Avenue Bridge, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$3,800,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Mamaroneck, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$3,800,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to the Jefferson Avenue Bridge, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$3,800,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds and a New York State CCAP grant from the Dormitory Authority of the State of New York; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure and (f) the amount of serial bonds authorized herein shall be reduced *pro tanto* to the extent of moneys received or to be received from federal or State of New York agencies or other third party sources.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty (20) years. The serial bonds authorized herein shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the

Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 8. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk/Treasurer.

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

C. Award of Jefferson Avenue Bridge Contract

On motion of Trustee Norman Rosenblum Seconded by Trustee Lou Santoro

Trustee Hofstetter asked if there is a requirement that this listed be as a Type II Action in the resolution. As he does not believe that this project is a Type II Action, he would like it removed from the resolution. Ms. Whitehead stated that it is not necessary for this to be in the resolution. Trustee Hofstetter made a motion to strike this from the resolution. There was no second. Mayor Rosenblum motioned to adopt this resolution as written, which was seconded by Trustee Santoro.

**RESOLUTION RE:
AWARDING CONTRACT # 2012-05 – JEFFERSON AVENUE BRIDGE OVER THE MAMARONECK RIVER (BIN 2225080) REPLACEMENT PROJECT**

WHEREAS, the Jefferson Avenue Bridge over the Mamaroneck River (BIN 2225080), located in the Village of Mamaroneck, is a 2-span concrete encased steel multi-girder bridge with an overall length of eighty (80) feet, a center abutment, and an out-to-out width of fifty (50) feet originally constructed in 1931; and

WHEREAS, because of its continued use and damage and wear over the years from severe weather and regular and occasionally severe flooding, portions of the bridge are closed to access, including pedestrian sidewalks, and sections of the bridge have fallen through and based on a NYSDOT inspection report and supplemental analyses prepared for the Village, the bridge has been identified as being in need of replacement, said replacement being the joint responsibility of the Village of Mamaroneck and Town of Rye; and

WHEREAS, in support of this effort and to help offset costs, Assemblyman George Latimer was able to secure a grant through the New York State Dormitory Authority and its Community Capital Assistance Program (CCAP) in the amount of \$400,000 to be used towards design, engineering and construction costs for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, in accordance with this grant award Village staff prepared a Request for Proposals (RFP) for Professional Design Services for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, by resolution dated September 13, 2010, the Village retained the firm of WSP ■ Sells to provide engineering and design services for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, such in-kind replacement of this bridge is a Type II Action pursuant to 6 NYCRR Part 617 and does not require further review; and

WHEREAS, design work was recently completed and the Village Manager reports that he public advertised for the receipt of bids on Thursday April 19, 2012 for Contract 2012-05 – Jefferson Avenue Bridge over the Mamaroneck River (BIN 2225080) Replacement Project with copies of said bid package distributed to nine (9) contractors; and

WHEREAS, on the bid opening date, Thursday, May 17, 2012, six (6) sealed bids were opened with the apparent lowest responsible bid received from the Arben Group, 175 Marble Avenue, Pleasantville, NY, 10570 for the total approximate base bid price of \$3,141,708; Alternate #1 Powder Coating to Bridge Rail - \$18,480.00; and Alternate #2 – Removal and Replacement of W-Beam Guide Rail Bordering Stage Area - \$8,250, or a total approximate bid price with alternates of \$3,168,438; and

WHEREAS, The Arben Group has significant experience with bridge construction and in support of its due diligence responsibility, references were contacted and the bid was reviewed with principals from the Arben Group and during this conversation, they conveyed a clear understanding of the project scope and comfort with their bid; and

WHEREAS, in order to complete this project the Village must separately acquire approximately 150 square feet of property to allow for the sub-surface construction of new abutments, such acquisition of property having been determined to be an Unlisted Action; and

WHEREAS, the Village Board has declared its intent to act as lead agency, authorized the circulation of a Notice of Intent for a SEQR review and referred a short form Environmental Assessment Form and Coastal Assessment Form to the Harbor and Coastal Zone Management Commission for consistency determination; now therefore be it

RESOLVED, that contingent upon a negative declaration and consistency determination being made on the Unlisted Action of acquisition of approximately 150 feet of property, this unit price contract, 2012-05 – Jefferson Avenue Bridge over the Mamaroneck River (BIN 225080) Replacement Project, be awarded to the Arben Group, 175 Marble Avenue, Pleasantville, NY, 10590, at the total approximate bid of \$3,168,438 for the base bid and Alternate Items #1 & #2; with additions or deletions based on the unit bid pricing provided in their bid response; and be it further

RESOLVED, that the Village Manager is herein authorized to execute Contract , 2012-05 – Jefferson Avenue Bridge over the Mamaroneck River (BIN 225080) Replacement Project; and

RESOLVED, that all such costs associated with this project be charged to the appropriate accounts to be determined by the Village Clerk-Treasurer, based on such funding authorized by the Village of Mamaroneck and separately by the Town of Rye; and be it further

RESOLVED, that upon successful completion of negotiations with the adjacent property owners, the Village Manager is herein authorized to execute the appropriate land dispositions agreement in accordance with the appraisal reports previously prepared for the Village of Mamaroneck; and be it further

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

The Motion Passed by a vote of 4 Aye, 1 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Rosenblum , Ryan , Santoro . Trustees voting Nay Hofstetter .

D. Authorization to Execute Construction Oversight Contract with WSP Sells

On motion of Trustee Norman Rosenblum Seconded by Trustee John Hofstetter

**RESOLUTION RE:
AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION
ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES FOR THE JEFFERSON AVENUE BRIDGE
REPLACEMENT PROJECT**

WHEREAS, the Jefferson Avenue Bridge over the Mamaroneck River (BIN 2225080), located in the Village of Mamaroneck, is a 2-span concrete encased steel multi-girder bridge with an overall length of eighty (80) feet, a center abutment, and an out-to-out width of fifty (50) feet originally constructed in 1931; and

WHEREAS, because of its continued use and damage and wear over the years from severe weather and regular and occasionally severe flooding, portions of the bridge are closed to access, including pedestrian sidewalks, and sections of the bridge have fallen through and based on a NYSDOT inspection report and supplemental analyses prepared for the Village, the bridge has been identified as being in need of replacement, said replacement being the joint responsibility of the Village of Mamaroneck and Town of Rye; and

WHEREAS, in support of this effort and to help offset costs, Assemblyman George Latimer was able to secure a grant through the New York State Dormitory Authority and its Community Capital Assistance Program (CCAP) in the amount of \$400,000 to be used towards design, engineering and construction costs for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, in accordance with this grant award Village staff prepared a Request for Proposals (RFP) for Professional Design Services for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, by resolution dated September 13, 2010, the Village retained the firm of WSP ■ Sells to provide engineering and design services for the Jefferson Avenue Bridge Replacement Project; and

WHEREAS, design work was recently completed and the Village Manager reports that he publicly advertised for the receipt of bids on Thursday April 19, 2012 for Contract 2012-05 – Jefferson Avenue Bridge over the Mamaroneck River (BIN 225080) Replacement Project with copies of said bid package distributed to nine (9) contractors; and

WHEREAS, the Village Board has given subject approval to award Contract # 2012-05 to the lowest responsible bidder, The Arben Group, 175 Marble Avenue, Pleasantville, NY, 10570 for the total approximate base bid price of \$3,141,708; Alternate #1 Powder Coating to Bridge Rail - \$18,480.00; and Alternate #2 – Removal and Replacement of W-Beam Guide Rail Bordering Stage Area - \$8,250, or a total approximate bid price with alternates of \$3,168,178; and

WHEREAS, given the importance and expense of this project, it is appropriate to provide construction inspection and construction administration services to ensure that the project is being completed in accordance with the designs and specifications; and

WHEREAS, as the lead design and engineer for the project, the Village requested that WSP • Sells submit a proposals to provide such construction inspection and construction administration services; and

WHEREAS, WSP • Sells did provide such a proposal in the amount of \$69,900, equivalent to 2.2% of the overall construction estimate of \$3,168,178, which is fair and consistent with industry standards; now therefore be it

RESOLVED, that the Village Manager is herein authorized to execute a professional services agreement with WSP • Sells in the amount of \$69,900 to provide construction inspection and construction administration services for the Jefferson Avenue Bridge Replacement Project; and be it further

RESOLVED, that all such costs associated with this project be charged to the appropriate accounts to be determined by the Village Clerk-Treasurer, based on such funding authorized by the Village of Mamaroneck and separately by the Town of Rye; and be it further

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

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

E. Authorization to Purchase New Compact Sedan for Building Department

On motion of Trustee Norman Rosenblum Seconded by Trustee John Hofstetter

**RESOLUTION RE:
AUTHORIZATION TO PURCHASE A FORD FUSION FOR THE BUILDING DEPARTMENT**

WHEREAS, in support of their code enforcement and building inspection operations, the Village of Mamaroneck Building Department utilizes pool vehicles to provide transportation between various locations in the Village of Mamaroneck; and

WHEREAS, one of these vehicles, a 2005 Ford Crown Victoria, has reached the end of its useful life and is in need of replacement; and

WHEREAS, there are no compact sedans currently available pursuant to New York State contracts, however, pursuant to Westchester County Contract #RFB-WC-11271, the Ford Fusion is available for purchase through Country Ford Mercury, Government Sales, PO Box 1600, Guthrie, OK, 73044, at a contract price of \$15,678.00; and

WHEREAS, replacing this full-size Ford Crown Victoria with the compact-size Ford Fusion will result in greater fuel efficiency and lower cost of ownership; now therefore be it

RESOLVED, that the Village Manager is herein authorized to purchase a Ford Fusion, model year 2012, from Country Ford Mercury, PO Box 1600, Guthrie, OK 73044, pursuant to the pricing identified in Westchester County Contract RFP-WC-11271 of \$15,678; and be it further

RESOLVED, that costs associated with this purchase be charged to Capital Account #H-13-3620-0260; and be it further

RESOLVED, that this purchase will be financed through operating funds, or through the issuance of debt, to be determined by the Board of Trustees in the future, relative to the year-end closure of the 2011-2012 Fiscal Year Budget; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake the administrative acts necessary to effectuate this purchase.

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

F. Resolution Amending Chapter 326 to Prohibit Left Turns into Driveway between 219 and 227-231 Mamaroneck Avenue

On motion of Trustee Norman Rosenblum Seconded by Trustee Sid Albert

**RESOLUTION
AMENDING THE MAMARONECK VEHICLE AND TRAFFIC CODE CHAPTER 326-73
TO PROHIBIT A LEFT TURN INTO THE DRIVEWAY
BETWEEN 219 AND 227-231 MAMARONECK AVENUE**

BE IT RESOLVED that the Board of Trustees of the Village of Mamaroneck hereby authorizes the enactment of the following restrictions under Chapter 326-73. Schedule VI: Prohibited Turns at Intersections, as follows:

§ 326-73 Schedule VI: Prohibited Turns at Intersections

In accordance with the provisions of § 326-10, no person shall make a turn of the kind designated below at any of the following locations:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Prohibited Turn</u>	<u>Hours</u>	<u>At Intersection of</u>
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LANGUAGE TO BE ADDED:

Mamaroneck Avenue	South	Left	All	Driveway between 219 and 227-231 Mamaroneck Avenue
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The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

G. Budget Transfer for 2012-13 Budget to the Village Court to Fund Staff for Court Records Processing

On motion of Trustee John Hofstetter Seconded by Trustee Sid Albert

RESOLUTION

**RESOLUTION RE: BUDGET TRANSFER TO THE VILLAGE COURT
FOR FUNDS TO SUPPORT THE PROCESSING OF COURT RECORDS**

WHEREAS, the Village Board of Trustees provided appropriations totaling \$19,500 for court security officers; and

WHEREAS, as a re-assignment of duties, for more smooth and efficient operations in the Court, it has been recommended and the Village Justices have agreed that a good use of Court Security Officer time would be to assist in the production of Driver's Abstracts of License (DAL's), reassigning work burden from court administrative staff and freeing up police officers back to law enforcement; and

WHEREAS, additional funding is necessary in the Court to address this need, and since the quotes for insurance renewals have come in lower than budgeted amounts for Fiscal Year 2012-13, there are sufficient funds available to address this matter, and it has been reviewed with and agreed between the Village Manager, the Police Chief, and the Justices of the Mamaroneck Village Court; and

WHEREAS, it is anticipated that in order to properly fund the budget for this expenditure for Fiscal Year 2012/13, budget transfers totaling \$2,000 are recommended; now therefore be it

RESOLVED, in order to properly fund this item, the following budget transfers are approved by the Board of Trustees as follows:

Budget Amendment – Fiscal Year 2012-13:

FROM			TO		
Account	Description	Amount	Account	Description	amount
A.1910.401	Unallocated Insurance	\$2,000	A.1110.120	Part-Time Salaries	\$2,000
		Total \$2,000			Total \$2,000

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

H. Authorization of Fiscal Year 2011-12 Year End Close Out Transfers

On motion of Trustee Norman Rosenblum Seconded by Trustee Toni Ryan

**Resolution Authorizing Year End Budget Transfer of Funds
For Village of Mamaroneck Fiscal Year 2011-2012**

WHEREAS, in accordance with Section 5-520 of the Village Law, when it shall appear probable that the expenditure in any budgetary account will be in excess of the original estimated budgeted amount, it is then necessary to bring these accounts in balance by transferring from other budgetary accounts; and

WHEREAS, as it is not known at this time all the accounts that will be affected as of May 31, 2012, it is requested that the following blanket resolution authorizing these transfers be approved by the Board of Trustees.

NOW, THEREFORE, BE IT

RESOLVED that the Clerk-Treasurer is hereby authorized to make the necessary transfers from the unexpended balance of certain budgetary accounts to those accounts that require additional appropriation, in order to effectuate the Fiscal Year 2011-2012 budgetary close out.

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

I. Resolution Accepting Donation of Trees from Shore Acres Residents

On motion of Trustee John Hofstetter Seconded by Trustee Toni Ryan

RESOLUTION

ACCEPTING DONATION OF TREES FROM SHORE ACRES RESIDENTS

WHEREAS, residents of Shore Acres have graciously offered to make a charitable donation of four (4) trees to be planted at locations agreed upon by the Village and the homeowners; and

WHEREAS, to the extent practicable, such trees shall be of an acceptable species in accordance with the suggested tree species list developed by the Tree Committee; and

WHEREAS, based on the value of such gifts, which is estimated at between \$200 and \$400, approval is required by the Board of Trustees.

RESOLVED, that the Board of Trustees on behalf of the residents of the Village of Mamaroneck gratefully accepts the donation from the Shore Acres residents of four (4) trees; and be it further

RESOLVED, that these trees, to be planted by the Village of Mamaroneck Department of Public Works, will comply with the requirements for a Code 753 call out to identify utilities in the intended planting area.

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

J. Appointment of Member to Council of the Arts

On motion of Trustee Toni Ryan Seconded by Trustee Norman Rosenblum

Mayor Rosenblum stated that due to other commitments, Ms. Lori Henry has tendered her resignation from the committee. He thanked her for her service.

Trustee Ryan also thanked Ms. Henry and welcomed Ms. Solange DeSantis to this committee.

**RESOLUTION
APPOINTING MEMBER OF THE COUNCIL OF THE ARTS**

WHEREAS, Lori Henry has tendered her resignation from the Village of Mamaroneck Council of the Arts; and

WHEREAS, Solange DeSantis has graciously volunteered to serve on this Council

BE IT RESOLVED that the Board of Trustees be and hereby accepts Ms. Henry's resignation with their thanks and appreciation for her service; and

BE IT FURTHER RESOLVED, that the Board of Trustees be and hereby appoints Ms. DeSantis a member of the Council of the Arts to fill an unexpired term, such term to expire at the Annual Organizational Meeting of December 2014.

The Motion Passed by a vote of 5 Aye, 0 Nay, 0 Abstain, 0 Absent. Trustees voting Aye are Albert , Hofstetter , Rosenblum , Ryan , Santoro .

5. REPORT FROM VILLAGE MANAGER

A. File for Record - Extension of Snow & Ice Agreement with NYS DOT

This report was filed for the record with the Clerk-Treasurer's office.

B. File for Record - PERMA Program Agreement for Third Party Administration

This agreement was filed for the record with the Clerk-Treasurer's office.

C. File for Record - MOU with Tri-State Transportation Campaign and One Region Funders' Group Transportation Campaign

This agreement was filed for the record with the Clerk-Treasurer's office.

6. FLOOD MITIGATION REPORT

Mr. Slingerland stated that an audit of the number of catch basins cleaned stated on the MS4 report has been done and an amending letter changing this information will be done and sent. This audit was done by Mr. Slingerland Mr. Sarnoff and Mr. Iacovelli.

Mr. Sarnoff gave the below statement answering the questions asked by residents:

Questions regarding Phase II Annual Report for the Reporting Period March 10, 2011 – March 9, 2012.

Questions from Doreen Roney

Q. I am not aware that the village had an established water quality advisory committee for both the LWRP and MS 4 reporting period ending March 9, 2012. Can you please clarify if I'm correct or incorrect on that? If so, who are the members of a water quality advisory committee? If such a committee exists, what is this committee's mission, scope of review and reporting mechanisms to boards and the public?

- A. The Village did not establish a water quality committee during the reporting year, but revived one within another committee. It was noted that many years ago, the Village had established a water quality committee, but that it had become defunct. It was further noted that the Village's Committee For The Environment (CFTE) has established a water quality subcommittee during the year, prior to March 9, 2012. At this time the mission and scope of the sub-committee to the CFTE has not yet been established.

The members of the CFTE Water Quality sub-committee are Sarah Evans, Jean Peron, Marc Karell and Phil Horner.

- Q. In this reporting period we were issued an EPA violation (3-18-11) yet I didn't see anything in the report capturing this. What has the village done with stormwater management plans for addressing this? It is missing from this draft so when will this be captured in this annual report?
- A. There EPA remediation work is noted in MCM 3, Page 4 of 4. The violation was further noted in the oral presentation of the report. It should also be noted for the record that the Village was waiting for approval by the EPA, when it received a letter from the EPA noting we should proceed, which was followed up by verbal authorization of the Village's previously submitted investigation and IDDE plans. The Village recently retained the firm of Malcolm Pirnie, Inc. to provide engineering services and, as noted in the report, it is anticipated that remediation activities will continue during this reporting year and be included in next year's annual report.
- Q. I read in this draft MS 4 report that a questionnaire was made available to residents and businesses regarding an educational outreach program with plans for tabulation of results in the 2011-2012 reporting period. I am not aware of this questionnaire, as it is not even present on the website or at the kiosk at village hall. Where is it available and how was it distributed?
- A. No such questionnaire was included in the year ending March 9, 2012. The questionnaire will be prepared during the coming year. The improper verbiage in the report has been corrected to reflect this.
- Q. The draft report identifies there are 200 lbs. of fertilizer containing nitrogen and 200 lbs. of fertilizers containing phosphorous applied by the village. I've heard that use of these fertilizers can contribute to aquatic algae blooms and hypoxia. We are a waterfront community. Where are these fertilizers being applied?
- A. These are fertilizers applied to Harbor Island Park fields by the Village DPW on an annual basis, in order to keep the fields in good condition and playable.

Questions from Stuart Tiekert

- Q. Mr. Tiekert noted that this year we reported that we cleaned many less catch basins than in previous years. Mr. Tiekert had requested information on catch basin cleaning previously for a different reason and when he compared this reports to what we are reporting cleaning; there seems to be a vast difference. Mr. Tiekert asked if there may be records that he is missing; although he was told that he received all records of catch basin cleaning.

In subsequent communications to the Village's Committee for the Environment, Mr. Tiekert stated "I am not sure how much the CFTE understands about Phase 2 Stormwater Management requirements but these regulations are critical to protecting Long Island Sound and our environment, they should not be taken lightly and the Village certainly (should) not submit false information on reports."

Mr. Tiekert also communicated the following to a Village Trustee, "I hope you will see that the Village accurately files the report this year and files amended reports to clear up the inaccuracies in the past years reports."

- A. The Village Manager, Assistant Village Manager and General Foreman of the Department of Public Works reviewed the catch basin cleaning and inspection records for the reporting years. Our review indicated that numbers were essentially correct except that approximately 17 catch basin cleaning were double counted and as a result, the number has been revised from 310 catch basins cleaned to 293. As it relates to prior years, the numbers reported included catch basins cleaned by a private contractor and those cleaned in-house. The Village did not retain a private contractor to supplement Village efforts during the reporting year so the numbers identified include only those cleaned by in-house personnel. It is also noted, that the question in the report asks how many catch basins were inspected and cleaned. It is possible to inspect a catch basin and determine that it does not need to be cleaned.

As it relates to the additional comments to the Committee for the Environment and a Village Trustee, we believe our numbers to be accurate. We are in the process of confirming, and will submit revisions to the NYSDEC if necessary.

Questions from Sue McCrory

Q. Ms. McCrory asked how many residences in the Village still have septic tanks and are not connected to the sewer system. She believes that there are homes on her street that still have septic fields and as they are right on the water, she wonders what affect this has on water quality.

A. During the meeting Trustee John Hofstetter replied that he believed it to be approximately 20-25. We have reviewed this matter and believe the information conveyed by Trustee Hofstetter to be generally accurate, however, we are still reviewing this information. The majority of homes with septic appear to be in northern sections of the Village. Current law requires that any home with street access to a sanitary sewer be connected.

As far as the impact on water quality, to the maximum extent practicable, we encourage homeowners to be connected to the sanitary sewer system. The overall impact on water quality is related to the extent that the property owners maintain their systems to ensure property containment.

Mr. Slingerland reported on the Managers conference he and Mr. Sarnoff attended where flooding, the 2% tax cap, labor laws and getting down to business on Main Streets were reviewed and discussed.

Mr. Slingerland stated that he met with County Executive office to discuss possible funding streams in reference to projects that might be applied for. Last fall we submitted an application for supplemental funding for the removal of Glendale Road extension. The County is looking at a review and analysis of different projects. Trustee Hofstetter asked what is in the County's budget for flooding. Mayor Rosenblum stated that there is money and guidelines for applying for these funds. They are also open for suggested projects that they will review. Mr. Sarnoff stated that the County has asked for communities to organize on a regional basis to identify and prioritize projects.

Mr. Slingerland reminded the Board that the Hazard Mitigation Program is intended to fund projects to help reduce flooding. As we are still working on the flood mitigation problems with the Army Corps the state and federal governments expect us to work with the Army Corps on funding.

Mr. Slingerland believes there might be a misunderstanding on the Pine Street project. There are hatch marks defined on the plans showing a portion of the road that is to be paved to finish the project. Paving is not going to be done by the Village. This was done by the engineers to size the pipes for this work.

7. REPORT FROM CLERK-TREASURER

A. Payment of First Half Tax Reminder

Mr. Fusco reminded residents that the first half Village property taxes are due June 1, 2012. He also informed residents that they may pay these on line on the Village's website.

B. Expiration of GP Permit Reminder

Mr. Fusco reminded residents that General Parking permits expire at the end of May and that new permits are being sold in the Clerk-Treasurer's office.

8. REPORT FROM VILLAGE ATTORNEY

A. Filing of Local Laws 4 and 5, 2012

Ms. Whitehead informed the Board that Local Laws 4 and 5, 2012 were filed with the Secretary of State on April 30, 2012.

9. MINUTES - COMMISSIONS, BOARDS, COMMITTEES

A. BOT - Special Meeting of April 30, 2012

Trustee Hofstetter asked that these minutes be tabled to a future meeting as he could not find them on line and therefore did not have an opportunity to review. The Board agreed.

B. BOT - Work Session of April 16, 2012

Noted for the Record.

C. BOT - Regular Meetings of April 9 & April 23, 2012

Trustee Hofstetter stated that he had a change to the April 23 minutes on page 7. He had requested to amend the building application so that the owners of the property are the only individuals you may apply for building certificates. He further stated that he requested that the property owners be the only individuals who can fill out building application. He would also like it reflected that an owner's representative may apply only if their signature is certified.

The April 9th Minutes were noted for the Record.

D. HCZM - March 21 & April 18, 2012

Noted for the Record.

E. Committee for the Environment - April 17, 2012

Noted for the Record.

ADJOURN

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

ANY HANDICAPPED PERSON NEEDING SPECIAL ASSISTANCE IN ORDER TO ATTEND THE MEETING SHOULD CALL THE VILLAGE MANAGER'S OFFICE AT 914-777-7703