

Minutes of the Meeting of the Budget Committee – Village of Mamaroneck

March 17, 2014

In Attendance: Dan Margoshes – Chair; Dan Karson; Stefanie Lividini.

Ex Officio: Andres Bermudez; Richard Slingerland.

The meeting was called to order at 7:40 PM. Dan Karson recorded the minutes. The chair noted the absence of a quorum of members.

1. Minutes of the Meeting of January 23, 2014. Comments were made regarding editorial, but not contextual corrections to the minutes. There was no vote of approval in the absence of a quorum.
2. Stuart Tiekert - Drury Drive.
Mr. Stuart Tiekert attended the meeting and presented his views on the Village's construction work on Drury Drive. Mr. Tiekert provided several documents to the committee.

Mr. Margoshes stated that Mr. Tiekert had expressed his views to the committee about whether the construction was properly a Village expense or a private matter. Mr. Margoshes expressed his appreciation to Mr. Tiekert for providing the details of the project.

Mr. Margoshes stated that:

1. The Budget Committee is an advisory board
2. The scope of a construction project often goes beyond the original scope
3. A dispute over the scope of a construction project is a matter for the Village Trustees to consider.

Mr. Tiekert stated that he was present at the committee to answer questions. He said that the village had spent \$125,000 on a private property matter.

Mr. Margoshes said that it appears from what Mr. Tiekert presented that it was a private property dispute, but that we needed to hear from Mr. Slingerland.

Mr. Tiekert said that there was no record of any complaints on drainage other than an anonymous report, and that the village engineer agreed with the report.

Mr. Slingerland said that he would respond generally. He said that if there is drainage from a public road onto a private property with damage, the village has an obligation to divert water off a private road. He said that the homeowner complained to him, and the engineer then put the project out to bid. The original estimate for the work was \$64,000 - \$67,000.

Mr. Slingerland said that upon reviewing the contract in the field they found an underground basin, or vault. A catch basin was installed. It was a unit based project. The quantities were confirmed by the engineer.

The village had no in-house engineer at the time. A consultant was retained.

There was no catch basin to prevent the water from going down Drury Drive and back onto public property. There could have been long term damage to the road. Mr. Frioli, the homeowner said that there was damage to his house.

Mr. Tiekert said that the projects on The Parkway and Beach Avenue took years before work began, but the Frioli work was done immediately.

Mr. Slingerland then stated a list of several drainage problems in the Village. He said that this happens in severe flooding.

Mr. Tiekert said that projects on the Post Road were state projects.

Mr. Margoshes said that the question is how does the village plan and prioritize projects?

Mr. Tiekert said that \$30,000 was spent on engineering on Drury Drive and the plans were thrown away.

Mr. Slingerland said that this was not so, that the plans were redirected plans regarding a patch of the road, that Drury Drive was a circular dead end. There was a complication in that New York State property was involved.

Mr. Tiekert said that it was against the law to do work on private property, and that is why the plan was changed. He reiterated that it was a private project.

Mr. Slingerland said that many problems affect the Village – coastal flooding and river-based flooding. He hopes to keep expenditures under \$10 million. He had to adjust the project to keep it on public property. The village engineer has a list of 3-5 small projects, not ready to go to bid. The catch basins on Boston Post Road are collapsing. The villages have the responsibility of repair, whereas the cities and towns projects are paid for by state.

Mr. Margoshes said that the village should develop a list of projects and prioritize.

Mr. Tiekert said that no work was done on private property, but it was intended to do so. Drury Drive is not public property.

Mr. Bermudez said that according to the Highway Inventory – DOT – L6301 – Drury Drive is owned by the municipality.

Mr. Tiekert said that the List doesn't represent ownership of streets. By law the village has to take ownership of streets. He said that 1938 New York State law provided that all streets with access to homes in the last 5 years are public streets, and that the DOT record is not proof of ownership. Mr. Tiekert then made comments on the Jefferson Avenue Bridge. He asked the committee to advise the

Board of Trustees that the committee believes there is a problem with the way contracts are let, if the committee so agrees.

Mr. Tiekert left the meeting at this point.

Mr. Bermudez said that sometimes complaints are not recorded. Ms. Lividini said that complaints should be recorded.

Mr. Slingerland said that if a street is listed as a public street, the village does plow private streets for safety.

Mr. Margoshes said that the absence of deeds is a problem throughout the state. He asked why the Drury Drive project was addressed. Mr. Slingerland replied that it seemed like an easy project.

Mr. Karson asked Mr. Slingerland if he was asked by any public official or other person to put Drury at the top of the list. Mr. Slingerland replied that he was not.

Mr. Slingerland said that it could have gone through the US Shared Community Project and saved money. He said that regarding Cove Road, the village has a drainage easement, and that there is a list of 40 projects.

Ms. Lividini asked regarding Mr. Tiekert's point on the Frioli matter – if the deck collapses – will Village have a problem?

Mr. Slingerland said that Mr. Frioli had an engineering report regarding damage to his property and that Mr. Slingerland was trying to avoid liability. Now Mr. Frioli cannot complain.

Mr. Karson said that there are issues of fact we as a committee can't resolve. There are triable issues of fact. When we have a quorum we can decide if the committee should take any action. We have learned that we need to prioritize projects better.

Mr. Slingerland cited other examples, such as the Gates Avenue drainage. He said that the Army Corps of Engineers project will have benefits to hundreds. Nita Lowey secured a \$485,000 grant for drainage prospects.

3. Budget Hearing – 3/24

Mr. Margoshes stated that the Village Budget Hearing will be held on March 24 and individual department hearings on following dates.

4. Mr. Bermudez said that he will assure that the committee's questions are answered.

Mr. Margoshes asked how the amount of money to spend is benchmarked? How do we know that we have the right amount of head count?

Mr. Slingerland discussed the need for ideas for new sources of revenue. For example, regarding sewers, a possible charge of \$10 per household. There are 6,000 houses in the village.

Mr. Bermudez said that the sewer charges are now split among all residents.

Mr. Bermudez said that there may be a proposal to establish permit fees for engineering work, such as for home elevation. A lot of this work was paid for by FEMA.

5. Parking Study – Mr. Slingerland said that there is a draft. It will be posted soon on the website.
6. Mr. Bermudez said that a “Do Not Knock” law was being proposed, similar to the “Do Not Call” rules, to control the unsolicited callers at village homes. Excluded from the law will be charities, religious groups or political groups. Callers will require a license. There also would be an “After Dark” rule to prohibit activity after dark.
7. Pension costs: Mr. Bermudez said that there was a suggestion to ask New York State for a home rule law to set aside money for retiree and medical expenses.
8. Assessments: Mr. Bermudez said that there were 300 grievances regarding tax assessments that were approved for 2 family homes.

The meeting was adjourned at 9:40 PM.

Daniel E. Karson

Acting Secretary