

MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, MARCH 9, 2009 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Kathleen Savolt
	Trustees	Thomas A. Murphy Toni Pergola Ryan John M. Hofstetter Randi Robinowitz
	Acting Village Manager	Robert A. Yamuder
	Village Attorney	Janet Insardi
	Police Department	Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		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 March, 2009, 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 NO. 5- 2009, a Local Law to amend Chapter A347 (Fees) of the Village of Mamaroneck by amending SA347-1 (Fee Schedule).

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 5-2009 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

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 2, 2009

On motion of Trustee Robinowitz, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 5-2009 (Fees) be and is hereby opened.

Ayes:	Robinowitz, Hofstetter, Ryan, Murphy, Savolt
Nays:	None

Ms. Insardi gave background to this Proposed Local Law. She stated that the law has two goals. The first is to provide a process for which Village fees will be regularly reviewed by the Board. The second goal is to clarify the procedure currently in place in the Village Code (Section 1-7B) which

authorizes the Board to enact and increase fees by resolution. This provision of the code will be listed where the fees are listed. M s. Insardi also stated that there are many fees that have not been reviewed in several years.

Mr. Irving Sharf of Richbell Road appeared to voice his concern that the fees are left affordable for the residents.

Mayor Savolt stated that the Board received letters from two residents on this subject and as they came in today and some members have not had the opportunity to review, the Board is going into review these letters with counsel.

Upon return from review, Trustee Murphy clarified an issue in one of the letters, that a fee is not a tax. Property taxes are unavoidable; however fees are for the use of services that can be avoided by residents. The Board also clarified that no other Board or Committee in the Village sets fees. Only escrow accounts can be set by the Planning and Harbor and Coastal Zone Management Commission for those residents with applications before them.

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 5-2009 be and is hereby closed.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

On motion of Trustee Ryan, seconded by Trustee Hofstetter:

RESOLVED that Proposed Local Law 5-2009 be and is hereby adopted and shall read as follows:

LOCAL LAW NO. 5-2009

A Local Law to amend Chapter A347 (Fees) of the Village of Mamaroneck by amending §A347-1 (Fee Schedule)

Be enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1. Section A347-1 (Fee Schedule) of Chapter A347 (Fees) is hereby amended to read as follows:

The following schedule of fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the Code of the Village of Mamaroneck. The Board of Trustees, by resolution, may increase or decrease any of the applicable fees. This schedule will be reviewed at least annually and approved by resolution of the Village Board of Trustees. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

SECTION 2. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other

authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 3. This Local Law shall become effective immediately upon filing in the office of the Secretary of State.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO, CLERK-TREASURER