

PUBLIC HEARING PLL 9-2008 p. 1

MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, AUGUST 25, 2008 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
	Village Manager	Leonard M. Verrastro
	Village Attorney	Janet M. 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 25th day of August, 2008 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. 9-2008](#), a local law amending Section 200-5 (B) (3) (f) of Chapter 200 (Garbage, Rubbish and Refuse) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 9-2008 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: August 15, 2008

On motion of Trustee Hofstetter, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 9-2008 be and is hereby opened.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

Mayor Savolt gave background information on how this proposed law came about. The genesis came from three different sources; the first being last year's flood. In the aftermath of the flood, many people affected asked the Village to take measures to insure that storm drains are kept free of debris. The Mayor also stated that many senior citizens were concerned with pedestrian safety as the piles of leaves grew; they felt uncomfortable about driving on some of the narrower streets in the Village. The third issue was looking for ways to reduce the budget during the budget review process. There was \$20,000 in overtime in the budget which could be eliminated if leaves are bagged.

The Mayor also informed the residents that when the Board decided to hold this public hearing, they never intended to close it and vote on it tonight, as it is August and there may be residents who would like to address this who may be on vacation; therefore the public hearing will be left open to at least the next meeting on September 8.

Mr. John Ferrell of North Barry Avenue appeared. Mr. Ferrell believes the Board had their minds made up before the previous public hearing on the leaf blowing law and he was glad to see that the audience was not stacked with environmentalists. This law would be a hardship for him. He asked how the leaves will be picked up and how often. As the bags break if they get wet, he is concerned about the frequency in which they will be picked up. He is also concerned that if they are picked up by the "clam shell", this will rip the bags and the leaves will be scattered all over the street, as well as the cost of the bags. Mr. Ferrell also informed the Board that in Harrison, they pick up leaves well through the winter and that our public works employees would not have to work overtime if our leaf pick up season was longer. Mr. Ferrell is concerned about catch basins in disrepair and presented photos of catch basins that need work. Mr. Ferrell also feels that the Board has become elitists and does not exhibit common sense.

Mr. Tom Burke of Wood Street addressed the Board. Mr. Burke is opposed to the law. Right now, he blows leaves to the curb once a week during the fall. If he is made to bag his leaves, he will need to use his blower every day. He also feels that a savings of \$20,000 is "peanuts" and there are other ways to save this money.

Mr. Vincent Conte of Harold Street appeared. Mr. Conte also felt the leaf blowing law was well orchestrated. With the cost of oil, gas, electricity, food and other necessities going up he is not going to buy bags and bag his leaves no matter what law is passed. He also stated that the trees in front of his home are on Village property and when their leaves fall, he will not pick them up. In other years he took care of these leaves.

Mr. Irving Scharf asked why residents are responsible for cleaning up leaves that fall from Village trees.

Mr. Tom Tierney of Delancy Avenue appeared. Mr. Tierney was shocked when he read this law. As he has 14 trees on his property, he does know how he will do this. His gardener told him it would take approximately 300 bags to hold the leaves from his trees. As leaves should be put on the curb and not in the street, blowing into the gutters should not be a problem. Mr. Tierney has a hard enough time dragging the leaves out. He feels that there are many residents who are not physically able to bag the

leaves and cannot afford to have this done for them. Mr. Tierney suggests eliminating street sweeping on side streets to save the \$20,000 proposed saving that this law would generate. He is certain that residents would rather sweep in front of their properties, instead of bagging leaves.

Mr. Carlo Reca of Melbourne Avenue appeared to discuss the three issues which facilitated this discussion. Mr. Reca was assured that catch basins would be cleaned on a regular basis. He brought in photos of catch basins which he claims are full of debris. As far as the obstacle course created by leaves is concerned, if he has to bag his leaves, he will cover his front curb area and go all the way down Melbourne Avenue, creating a more hazardous situation. He also believes that \$20,000 is a drop in the bucket. He suggested ways that the Village could save this money. Planting trees in-house and replacing lights in-house as well as having only one hook and ladder truck are ways money can be saved. Mr. Reca is certain that the catch basins that he showed the Board will be cleaned by the end of the week, because he made the Board aware, however, he believes there is no maintenance program in place to assure this is done year round.

Mr. Norm Rosenblum of Carroll Avenue appeared to congratulate the Board on keeping the hearing open as he believes there will be residents who are away that would like to speak on this issue. Mr. Rosenblum believes this is a hidden tax, which will be passed down to residents by having to buy bags and/or hire a gardener to bag their leaves. He also stated that if it is unhealthy to breathe in the particulate matter generated by leaf blowers than it is even more so by having to breathe in the matter that is kicked up when bagging leaves. Mr. Rosenblum brought up the issue of the amount of trees that will have to be cut down to manufacture the bags needed. He also brought up the issue of not being able to put bags out early in the week as they are picked up with the second garbage pick up. As most people rake their yards on the weekend, the bags can disintegrate in the few days as they sit.

Mr. Jeff Bryggman of North Barry Avenue appeared. Mr. Bryggman brought a bag to demonstrate what it would take to fill this bag. He believes this would be hazardous to elderly residents. He agrees that proper maintenance is not being done to clean the catch basins. He strongly disagrees with the proposed law.

Mr. Larry Wilson, past President of the NY State Turf and Landscapers Association, resident of Yonkers appeared. Mr. Wilson stated that this will be a financial burden to residents and no one mentioned how difficult this task will be if the leaves get wet. He also stated that Yonkers requires bagging and that many landscapers bring leaves to the Yonkers transfer station. Mayor Savolt stated that the Mamaroneck transfer station is available daily for drop off during the leaf season.

Mr. David Finch of Beach Street appeared. Mr. Finch stopped putting leaves out on the curb as it was ruining his lawn. He has gotten rid of his lawn and suggests leaving the leaves on the ground or use as compost, whenever possible.

Mr. Benny Salanitro of Brook Street appeared as President of the Westchester County Public Works Administrators. He offered to the Board, free of charge, the services of Public Works

professionals to work with the administration in finding ways to better the services of our Public Works Department on this and other issues.

Mr. Gus Astorino who is a Village of Mamaroneck sanitation worker appeared to address the issue of splitting the garbage trucks so that both paper and commingled recycled materials can be picked up at the same time. He stated that there are not enough men or trucks to make this a feasible option.

Mayor Savolt stated that residents are asking for lower taxes and this Board is faced with looking at options to get this done. The Board is also looking at doing things differently and she appreciates Mr. Salanitro's offer to work with the Village to look at how our public works department runs, and possible ways to improve it. Just as the Bratton Group is looking at the police department, others departments will be looked at for productivity and best use of resources. Mayor Savolt takes exception with being called an elitist as she grew up in a modest home and is feeling the pinch just like everyone else.

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on PLL 9-2008 will be continued at the September 8, 2008 Meeting of the Board of Trustees.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt

Nays: None

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO, CLERK-TREASURER