

MINUTES OF A WORK SESSION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MAMARONECK

HELD ON MONDAY, NOVEMBER 7, 2018 AT 6:00 P.M. AT THE AMERICAN LEGION POST 90  
BUILDING AT 189 PROSPECT AVENUE, MAMARONECK, NEW YORK  
PRESENT:

Mayor Thomas A. Murphy

Trustees Victor M. Tafur  
Leon Potok  
Keith Waitt  
Nora Lucas

Acting Village Manager Daniel Sarnoff

Village Attorney Robert Spolzino, Esq.

Clerk-Treasurer Agostino A. Fusco

Village Planner Greg Cutler

ABSENT: None

**OPEN MEETING**

On motion of Trustee Potok seconded by Trustee Waitt:

RESOLVED that the November 7, 2018 Board of Trustees Work Session be and is hereby open.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy

Nays: None

4. EXECUTIVE SESSION - ADVICE OF COUNSEL (Taken out of order)

A. Salary Adjustment and Vacation Allotment for Acting Village Manager

Trustee Potok made a motion to enter into executive session pursuant to 105(1)(f) of the New York State Public Officers Law as it relates to a particular employee, and 105 (1) (e) as it relates to negotiations with CSEA, and Advice of Counsel to discuss Flagler Drive, which was seconded by Trustee Waitt.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy

Nays: None

Trustee Potok made a motion to increase the Acting Village Manager, Dan Sarnoff's, salary by thirty percent (30%) retroactive to October 1, 2018, which was seconded by Trustee Waitt.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy

Nays: None

BOT WORK SESSION  
NOVEMBER 7, 2018

Trustee Potok made a motion to allow the Acting Village Manager, Daniel Sarnoff, to carry over five (5) additional days of vacation, for a total of twenty-five (25) days, which was seconded by Trustee Waitt.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy  
Nays: None

Trustee Potok made a motion to end Executive Session, which was seconded by Trustee Lucas.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy  
Nays: None

1. OLD BUSINESS
- A. Proposed Local Law Regarding Half Stories  
Discussed. On November 26, 2018 Regular Meeting to call for a Public Hearing.
- B. Approval of Sewer Easement Agreement with Sheldrake Station Development LLC  
Discussed. Resolution needs to be specific.
- C. Hillside Avenue Bridge
  - a. Supplemental Agreement #1 – D035667 – Bridge NY Program PIN 8761.65, Hillside Avenue/Mamaroneck River Bridge Replacement  
Discussed.
  - b. Utility Agreements with Verizon & Altice  
Discussed. On November 13, 2018 Regular Meeting Agenda.
- D. PLL T-2018 Regarding Number of Uses per Lot  
Discussed. On November 26, 2018 Regular Meeting to call for a Public Hearing.
- E. PLL U-2018 Grease Trap Law  
Discussed. On November 26, 2018 Work Session Agenda.
- F. Consultants for Land Use Board (No Attachment)  
Discussed and updated by Village Attorney.
- G. Wayfinding – status and full implementation schedule  
Discussed. Mr. Sarnoff to update Board on program and installation time line.
- H. Discussion on asking Police Chief to attend Regular BOT Meetings until at least after Communications to the Board 1 (and for any item that requires his input thereafter)  
Discussed. The Board agreed to ask the Chief to attend one meeting a month and stay through Communication to the Board I. Chief Leahy to be asked to attend November 26, 2018 Meeting.
- I. Creation of a Community Outreach Council  
Discussed.

BOT WORK SESSION  
NOVEMBER 7, 2018

- J. Updated schedules for land use initiatives – Industrial Area, Moratorium, Comprehensive Plan Update (No Attachment)  
Discussed. Mr. Sarnoff updated the Board.
- K. Update from Village Planner and Village Attorney on outstanding planning issues and implementation schedule (No Attachment)  
Discussed. Mr. Spolzino updated the Board.
- L. Implementation of parking regulations in PLL's-E, N, P, Q in 2018 and July 11, 2018 Resolution RE: Extending Meter Parking Areas on Halstead Avenue (No Attachment)  
Discussed. Mr. Sarnoff updated the Board.
- M. Front Yard Pickup of Garbage (No Attachment)  
Discussed. Mr. Sarnoff updated the Board on status of program.
- N. Update on implementation of Matrix recommendations  
Discussed. Mr. Sarnoff updated the Board.
- 2. NEW BUSINESS
  - A. Open Meetings Law Presentation on November 28, 2018 (No Attachment)  
Discussed. Trustee Lucas to draft request for all Board and Committee Members to attend.
- 3. ACTION ITEMS
  - A. Designation of Signatory for Village Accounts

WHEREAS, a Designation of Signatories Resolution was adopted at the December 2017 Annual Organizational meeting; and

WHEREAS, a signatory needs to be added to these accounts.

On motion of Trustee Potok, seconded by Trustee Waitt:

RESOLVED that the Clerk-Treasurer shall inform the depositories for Village funds, that the following combinations of signatures on any Village of Mamaroneck checks are authorized.

Drawn on General Fund, Capital Fund, Police Pension Fund, Trust & Agency Endowment & Gift Funds, Water Fund, and Clerk-Treasurer Accounts Payable Account:

**Mayor Thomas A. Murphy or Victor Tafur, Deputy Mayor**

**AND**

**Agostino A. Fusco, Clerk-Treasurer**

**Laura A. Vasami, Deputy Treasurer**

**Sally J. Roberts, Deputy Clerk**

**BOT WORK SESSION**

**NOVEMBER 7, 2018**

Drawn on Payroll Account, Petty Cash Account, Trust and Agency Insurance Deduction, Trust & Agency Group Disability, Trust & Agency Fund State Retirement Systems, Trust & Agency Guarantee & Bid Deposits, and Money Market Accounts:

**only that of Agostino A. Fusco, Clerk-Treasurer**

**AND**

**Laura A. Vasami, Deputy Treasurer or Sally J. Roberts, Deputy Clerk**

Ayes: Lucas, Waitt, Potok, Tafur, Murphy

Nays: None

- B. Resolution - Opposition to FCC Draft Rule Allowing Cable TV Companies to Use PEG Grants to Offset Franchise Fees

WHEREAS, open government is a hallmark of free and democratic societies. An essential tool to ensure that government works in the best interest of its residents is the provision of Public, Educational and Government (PEG) channels provided by the cable television companies serving our communities; and

WHEREAS, in order to provide cable television service, providers must first obtain franchise agreements with the local municipality allowing them to construct their facilities on public rights-of-way; and

WHEREAS, in recognition of the billions of dollars earned by cable television companies during the terms of these franchise agreements, common terms in these agreements include the provision of franchise fees (typically a 5% charge for cable television services) and monetary grants for the purchase of equipment to produce content for the PEG channels (PEG Grants); and

WHEREAS, the Federal Communication Commission is considering a new rule which would allow cable consider to consider PEG grants as “in-kind” contributions which can offset franchise fees; and

WHEREAS, we believe that the two consequences of this rule change would be to further enrich cable providers and secondly the change would eviscerate residents ability to use cable access in furtherance of their first amendment rights; and

WHEREAS, such a rule, if adopted, would have a devastating impact on local governments throughout the country as it would eliminate an important non-property tax revenue, it could also lead communities to stop investing in or abandon their public access television programs in order to protect this important source of revenue; and

WHEREAS, the adoption of this rule could have a devastating impact on Larchmont-Mamaroneck Community Television (LMC-TV) as it is funded in large part through franchise fees and for decades has helped to ensure open and honest government by fostering an informed citizenry actively engaged with their civic institutions including their local governments and school districts, as well as promoting various other community activities which serve to meet the cultural, spiritual and educational needs of the larger Mamaroneck community; and

BOT WORK SESSION

NOVEMBER 7, 2018

WHEREAS, in instances such as these where the basic tenets of open government are threatened, it is proper and appropriate that local elected officials affirm the importance of community television and protect vital sources of non-property tax revenue.

On motion of Trustee Waitt, seconded by Trustee Lucas:

RESOLVED, that the Village of Mamaroneck Board of Trustees hereby expresses its strong opposition towards any changes in federal regulation that would allow cable television companies to use PEG grants which are contractually obligated towards municipal governments to be used to offset franchise fees in any form or substance; and be it further

RESOLVED, that a certified copy of this resolution be submitted to the Village's federal elected representatives Senator Charles Schumer, Senator Kristen Gillibrand, Representative Eliot Engel, as well as the members of the Federal Communications Commission.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy  
Nays: None

ADJOURN

On motion of Trustee Lucas, seconded by Trustee Waitt:

RESOLVED that the Board of Trustees be and they hereby adjourn the November 7, 2018 Work Session at 8:18 p.m.

Ayes: Lucas, Waitt, Potok, Tafur, Murphy  
Nays: None

PREPARED BY:  
SALLY J. ROBERTS  
DEPUTY CLERK

RESPECTFULLY SUBMITTED BY:  
AGOSTINO A. FUSCO  
CLERK-TREASURER