

REGULAR MEETING

**VILLAGE OF RYE BROOK
BOARD OF TRUSTEES MEETING
VILLAGE HALL, 938 KING STREET
TUESDAY, JANUARY 10, 2012—7:30 P.M.**

AGENDA

7:00 P.M. – Executive Session – Personnel

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT

PUBLIC HEARINGS:

- 1) Public hearing to consider a proposed local law amending Chapter 240 of the Village Code regarding no parking on Sunset Road

RESOLUTIONS:

- 1) Considering a proposed local law amending Chapter 240 of the Village Code regarding no parking on Sunset Road
- 2) Designating polling locations and hours for the Village election on March 20, 2012
- 3) Considering the award of contract 11-06: “Selected Street Tree Pruning/Removal Services at Various Site within the Village of Rye Brook Right-of-Way”
- 4) Considering the award of contract 11-02: “Traffic Signal and Street Light Maintenance Services”
- 5) Considering the appointment of the Village Risk Manager
- 6) Considering a budget modification
- 7) Considering the approval of minutes - October 25, 2011; November 8, 2011; November 22, 2011

ADMINISTRATOR'S REPORT

OLD BUSINESS

NEW BUSINESS

DISCUSSION ITEMS

ACTION ON NON-AGENDA MATTERS SUBJECT TO THE CONSENT OF THE TRUSTEES PRESENT AT THE MEETING

THE NEXT REGULAR TRUSTEES MEETINGS: January 24 & February 14, 2012

BOARD: Trustee Michael S. Brown
Trustee Toby S. Marrow
Trustee Jeffrey B. Rednick
Trustee Paul S. Rosenberg
Mayor Joan L. Feinstein

STAFF: Christopher J. Bradbury, Village Administrator
David Burke, Assistant to the Village Administrator
Gregory Austin, Chief of Police
Edward Beane, Esq., Village Counsel
Michal Nowak, Acting Village Engineer
Fred Seifert, Public Access Coordinator
Paula Patafio, Meeting Secretary

Mayor Joan L. Feinstein welcomed everyone to the January 10, 2012 regular meeting Board of Trustees Meeting. She wished everyone a Happy New Year, and then called for the first item on the agenda.

PUBLIC HEARINGS:

- 1) Public hearing to consider a proposed local law amending Chapter 240 of the Village Code regarding no parking on Sunset Road**

On a motion made by Trustee Toby Marrow, and seconded by Trustee Jeffrey Rednick, the public hearing was declared open.

Mr. David Burke, Assistant to the Village Administrator, called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

Mr. Christopher Bradbury, Village Administrator, gave a brief overview of the matter. There is a line of sight issue and a resident asked that the Village look into parking restrictions for safety reasons. The matter was referred to the Traffic Commission for review.

The homeowner of 3 Sunset Road addressed the Board. She asked for clarification of where the no parking area began and ended. She noted that it is difficult to get in and out of her driveway. Mr. Bradbury noted that it was 200 feet from Lincoln Avenue. Chief Gregory Austin stated that 200 feet put it above the crest of the road, beyond the driveway of 3 Sunset Road.

As everyone was satisfied with the results, and there were no additional comments or questions, the public hearing was closed and the resolution was called before the Board.

On a motion made by Trustee Marrow, and seconded by Trustee Rednick, the public hearing was closed.

Mr. Burke called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

RESOLUTIONS:

- 1) Considering a proposed local law amending Chapter 240 of the Village Code regarding no parking on Sunset Road**

Mr. Bradbury read the following resolution:

RESOLUTION

CONSIDERING A PROPOSED LOCAL LAW AMENDING CHAPTER 240 OF THE VILLAGE CODE REGARDING NO PARKING ON SUNSET ROAD

WHEREAS, on January 10, 2012 the Board of Trustees opened a public hearing on the subject local law and at which time all persons interested were given an opportunity to speak on behalf of or in opposition to said local law and the public hearing was closed on January 10, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby approves the local law amending Chapter 240 of the Village Code regarding no parking on Sunset Road.

On a motion made by Trustee Rednick, and seconded by Trustee Michael Brown, the resolution was adopted:

The roll was called:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

Mayor Feinstein called for the next matter on the agenda:

- 2) Designating polling locations and hours for the Village election on March 20, 2012**

Mr. Bradbury read the following resolution:

RESOLUTION

**DESIGNATING POLLING LOCATIONS AND HOURS FOR THE
VILLAGE ELECTION ON MARCH 20, 2012**

RESOLVED, that voting machines owned by the County of Westchester shall be used at the next Village Election to be held Tuesday, March 20, 2012; and be it further

RESOLVED, that if said voting machines are not available, the use of paper ballots is hereby authorized; and be it further

RESOLVED, that the polls in each of the nine Election Districts in the Village of Rye Brook shall be opened at 7:00 AM in the morning and remain open until 9:00 PM in the evening of said day; and be it further

RESOLVED, that the polling places be hereby designated for the respective Election Districts as follows:

- Election District #20-Port Chester Middle School-Bowman Avenue (Main Lobby)**
- Election District #21-Port Chester Middle School-Bowman Avenue (Main Lobby)**
- Election District #22-Blind Brook High School-King Street (Main Lobby)**
- Election District #23-Ridge Street School-North Ridge Street (Gymnasium)**
- Election District #26-Port Chester Senior High School-Neuton Ave. (Main Lobby)**
- Election District #27-Ridge Street School-North Ridge Street (Gymnasium)**
- Election District #29-Ridge Street School-North Ridge Street (Gymnasium)**
- Election District #30-Blind Brook High School-King Street (Main Lobby)**
- Election District #31-BelleFair Meeting House (Main Lobby)**

It was noted that the machines to be used for this election are the ones that were always used. This is the last year that they can be used. The next election will utilize the new machines, which are owned by the County.

On a motion made by Trustee Rednick, and seconded by Trustee Brown, the resolution was adopted:

Mr. Burke called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

3) Considering the award of contract 11-06: “Selected Street Tree Pruning/ Removal Services at Various Sites within the Village of Rye Brook Right-of-Way”

Mr. Bradbury read the following resolution:

RESOLUTION

**CONSIDERING THE AWARD OF CONTRACT 11-06:
SELECTED STREET TREE PRUNING/ REMOVAL
SERVICES AT VARIOUS SITES WITHIN THE VILLAGE OF
RYE BROOK RIGHT-OF-WAY**

WHEREAS, the Village of Rye Brook has solicited bids for Contract 11-06: “Selected Street Tree Pruning/ Removal Services at Various Sties Within the Village of Rye Brook Right-of-Way”; and

WHEREAS, a public notice was duly advertised in the official newspaper of the Village of Rye Brook on Friday, December 9, 2011; and

WHEREAS, at 10:00 a.m., Wednesday, January 4, 2012, all bids received were opened as summarized below:

<u>BIDDER</u>	<u>BID AMOUNT</u>	<u>BID BOND</u>
1. Central Tree Service, Inc. Certified check; and	\$22,930.00	

WHEREAS, upon reviewing the bids, the Superintendent of Public Works and Village Administrator have determined that the lowest responsible bidder meeting the requirements of the contract documents is Central Tree Service, Inc. for the total bid price of \$22,930.

NOW, THEREFORE, BE IT RESOLVED, that contract 11-06: “Selected Street Tree Pruning/ Removal Services at Various Sites within the Village of Rye Brook Right-of-Way” is hereby awarded to Central Tree Service, Inc. for the total bid price of \$22,930; and be it

FURTHER RESOLVED, that the Mayor is hereby authorized to execute and deliver all documents necessary or appropriate to accomplish the purposes of this resolution.

Mr. Bradbury noted that the bid represents the work that needs to be done now. This work is for a specific list of trees.

Michal Nowak, Village Engineer, stated that he has reviewed the terms of the contract. The contract runs through May 31st. The contract allows for two additional years of renewal. This puts the Village in line with the fiscal calendar. He noted that this was a fair bid.

On a motion made by Trustee Rednick, and seconded by Trustee Brown, the resolution was adopted.

Mr. Burke called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

4) Considering the award of contract 11-02: “Traffic Signal and Street Light Maintenance Services”

Mr. Bradbury read the following resolution:

RESOLUTION

**CONSIDERING THE AWARD OF CONTRACT
#11-02: TRAFFIC SIGNAL AND STREET LIGHT
MAINTENANCE SERVICES**

WHEREAS, the Village of Rye Brook has solicited bids for Contract 11-02 “Traffic Signal and Street Light Maintenance Services”; and

WHEREAS, a public notice was duly advertised in the official newspaper of the Village of Rye Brook on December 9, 2011; and

WHEREAS, at 10:00 a.m., Thursday, January 5, 2012, all bids received were opened as summarized below; and

BIDDER	BID AMOUNT (EST.)	BID BOND
Schmitt & O'Brien Electric, LLC	\$45,344.50	Certified Check

WHEREAS, upon reviewing the bids, the Superintendent of Public Works and Village Administrator have determined that the lowest responsible bidder meeting the requirements of the contract documents is Schmitt & O'Brien Electric, LLC for the total estimated bid price of \$45,344.50.

NOW, THEREFORE BE IT RESOLVED, that contract #11-02 "Traffic Signal and Street Light Maintenance Services" is hereby awarded to Schmitt & O'Brien Electric, LLC for the total estimated bid price of \$45,344.50 based on fixed unit pricing and estimated quantities provided in the bid for the year effective February 1, 2012 through February 1, 2013; and be it

FURTHER RESOLVED, that Schmitt & O'Brien Electric, LLC in accordance with addendum #1 of contract 11-02 "Traffic Signal and Street Light Maintenance Services" shall be authorized to perform work at the following rates for additional services not otherwise identified in the fixed unit prices in the bid:

- One (1) lineman and (1) bucket truck per hour: \$87.00
- One (1) electrician per hour: \$51.00; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and deliver all documents necessary or appropriate to accomplish the purposes of this resolution.

Trustee Paul Rosenberg questioned the difference between the two contracts. He felt that a lot more should be spent on trees versus replacing the bulbs.

Mr. Bradbury noted that throughout the year, and the coming year, there will be additional work that will be required for Street Tree Pruning/Removal. The reason that the cost for Traffic Signal and Street Light Maintenance services are higher is that this contract includes labor and materials.

Michal Nowak, Superintendent of Public Works, noted that both projects are bid at the prevailing wage. The New York State Department of Labor establishes the minimum wage for the laborers. The Street Light contract is based on an electrician's salary whereas the tree service is based on a laborer's salary. A sodium bulb head costs approximately \$200.00. LED lighting was discussed, however an LED light costs about \$800.00.

Trustee Rosenberg noted that many of the light fixtures in the Village were changed. The ones that were changed are saving the Village money.

Mayor Feinstein questioned why only one vendor bid on each of these contracts. Mr. Nowak noted that he has reached out to a number of people to make sure they were aware of the bidding. Street light is not a typical type of service and it needs specific equipment. Although only one bid was received for each contract, the amounts were fair.

On a motion made by Trustee Rednick, and seconded by Trustee Brown, the resolution was adopted.

Mr. Burke called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

5) Considering the appointment of the Village Risk Manager

Mr. Bradbury read the following resolution:

RESOLUTION

CONSIDERING THE APPOINTMENT OF THE VILLAGE RISK MANAGER

RESOLVED, that RMI Consulting, LLC (Joseph P. Ricci) is hereby appointed as Risk Manager for the Village of Rye Brook for the ensuing official year in accordance with the terms of the Risk Management Proposal received March 23, 2011.

On a motion made by Trustee Brown, and seconded by Trustee Marrow, the resolution was adopted.

The roll was called:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

6) Considering a budget modification

Mr. Bradbury called the roll:

RESOLUTION

CONSIDERING A BUDGET MODIFICATION

RESOLVED, that the following budget transfer is hereby approved:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
101.1990.424 (Contingency)	101.5110.469 (Highway Maintenance Misc. Supplies)	\$8,300.00

On a motion made by Trustee Rednick, and seconded by Trustee Marrow, the resolution was adopted.

The roll was called:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye

7) Considering the approval of minutes - October 25, 2011; November 8, 2011; November 22, 2011

Mayor Feinstein noted that she had comments and corrections to be made on the October 25th summary. She read her changes into the record. She noted that she had minor, non-substantive changes to the November 8th and November 22nd summaries.

On a motion made by Trustee Rednick, and seconded by Trustee Marrow, the October 25th summary was adopted as amended.

Mr. Burke called the roll:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Abstained
Mayor Joan L. Feinstein	Voting Aye

On a motion made by Trustee Marrow, and seconded by Trustee Rednick, the November 8th and November 22nd summaries were adopted as amended.

The roll was called:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Abstained
Mayor Joan L. Feinstein	Voting Aye

Mayor Feinstein noted that last Wednesday there was a house fire in Rye Brook. Fortunately all of the residents exited the home safely. Jason Dang, a Postal Worker, was delivering packages in the area when he heard the Uhry's fire alarm sounding. He heard Mrs. Uhry's cries for help, and he responded. He gave Mrs. Uhry his coat and went into the house to help Mr. Urhy exit the home. There was a lot of smoke but he and a police officer managed to get Mr. Urhy to safety. Mayor Feinstein thanked Mr. Dang, the Police, EMS and Fire Department for their swiftness in getting to the scene and getting the fire out.

ADMINISTRATOR'S REPORT:

Mr. Bradbury began his report by noting that the Village is picking up Christmas Trees which are brought curb-side.

The Village Offices will be closed on Monday, January 16th in observance of Martin Luther King's Birthday.

Additional changes have been made in bulk waste pick up. An email blast was sent out and additional information can be found on the Village's website. There is a list of items which cannot be picked up by the Village. This list includes TVs, computer monitors, and cords from video games. Residents must recycle this type of equipment and specific dates and locations are listed on the Village's website. This change is very good for the environment.

Mr. Bradbury noted a change in bus routes/stops within the Village. Rye Brook is served by the 12 and 13, and some stops have been eliminated.

The second public forum for the Rye Town Dissolution Study will be held this week in Mamaroneck. All information collected to date will be reviewed. The consultant is excellent and has been doing a great job. Residents can be put on the list for email updates about this matter if they would like to be kept abreast of the situation.

The Village audit for the prior fiscal year is done. The Village is very proud of the results and the rating that has been received. More information on the audit can be found on the Village's website.

Mayor Feinstein noted that the next Board of Trustee meetings were scheduled for January 24th and February 14th.

There being no additional business before the Board, Mayor Feinstein called for a motion to adjourn and go into an executive session. On a motion made by Trustee Marrow, and seconded by Trustee Rednick, the meeting was adjourned at 8:30 p.m.

The roll was called:

Trustee Michael S. Brown	Voting Aye
Trustee Toby S. Marrow	Voting Aye
Trustee Jeffrey B. Rednick	Voting Aye
Trustee Paul S. Rosenberg	Voting Aye
Mayor Joan L. Feinstein	Voting Aye