

**TOWN OF MAMARONECK
TOWN BOARD AGENDA
WEDNESDAY, FEBRUARY 17, 2016**

THE TOWN BOARD WILL CONVENE – at 5:00 PM, In Conference Room D to discuss:

1. LMC-TV Discussion of Space Needs
2. Discussion – Proposed Residential Site Plan Law
3. Appointments – Boards & Commissions
4. Review – Parking Restrictions – Hillside Road/Echo Lane & Proposed Truck Ban East Hickory Grove Drive, Rockland Avenue & Myrtle Boulevard Between Weaver Street & Lakeside Drive
5. New Business

8:00PM CALL TO ORDER – CONFERENCE ROOM C

MARY LOUISE COX – TOWN OF MAMARONECK POET LAUREATE

SUPERVISOR’S SUMMARY REPORT

CITIZEN COMMENTS

**PUBLIC HEARING – 1. Town of Mamaroneck Water District No. 1
Public Interest Order and Bonding Resolution**

BOARD OF FIRE COMMISSIONERS

1. Fire Claims
2. Other Fire Department Business

AFFAIRS OF THE TOWN OF MAMARONECK

1. Report of Bids – TA-16-01 Grass Maintenance – Hommocks Field & Pool
2. Budget Amendment – Town Court Grant
3. Budget Transfer – Sewer District
4. Set Public Hearing – Parking Restrictions - Hillside Road/Echo Lane
5. Set Public Hearing – Truck Ban – East Hickory Grove Drive, Rockland Avenue, Myrtle Boulevard Between Weaver Street & Lakeside Drive
6. Set Public Hearing – Bonding Resolution – Town of Mamaroneck Sewer District
7. Approval of 2016 Capital Projects Schedule & Transfers of Funds
8. Authorization – Bonding Resolutions – 2016 Capital Projects
9. Request for Removal of Sidewalk at 39 Barnum Road

APPROVAL OF MINUTES – February 3, 2016

REPORTS OF THE COUNCIL

TOWN CLERK’S REPORT

NEXT REGULARLY SCHEDULED MEETINGS – March 2, 2016 & March 16, 2016

Any physically handicapped person needing special assistance in order to attend the meeting should call the Town Administrator's office at 381-7810.



WORKSESSION

ITEM 1

11/1/17



ATTACHMENT NOT
AVAILABLE

WORKSESSION

ITEM 2



Town of Mamaroneck

County of Westchester

740 West Boston Post Road, Mamaroneck, NY 10543-3353

COUNSEL

TEL: 914/381-7815

FAX: 914/381-7809

wmaker@townofmamaroneck.org

MEMORANDUM

To: Mamaroneck Town Board

cc: Stephen V. Altieri, Town Administrator

From: William Maker, Jr., Attorney for the Town

Subject: Revised residential site plan law

Date: February 10, 2016

I attach an update to the February 5, 2016 draft of the residential site plan law, redlined to show the changes made both at the suggestion of the Town Board at its February 8th work session and the changes suggested by the professional staff at the meeting I had with them today. I also attach a draft that shows the revisions without redlining them.

The most intricate part of the revision is in section § 178-4 A. (3) and (4) which contain the triggers for site plan review based upon the size of the proposed work. Elizabeth and David developed estimates of the average lot and building footprint sizes in each residential zoning district. David then created the attached **three column** table.

Today's discussion took a look at this data, considered what increases in size would impact neighbors and culminated in the percentages that appear in these sections.

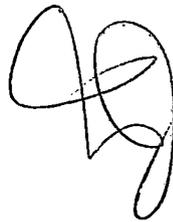
Using the R-6 zoning district as the example, you will see that the footprint of the average size home in that district is 1,355 square feet. An addition of 45% to that footprint would produce an additional 610 square feet of footprint. The staff considered such an increase in size as potentially having an impact on homes in the R-6 zoning district.

Additions to the size of buildings are not the only element that can impact a neighborhood. Installing an in-ground swimming pool, for example, also can. A homeowner may propose an addition to his/her home that falls below the percentages stated in section § 178-4 A. (3) but also a tennis court. Section § 178-4 A. (3) would not capture such a proposal but section § 178-4 A. (4) may.

To: Mamaroneck Town Board
Fr: William Maker, Jr., Attorney for the Town
Date: February 10, 2016
Page Two

Under that paragraph, the area of the site being disturbed is viewed as a percentage of the area of the entire parcel. If, in the R-6 zoning district, the area disturbed equals or exceeds 45%, site plan review would follow. For the average lot in the R-6 zoning district, site plan review would be required if 3,263 square feet of the average lot were disturbed by the proposed work.

David produced a second table containing **five sections**. There he computed the thresholds in both § 178-4 A. (3) and § 178-4 A. (4). After seeing the results later in the afternoon, David remarked the percentages for the thresholds of lot disturbance in the larger zoning districts may have to be reduced as 30% would allow disturbances approaching one-half acre without requiring site plan review.

A handwritten signature in black ink, consisting of several loops and a long tail, positioned in the center of the page.

Analysis of Data - Residential Site Plan Study - February 5, 2016

Zone Classification	Average Lot Size (SF)	Average Building Footprint (SF)
R- 6 Zone	7251	1355
R- 7.5 Zone	19726	2272
R- 10 Zone	26645	2773
R- 20 Zone	59569	3828
R- 30 Zone	59287	4644
R- 50 Zone	69489	4463

REDLINE

§ 178-1 Title.

This chapter shall be known as the "Site Plan Approval for Residential Development Law of the Town of Mamaroneck" Law.

§ 178-2 Purpose.

This chapter is enacted to ensure that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

§ 178-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated

FOOTPRINT, OF A BUILDING

The outline of the imaginary line formed by the vertical downward extension of the ends of the roof of a building or structure that is intended to shelter, house or enclose people, animals or property. This definition applies both to one-family or a two-family dwellings and to an accessory buildings or structures that have a roof.

FOOTPRINT, OF OTHER IMPROVED SURFACES

The outline of any improved surface that is not a building or a structure that is intended to shelter, house or enclose people, animals or property, such as, but not limited to driveways, patios, walkways, tennis courts and swimming pools.

FOOTPRINT, AREA

The square footage of the area lying within a footprint of a building or structure or the area lying within the footprint of an improved surface that is not a building or a structure.

INCREASE IN THE AREA OF THE FOOTPRINT OF A BUILDING OR A STRUCTURE

The square footage of the building or structure if built to the size proposed in the site plan less the square footage of the existing building or structure.

MAP

A map of (a) the parcel, (b) the properties that abut the parcel, (c) the properties immediately across the street and (d) the streets that the parcel abuts. To determine whether a property is "immediately across the street from the parcel", the lot lines of the parcel shall be projected across the

streets on which the parcel abuts. Any property that such extension touches shall be considered a property "immediately across the street from the parcel". If the parcel is a corner lot, the lot that is cater-cornered from the parcel also shall be considered a property that is "immediately across the street from the parcel".

PARCEL

The single lot that is the subject of a site plan application.

PRINCIPAL USE

A one-family or a two-family dwelling.

RESIDENTIAL SITE PLAN

A map prepared to the specifications, and containing the necessary elements required by the Town Code for either the development of a parcel with a one-family or a two-family dwelling and/or an accessory use for a one-family or a two-family dwelling or (b) the regrading a parcel only. The map shall show the arrangement, layout, grading, landscaping and design of the proposal and the other elements required to be shown by this chapter. In this chapter the words "site plan" is synonymous with "residential site plan".

SITE DISTURBANCE, AREA

~~The square footage of the area of a parcel where construction and/or regrading is proposed, and where equipment and materials will be stored plus the area of the parcel that in the judgment of the Town Engineer and Building Inspector or the Director of Building Code Enforcement and Land Use Administration is reasonably necessary to protect the remainder of that parcel from being disturbed.~~

§ 178-4 Proposed Improvements Subject to this Chapter; Proposed Improvements Exempt from this Chapter Exemptions.

A. The following activities shall be subject to this chapter:

(1) Any construction on a vacant parcel unless exempted by § 178-4 C. (1). A vacant parcel includes an improved parcel whose principal use has been removed.

(2) Construction on an improved parcel where seventy (70%) percent or more of the square footage of the existing principal use has been or is proposed to be removed.

(3) Where the increase in the aggregate area of the footprint of all of the buildings and structures on the parcel when divided by the aggregate area of the footprint of all of the existing buildings and structures on the parcel equals or exceeds for parcels in the:

R-6 zoning district 45%

R-7.5 zoning district 40%

R-10 zoning district 35%

R-20, R-30 and R-50 zoning districts 30%.

(4) Where the area of site disturbance of the parcel when divided by the area of the parcel equals or exceeds for parcels in the:

R-6 zoning district 45%

R-7.5 and R-10 zoning districts 40%

R-20, R-30 and R-50 zoning districts 35%.

B. Notwithstanding § 1778-204 A, if within five (5) years after a certificate of occupancy or a certificate of compliance is issued with respect to a parcel, an application is made for a permit to do work on that same parcel, and if the work proposed by that application, when combined with the work for which such certificate had been issued, would have required site plan approval, the work proposed shall require site plan approval.

C. The following activities shall be exempt to this chapter:

(1) Construction on a parcel created by a subdivision plat that was approved by the Planning Board on or after November 1, 2013.

(2) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

(3) Routine landscaping maintenance activity in areas that already have been cultivated.

(4) Repairing or repaving of existing walls, ~~and driveways~~ driveways, patios, walkways, tennis courts and swimming pools, provided the parcel is not regraded in the process.

(5) Emergency activity need to be done immediately in order to protect life, property or natural resources.

(6) Reconstruction of a principal use that has been destroyed by fire or other casualty provided the reconstructed principal use is located within the same footprint of the the destroyed principal use.



~~THE PROFESSIONAL STAFF IS CONTINUING TO WORK ON DEVELOPING STANDARDS FOR EXEMPTIONS; HOWEVER PASTED BELOW ARE EXEMPTIONS TAKEN FROM THE EROSION AND SEDIMENT CONTROL LAW THAT MAY APPROPRIATELY BE INCLUDED AMONG THE EXEMPTIONS.~~

~~Home gardening, landscaping and routine lawn and landscaping maintenance activities of existing cultivated areas.~~

~~Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.~~

~~Any part of a subdivision if a plat for the subdivision had been approved by the Planning Board on or before the effective date of this chapter.~~

~~Lan development activities for which a building permit, erosion and sediment control permit or wetlands and watercourses permit has been approved on or before the effective date of this chapter.~~

~~Installation of fences, signs, pilings, telephone and electric poles and other kinds of posts or poles. PROVIDED THE PARCEL IS NOT REGRADED IN THE PROCESS~~

~~Emergency activity immediately necessary to protect life, property or natural resources.~~

~~Alteration of the interior of a building and alteration of the exterior of a building, provided that such exterior alteration does not increase coverage by the building or pavement or the alteration does not involve the demolition of a part or all of the exterior of an existing building.~~

~~Any deck without an impervious cover above, on or below the surface of the deck.~~

~~NOT INCLUDED IN THE EROSION AND SEDIMENT CONTROL LAW BUT SUGGESTED BY THE STAFF:~~

~~Repairing or repaving of existing walls and driveways provided the parcel is not regraded in the process.~~

§ 178-5 Designation of the Planning Board.

The Town Board grants the Planning Board the authority to review and approve, approve with modifications and/or specific conditions or disapprove site plans and the other powers set forth in § 274-a, Subdivision 1a, of the Town Law of the State of New York.

§ 178-6 Application procedure.

The procedure for site plan approval shall involve a three-stage process: a conference prior to the submission of a site plan application, attendance at a meetings of the Planning Board to allow it consider a site plan application and a public hearing before the Planning Board. The Planning Board may adopt such rules and regulations as it deems necessary to implement this procedure.

§ 178-7 Pre-submission conference.

Prior to the submitting a site plan application:

(1) the applicant shall meet in person with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, the Town Engineer and such other members of the Town staff or outside consultants as the Town staff considers may be appropriate based upon the nature of the application to discuss the applicant's proposal in order that subsequent steps be undertaken with a clear understanding of the Planning Board's requirements for reviewing the site plan application, and

(2) the applicant must show that any variance or special permit required in order to develop the parcel in accordance with the proposed site plan has been granted or, in the case of a special permit that an application therefor has been submitted. If an application for a required special permit has not been submitted, the applicant must represent that an application therefor will be submitted to the Planning Board when the site plan application is submitted.

§ 178-8 Contents of application; filing.

A. Within six months of the pre-submission conference, 19 copies of the application for site plan approval shall be filed with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, accompanied by a detailed development plan

prepared by a licensed architect or professional engineer, under professional seal, drawn upon a certified survey of the parcel, prepared by a licensed surveyor. The plan shall contain:

(1) A deed recorded in the office of the Westchester County Clerk showing that the applicant is the owner of the parcel. If the applicant is not the owner, the owner shall submit a letter authorizing a representative to proceed with the application ~~on the owner's behalf~~ and consenting to the application for site plan approval.

(2) ~~A map showing (a) the parcel, (b) the properties that abut the parcel, (c) the properties immediately across the street from the parcel, and (d) the streets on which the parcel abuts. The mMap which shall show all of the improvements on the parcel and on the other properties shown on the mMap. To determine whether a property is "immediately across the street from the parcel", the side lines of the parcel shall be projected across the streets on which the parcel abuts. Any property that such extension touches shall be considered a property "immediately across the street from the parcel". If the parcel is a corner lot, the lot that is cater cornered from the parcel also shall be considered a property that is "immediately across the street from the parcel"~~

(3) The location of any zoning district lines lying within the area shown on the mMap.

(4) The proposed use, location, height, design and elevations (a) of all existing buildings and structures on the parcel that are not designated for demolition or removal, and (b) of all ~~proposed~~ buildings and structures and/or additions thereto proposed for the parcel.

(5) Any proposed division of any building into units for separate occupancy.

(6) The distances between existing buildings or structures on the parcel and the distances between existing buildings and structures and other improved surfaces on the parcel.

(7) The distances between the buildings or structures that will exist on the parcel after all construction or regrading is completed and the distances between the buildings and structures and other improved surfaces that will exist on the parcel after all construction or regrading is completed.

(8) A topographical map showing (a) both the existing topography and the proposed final grade elevations at intervals of two feet or less and the existing grade on properties that abut the parcel for a distance of ten (10) feet from each of the parcel's lot lines, and (b) detailed information on the methods proposed to be used to retain, stabilize and/or refurbish regraded areas.

- (9) The location of all existing watercourses, intermittent streams, wetland areas, rock outcrops, wooded areas and other significant existing features that lie within the perimeter of the Map.
- ~~(10) The general configuration of all existing and proposed public and private roads, drives and walkways bordering the parcel.~~
- (10) ~~(12)~~ The location of all existing and proposed parking areas.
- (11) ~~(13)~~ The location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls and medians, dividers, fences, utilities, septic systems, lighting, generators, central air conditioning equipment and mechanical equipment for swimming pools. Drainage information shall be provided under seal, by either a New York State licensed professional engineer or a New York State licensed landscape architect.
- (12) ~~(14)~~ The location of all existing and proposed easements.
- (13) ~~(15)~~ The location, height, quality and design of all landscaping and buffer areas.
- (14) ~~(16)~~ Letters or permits from other agencies having jurisdiction containing comments on the proposed site plan, as well as a certification from the Building Inspector or the Director of Building Code Enforcement and Land Use Administration that the proposed site plan meets all requirements of Chapter 240, Zoning, of the Town Code or, if it fails to meet all such requirements, those variances or special permits that are necessary in order for the applicant to obtain a building permit if a site plan application is approved.
- (15) ~~(16)~~ The length, width and height of the existing buildings and structures on the parcel. The length and width of the other improved surfaces on the parcel. The area of the footprint of the existing buildings and structures on the parcel. The area of the footprint of the other improved surfaces on the parcel.
- (16) ~~(17)~~ The length, width and height of the proposed buildings and structures on the parcel. The length and width of the other improved surfaces proposed for the parcel. The area of the footprint of the proposed buildings and structures on the parcel. The area of the footprint of the other improved surfaces proposed for the parcel.
- (17) ~~(18)~~ Any other pertinent information that the Planning Board determines to be necessary in order to determine the site plan application.

B. If the site plan indicates that the total proposed action will not be constructed at the same time, a supplementary plan shall be submitted simultaneously with the site plan, indicating what portions of the proposed action shall be constructed in the future.

C. No building permit can be issued after the first anniversary of the date that the Planning Board approves a site plan application. If there is no substantial change in the condition of the parcel and/or its environs, the Planning Board, after conducting a public hearing, may authorize the issuance of a building permit after the first anniversary of the date that the Planning Board approved a site plan application but before the second anniversary thereof.

§ 178-9 Referral of applications.

The Secretary of the Planning Board shall forward one copy of the site plan application to the Town Engineer, the Building Inspector, the Director of Building Code Enforcement and Land Use Administration, the Westchester Joint Water Works, the Westchester County Planning Board [SHOULD THIS BE DEPT OF PLANNING INSTEAD?], if the parcel has frontage on a County highway and the State Department of Transportation, if the parcel has proposed site plan ~~shows~~ frontage along a state highway, and other local, state, county, regional and federal agencies having jurisdiction, as well as to any consultants that the Planning Board, in its discretion, deems necessary or appropriate for a thorough review of the application. The Planning ~~Board~~ Board may, but is not compelled to, consider the failure of the Westchester Joint Water Works, the Westchester County Planning Board or the State Department of Transportation to submit comments upon the site plan application within forty-five (45) ~~_____~~ days after such application is forwarded to them to be an indication that such non-responding entity has no objection to the site plan application.

§ 178-10 Public hearing and action by Planning Board.

A. Public hearing

(1) The Planning Board shall conduct a public hearing on a site plan application within sixty-two (62) days after the Town Engineer and the Building Inspector or the Director of Building Code Enforcement and Land Use Administration certify to it that a properly completed site plan application has been received. ~~THE 62-DAY RULE IS MANDATED BY STATE LAW: TOWN LAW SEC. 274-a-8.~~

(2) In its discretion the Planning Board may waive the public hearing but to do so, the Planning Board must make written findings setting forth the reasons why such waiver will not be deleterious to the public health, safety or general welfare, is appropriate for the particular site plan and is not inconsistent with the purpose of this chapter.

(3) Before the public hearing can be opened, the applicant must demonstrate compliance with the notification procedures contained in Chapter 144.

B. Action by Planning Board

(1) Within sixty-two (62) days from the date that the public hearing is closed or waived, the Planning Board shall approve, disapprove or approve with modifications and/or specific conditions the site plan application. ~~THIS 62 DAY RULE IS MANDATED BY THE SAME STATE LAW.~~

(2) Planning Board disapproval shall include written findings explaining the grounds for disapproving the site plan application.

(3) An application to amend an approved site plan shall follow the same three-stage process as the original application but need only contain documents and information which directly relate to the amendment under consideration. However, the amendment will be considered in the context of the entire site plan previously approved. The fact that a public hearing was waived upon the original application does not automatically mean that a public hearing on the amendment will be waived. Each application will be judged on its own merits and by its potential impacts.

§ 178-11 Integration of other procedures.

The Planning Board shall, where practical, integrate the site plan review process with the requirements of other applicable local laws, ordinances and requirements.

§ 178-12 Standards for Reviewing Site Plans.

The Planning Board shall consider the following standards in reviewing a site plan application.

A. Screening and landscaping. All structures, recreational and parking areas shall be reasonably landscaped and/or screened so as to preserve the peace, comfort or repose of reasonable persons of normal sensitivities residing on the lots shown on the Map within _____ feet of ~~the boundaries of the parcel~~. The scale and quality of the landscaping and screening on the parcel shall be harmonious with the character of, and serve to enhance the neighborhood. ~~THE NEW LANGUAGE WAS ADAPTED FROM AN APPELLATE DECISION THAT UPHELD NYC'S NOISE ORDINANCE WITH THIS LANGUAGE. THE LANGUAGE FROM NYC'S ADMINISTRATIVE CODE APPEARS AFTER THE TEXT OF THE REVISED LAW.~~

B. Environmental quality. All bodies of water, wetlands, steep slopes, hilltops, ridge lines, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value shall be preserved insofar as possible. Soil erosion shall be prevented insofar as possible. Flood hazard shall be minimized. Air quality shall be within

legal limits. The Planning Board shall require that all potentially ecological disruptive elements of site preparation, such as blasting, diversion of watercourses and the like, be conducted according to the highest standards of professional care.

C. Drainage. There shall be a stormwater pollution prevention plan or surface water and erosion control plan that complies with the requirements of Chapter 95 of the Town Code.

~~The applicant shall design a stormwater pollution prevention plan or surface water and erosion control plan that complies with the requirements of Chapter 95 of the Town Code.~~

D. Location and dimension of buildings. The location, arrangement, size and design of the buildings and structures shall be comparable to each other and with the parcel as a whole.

E. Impact of the proposal on adjacent land uses. Adjacent and neighboring properties shall be protected to the extent practical both during construction and after construction is complete against noise, glare or other features that ~~may be considered objectionable to maintaining~~ disrupt the peace, comfort or repose of reasonable persons of normal sensitivities ~~residing on~~ lots within _____ feet of the boundaries of the parcel. Among the matters that the Planning Board shall regulate is the location on the parcel where equipment and materials will be stored.

F. Trees. The proposed site plan shall specify the trees exceeding six (6) inches in diameter at a height of four (4) feet above the ground that the applicant proposes to cut down and must demonstrate to the Planning Board's satisfaction why he or she wishes to remove each such tree as it is the Planning Board's duty to minimize the number of trees of the aforementioned caliper that will be removed.

G. Regrading. Regrading shall comply with the conditions set forth in § section 95-11 of the Town Code and shall be designed so that the final grade of the parcel does not alter the natural drainage patterns in such a way as to increase or concentrate current runoff from the parcel onto the street or onto the lots that border the parcel.

and plus the area of the parcel that in the judgment of the Town Engineer and Building Inspector or the Director of Building Code Enforcement and Land Use Administration is reasonably necessary to protect the remainder of that parcel from being disturbed.

§ 178-13 Filing of approved site plan.

A. The applicant shall submit 5 hardcopies, and one digital copy (both in pdf and tiff format) of an approved site plan.

B. If a site plan is approved with modifications and/or specific conditions, the approved site plan shall be revised by the applicant to include all modifications and conditions imposed by the Planning Board.

C. Approved site plans shall be signed and dated by the Town Engineer ~~Secretary to the Planning Board who shall submit a signed copy of the approved site plan to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration~~ who shall submit one signed copy of the approved site plan to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

§ 178-14 Fees

Every application for site plan approval shall be accompanied by the fee set forth in § A250-1. Should the Planning Board consider it necessary to hire consultants for technical review and/or on-site inspection, the applicant shall be required to reimburse the Town for such services or pay those consultants directly. THE FEE SCHEDULE SHALL BE AMENDED TO PROVIDE FOR A FEE OF \$650.00.

§ 178-15 Waiver of requirements.

If due to the particular character or the limited nature of the development for which site plan is sought, or due to special conditions peculiar to the parcel, or if strict compliance with this chapter will cause extraordinary and unnecessary hardship, the Planning Board may waive or vary the submission of a site plan application or of certain information otherwise required as part of the application. The Planning Board ~~also~~ may waive or vary such submission or requirements if, in its opinion, to do so will be consistent with the goal of promoting the public health, safety, comfort, convenience and general welfare of the public. The findings for granting such waiver or a variance shall be entered into the public record.

§ 178-16 Minor Revisions.

The Town Engineer or the Building Inspector or the Director of Building Code Enforcement and Land Use Development may approve minor revisions to an approved site plan, necessitated by field conditions encountered during the course of construction that could not have been anticipated during the approval process, so long as such revision will not materially change the approved site plan and will not adversely impact the neighboring properties or the environment.

§ 178-17 Approval required for issuance of permits.

A. No building permit shall be issued for the development of a parcel that requires site plan approval until an signed approved site plan is ~~signed and dated by the Secretary to the Planning~~

~~Board and delivered to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.~~

B. No certificate of occupancy or compliance for any structure or use upon or within the parcel shall be issued until all of the required conditions of the site plan approval have been met. The Building Inspector or the Director of Building Code Enforcement and Land Use Development may revoke any such certificate if the parcel ceases to conform to the approved site plan and conditions attached thereto.

§ 178-18 Penalties for offense.

Any violation of this chapter shall constitute a violation and be punishable by a fine not to exceed two hundred fifty and no/100ths (\$250.00) dollars for each such violation, except that the placing of any structure on a parcel which requires site plan approval or an amendment to an approved site plan without first obtaining site plan approval shall constitute a violation and be punishable by a fine not to exceed one thousand and no/100ths (\$1,000.00) dollars.

~~(6) When the Building Inspector or the Director of Building Code Enforcement and Land Use Administration and the Town Engineer make a written finding that the alterations to existing buildings structures and impervious surfaces will not substantially intensify the use or substantially modify the lot with respect to generation of traffic, pedestrian movement, parking needs, noise, glare, exposure to hazard from fire or flood, utilization of water supply, sanitary sewer, drainage or other utility system and will not, in any other way, have a substantial impact upon the character or environment of the surrounding area.~~

~~B. Notwithstanding § 177-20 A, if within five (5) years after a certificate of occupancy or a certificate of compliance is issued with respect to a parcel, an application is made for a permit to do work on the same parcel, and if the work proposed by that application, when combined with the work for which such certificate had been issued, would have required site plan approval, the work proposed shall require site plan approval.~~

02/0510/16

Upheld in Harlem Yacht Club v NYC ECB, 40 AD3d 331 (1st Dept 2007)

“any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business” (Administrative Code § 24-203[62])

§ 178-1 Title.

This chapter shall be known as the "Site Plan Approval for Residential Development Law of the Town of Mamaroneck" Law.

§ 178-2 Purpose.

This chapter is enacted to ensure that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

§ 178-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated

FOOTPRINT, BUILDING

The outline of the imaginary line formed by the vertical downward extension of the ends of the roof of a building or structure that is intended to shelter, house or enclose people, animals or property. This definition applies both to one-family or a two-family dwellings and to an accessory buildings or structures that have a roof.

FOOTPRINT, OTHER IMPROVED SURFACES

The outline of any improved surface that is not a building or a structure that is intended to shelter, house or enclose people, animals or property, such as, but not limited to driveways, patios, walkways, tennis courts and swimming pools.

FOOTPRINT, AREA

The square footage of the area lying within a footprint of a building or structure or the area lying within the footprint of an improved surface that is not a building or a structure.

INCREASE IN THE AREA OF THE FOOTPRINT OF A BUILDING OR A STRUCTURE

The square footage of the building or structure if built to the size proposed in the site plan less the square footage of the existing building or structure.

MAP

A map of (a) the parcel, (b) the properties that abut the parcel, (c) the properties immediately across the street and (d) the streets that the parcel abuts. To determine whether a property is "immediately across the street from the parcel", the lot lines of the parcel shall be projected across the

streets on which the parcel abuts. Any property that such extension touches shall be considered a property "immediately across the street from the parcel". If the parcel is a corner lot, the lot that is cater-cornered from the parcel also shall be considered a property that is "immediately across the street from the parcel".

PARCEL

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PRINCIPAL USE

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RESIDENTIAL SITE PLAN

A map prepared to the specifications, and containing the necessary elements required by the Town Code for either the development of a parcel with a one-family or a two-family dwelling and/or an accessory use for a one-family or a two-family dwelling or (b) the regrading a parcel only. The map shall show the arrangement, layout, grading, landscaping and design of the proposal and the other elements required to be shown by this chapter. In this chapter the words "site plan" is synonymous with "residential site plan".

SITE DISTURBANCE, AREA

The square footage of the area of a parcel where construction and/or regrading is proposed.

§ 178-4 Proposed Improvements Subject to this Chapter; Proposed Improvements Exempt from this Chapter.

A. The following activities shall be subject to this chapter:

(1) Any construction on a vacant parcel unless exempted by § 178-4 C. (1). A vacant parcel includes an improved parcel whose principal use has been removed.

(2) Construction on an improved parcel where seventy (70%) percent or more of the square footage of the existing principal use has been or is proposed to be removed.

(3) Where the increase in the aggregate area of the footprint of all of the buildings and structures on the parcel when divided by the aggregate area of the footprint of all of the existing buildings and structures on the parcel equals or exceeds for parcels in the:

R-6 zoning district	45%
R-7.5 zoning district	40%

R-10 zoning district 35%

R-20, R-30 and R-50 zoning districts 30%.

(4) Where the area of site disturbance of the parcel when divided by the area of the parcel equals or exceeds for parcels in the:

R-6 zoning district 45%

R-7.5 and R-10 zoning districts 40%

R-20, R-30 and R-50 zoning districts 35%.

B. Notwithstanding § 178-4 A, if within five (5) years after a certificate of occupancy or a certificate of compliance is issued with respect to a parcel, an application is made for a permit to do work on that parcel, and if the work proposed by that application, when combined with the work for which such certificate had been issued, would have required site plan approval, the work proposed shall require site plan approval.

C. The following activities shall be exempt to this chapter:

(1) Construction on a parcel created by a subdivision plat that was approved by the Planning Board on or after November 1, 2013.

(2) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

(3) Routine landscaping maintenance activity in areas that already have been cultivated.

(4) Repair or repaving of existing walls, driveways, patios, walkways, tennis courts and swimming pools, provided the parcel is not regraded in the process.

(5) Emergency activity need to be done immediately in order to protect life, property or natural resources.

(6) Reconstruction of a principal use that has been destroyed by fire or other casualty provided the reconstructed principal use is located within the same footprint of the destroyed principal use.

§ 178-5 Designation of the Planning Board.

The Town Board grants the Planning Board the authority to review and approve, approve with modifications and/or specific conditions or disapprove site plans and the other powers set forth in § 274-a, Subdivision 1a, of the Town Law of the State of New York.

§ 178-6 Application procedure.

The procedure for site plan approval shall involve a three-stage process: a conference prior to the submission of a site plan application, attendance at meetings of the Planning Board to allow it consider a site plan application and a public hearing before the Planning Board. The Planning Board may adopt such rules and regulations as it deems necessary to implement this procedure.

§ 178-7 Pre-submission conference.

Prior to the submitting a site plan application:

(1) the applicant shall meet in person with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, the Town Engineer and such other members of the Town staff or outside consultants as the Town staff considers appropriate based upon the nature of the application to discuss the applicant's proposal in order that subsequent steps be undertaken with a clear understanding of the Planning Board's requirements for reviewing the site plan application, and

(2) the applicant must show that any variance or special permit required in order to develop the parcel in accordance with the proposed site plan has been granted or, in the case of a special permit that an application therefor has been submitted. If an application for a required special permit has not been submitted, the applicant must represent that an application therefor will be submitted to the Planning Board when the site plan application is submitted.

§ 178-8 Contents of application; filing.

A. Within six months of the pre-submission conference, 19 copies of the application for site plan approval shall be filed with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, accompanied by a detailed development plan prepared by a licensed architect or professional engineer, under professional seal, drawn upon a certified survey of the parcel, prepared by a licensed surveyor. The plan shall contain:

- (1) A deed recorded in the office of the Westchester County Clerk showing that the applicant is the owner of the parcel. If the applicant is not the owner, the owner shall submit a letter authorizing a representative to proceed with the application and consenting to the application for site plan approval.
- (2) The Map which shall show all of the improvements on the parcel and on the other properties shown on the Map. (3) The location of any zoning district lines lying within the area shown on the Map.
- (4) The proposed use, location, height, design and elevations (a) of all existing buildings and structures on the parcel that are not designated for demolition or removal, and (b) of all buildings and structures and/or additions thereto proposed for the parcel.
- (5) Any proposed division of any building into units for separate occupancy.
- (6) The distances between existing buildings or structures on the parcel and the distances between existing buildings and structures and other improved surfaces on the parcel.
- (7) The distances between the buildings or structures that will exist on the parcel after all construction or regrading is completed and the distances between the buildings and structures and other improved surfaces that will exist on the parcel after all construction or regrading is completed.
- (8) A topographical map showing (a) both the existing topography and the proposed final grade elevations at intervals of two feet or less and the existing grade on properties that abut the parcel for a distance of ten (10) feet from each of the parcel's lot lines, and (b) detailed information on the methods proposed to be used to retain, stabilize and/or refurbish regraded areas.
- (9) The location of all existing watercourses, intermittent streams, wetland areas, rock outcrops, wooded areas and other significant existing features that lie within the perimeter of the Map.
- (10) The location of all existing and proposed parking areas.
- (11) The location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls and medians, dividers, fences, utilities, septic systems, lighting, generators, central air conditioning equipment and mechanical equipment for swimming pools. Drainage information shall be provided under seal, by either a New York State licensed professional engineer or a New York State licensed landscape architect.

(12) The location of all existing and proposed easements.

(13) The location, height, quality and design of all landscaping and buffer areas.

(14) Letters or permits from other agencies having jurisdiction containing comments on the proposed site plan, as well as a certification from the Building Inspector or the Director of Building Code Enforcement and Land Use Administration that the proposed site plan meets all requirements of Chapter 240, Zoning, of the Town Code or, if it fails to meet all such requirements, those variances or special permits that are necessary in order for the applicant to obtain a building permit if a site plan application is approved.

(15) The length, width and height of the existing buildings and structures on the parcel. The length and width of the other improved surfaces on the parcel. The area of the footprint of the existing buildings and structures on the parcel. The area of the footprint of the other improved surfaces on the parcel.

(16) The length, width and height of the proposed buildings and structures on the parcel. The length and width of the other improved surfaces proposed for the parcel. The area of the footprint of the proposed buildings and structures on the parcel. The area of the footprint of the other improved surfaces proposed for the parcel.

(17) Any other pertinent information that the Planning Board determines to be necessary in order to determine the site plan application.

B. If the site plan indicates that the total proposed action will not be constructed at the same time, a supplementary plan shall be submitted simultaneously with the site plan, indicating what portions of the proposed action shall be constructed in the future.

C. No building permit can be issued after the first anniversary of the date that the Planning Board approves a site plan application. If there is no substantial change in the condition of the parcel and/or its environs, the Planning Board, after conducting a public hearing, may authorize the issuance of a building permit after the first anniversary of the date that the Planning Board approved a site plan application but before the second anniversary thereof.

§ 178-9 Referral of applications.

The Secretary of the Planning Board shall forward one copy of the site plan application to the Town Engineer, the Building Inspector, the Director of Building Code Enforcement and Land Use Administration, the Westchester Joint Water Works, the Westchester County Planning Board [SHOULD THIS BE DEPT OF PLANNING INSTEAD?], if the parcel has frontage on a County highway and the State Department of Transportation, if the parcel has frontage along a state highway, and other local, state, county, regional and federal agencies having jurisdiction, as

well as to any consultants that the Planning Board, in its discretion, deems necessary or appropriate for a thorough review of the application. The Planning Board may, but is not compelled to, consider the failure of the Westchester Joint Water Works, the Westchester County Planning Board or the State Department of Transportation to submit comments upon the site plan application within forty-five (45) days after such application is forwarded to them to be an indication that such non-responding entity has no objection to the site plan application.

§ 178-10 Public hearing and action by Planning Board.

A. Public hearing

(1) The Planning Board shall conduct a public hearing on a site plan application within sixty-two (62) days after the Town Engineer and the Building Inspector or the Director of Building Code Enforcement and Land Use Administration certify to it that a properly completed site plan application has been received.

(2) In its discretion the Planning Board may waive the public hearing but to do so, the Planning Board must make written findings setting forth the reasons why such waiver will not be deleterious to the public health, safety or general welfare, is appropriate for the particular site plan and is not inconsistent with the purpose of this chapter.

(3) Before the public hearing can be opened, the applicant must demonstrate compliance with the notification procedures contained in Chapter 144.

B. Action by Planning Board

(1) Within sixty-two (62) days from the date that the public hearing is closed or waived, the Planning Board shall approve, disapprove or approve with modifications and/or specific conditions the site plan application.

(2) Planning Board disapproval shall include written findings explaining the grounds for disapproving the site plan application.

(3) An application to amend an approved site plan shall follow the same three-stage process as the original application but need only contain documents and information which directly relate to the amendment under consideration. However, the amendment will be considered in the context of the entire site plan previously approved. The fact that a public hearing was waived upon the original application does not automatically mean that a public hearing on the amendment will be waived. Each application will be judged on its own merits and by its potential impacts.

§ 178-11 Integration of other procedures.

The Planning Board shall, where practical, integrate the site plan review process with the requirements of other applicable local laws, ordinances and requirements.

§ 178-12 Standards for Reviewing Site Plans.

The Planning Board shall consider the following standards in reviewing a site plan application.

A. Screening and landscaping. All structures, recreational and parking areas shall be reasonably landscaped and/or screened so as to preserve the peace, comfort or repose of reasonable persons of normal sensitivities residing on the lots shown on the Map. The scale and quality of the landscaping and screening on the parcel shall be harmonious with the character of, and serve to enhance the neighborhood.

B. Environmental quality. All bodies of water, wetlands, steep slopes, hilltops, ridge lines, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value shall be preserved insofar as possible. Soil erosion shall be prevented insofar as possible. Flood hazard shall be minimized. Air quality shall be within legal limits. The Planning Board shall require that all potentially ecological disruptive elements of site preparation, such as blasting, diversion of watercourses and the like, be conducted according to the highest standards of professional care.

C. Drainage. There shall be a stormwater pollution prevention plan or surface water and erosion control plan that complies with the requirements of Chapter 95 of the Town Code.

D. Location and dimension of buildings. The location, arrangement, size and design of the buildings and structures shall be comparable to each other and with the parcel as a whole.

E. Impact of the proposal on adjacent land uses. Adjacent and neighboring properties shall be protected to the extent practical both during construction and after construction is complete against noise, glare or other features that disrupt the peace, comfort or repose of reasonable persons of normal sensitivities. Among the matters that the Planning Board shall regulate is the location on the parcel where equipment and materials will be stored.

F. Trees. The proposed site plan shall specify the trees exceeding six (6) inches in diameter at a height of four (4) feet above the ground that the applicant proposes to cut down and must demonstrate to the Planning Board's satisfaction why he or she wishes to remove each such tree as it is the Planning Board's duty to minimize the number of trees of the aforementioned caliper that will be removed.

G. Regrading. Regrading shall comply with the conditions set forth in § 95-11 of the Town Code and shall be designed so that the final grade of the parcel does not alter the natural drainage patterns in such a way as to increase or concentrate current runoff from the parcel onto the street or onto the lots that border the parcel.

and plus the area of the parcel that in the judgment of the Town Engineer and Building Inspector or the Director of Building Code Enforcement and Land Use Administration is reasonably necessary to protect the remainder of that parcel from being disturbed.

§ 178-13 Filing of approved site plan.

A. The applicant shall submit 5 hardcopies, and one digital copy (both in pdf and tiff format) of an approved site plan.

B. If a site plan is approved with modifications and/or specific conditions, the approved site plan shall be revised by the applicant to include all modifications and conditions imposed by the Planning Board.

C. Approved site plans shall be signed and dated by the Town Engineer who shall submit one signed copy of the approved site plan to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

§ 178-14 Fees

Every application for site plan approval shall be accompanied by the fee set forth in § A250-1. Should the Planning Board consider it necessary to hire consultants for technical review and/or on-site inspection, the applicant shall be required to reimburse the Town for such services or pay those consultants directly. THE FEE SCHEDULE SHALL BE AMENDED TO PROVIDE FOR A FEE OF \$650.00.

§ 178-15 Waiver of requirements.

If due to the particular character or the limited nature of the development for which site plan is sought, or due to special conditions peculiar to the parcel, or if strict compliance with this chapter will cause extraordinary and unnecessary hardship, the Planning Board may waive or vary the submission of a site plan application or of certain information otherwise required as part of the application. The Planning Board also may waive or vary such submission or requirements if, in its opinion, to do so will be consistent with the goal of promoting the public health, safety, comfort, convenience and general welfare of the public. The findings for granting such waiver or a variance shall be entered into the public record.

§ 178-16 Minor Revisions.

The Town Engineer or the Building Inspector or the Director of Building Code Enforcement and Land Use Development may approve minor revisions to an approved site plan, necessitated by field conditions encountered during the course of construction that could not have been anticipated during the approval process, so long as such revision will not materially change the approved site plan and will not adversely impact the neighboring properties or the environment.

§ 178-17 Approval required for issuance of permits.

A. No building permit shall be issued for the development of a parcel that requires site plan approval until a signed site plan is delivered to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

B. No certificate of occupancy or compliance for any structure or use upon or within the parcel shall be issued until all of the required conditions of the site plan approval have been met. The Building Inspector or the Director of Building Code Enforcement and Land Use Development may revoke any such certificate if the parcel ceases to conform to the approved site plan and conditions attached thereto.

§ 178-18 Penalties for offense.

Any violation of this chapter shall constitute a violation and be punishable by a fine not to exceed two hundred fifty and no/100ths (\$250.00) dollars for each such violation, except that the placing of any structure on a parcel which requires site plan approval or an amendment to an approved site plan without first obtaining site plan approval shall constitute a violation and be punishable by a fine not to exceed one thousand and no/100ths (\$1,000.00) dollars.

B.

02/10/16

Upheld in Harlem Yacht Club v NYC ECB, 40 AD3d 331 (1st Dept 2007)

"any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business" (Administrative Code § 24-203[62])

Analysis of Data - Residential Site Plan Study - February 5, 2016

Zone Classification	Average Lot Size (SF)	Average Building Footprint (SF)	Proposed Building Footprint Increase (Threshold)	Proposed Lot Disturbance (Threshold)
R- 6 Zone	7251	1355	45% = 610 SF	45% = 3263 SF
R- 7.5 Zone	19726	2272	40% = 609 SF	40% = 7890 SF
R- 10 Zone	26645	2773	35% = 971 SF	35% = 9326 SF
R- 20 Zone	59569	3828	30% = 1148 SF	30% = 17871 SF
R- 30 Zone	59287	4644	30% = 1393 SF	30% = 17786 SF
R- 50 Zone	69489	4463	30% = 1339 SF	30% = 20847 SF

WORKSESSION

ITEM 3

ATTACHMENT NOT
AVAILABLE

WORKSESSION

ITEM 4

ATTACHMENT NOT

AVAILABLE

WORKSESSION

ITEM 5

ATTACHMENT NOT

AVAILABLE

PRESENTATION

PUBLIC HEARING

#1

#1001

NOTICE OF PUBLIC HEARING
Town of Mamaroneck Water District No. 1
Westchester County, New York

PLEASE TAKE NOTICE that the Town Board of the Town of Mamaroneck, Westchester County, New York, will meet at the Town Hall, in Mamaroneck, New York, in said Town, on the 17th day of February, 2016, at 8:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1 of said Town, being said Water District's share of the cost of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck ("WJWW"), being the construction of a 16-inch water transmission main from North Barry Avenue in Mamaroneck, New York to Macy Road in Harrison, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$478,700 to the Water District at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

The capital project described above is a "Type II Action" pursuant to the regulations promulgated under the State Environmental Quality Review Act ("SEQRA") which will not result in any significant adverse environmental impact and SEQRA compliance materials are available for inspection at the Office of the WJWW where they may be inspected during normal business hours.

Dated: Mamaroneck, New York,
February 9, 2016.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF MAMARONECK
WESTCHESTER COUNTY, NEW YORK

Town Clerk



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Public Hearing- Water District Bond Resolution

North Barry Avenue/Macy Road Water Main Replacement

On the Town Board agenda for February 17, 2016 is a public hearing to consider the approval of a bond resolution for the replacement of a 16 inch water main between North Barry Avenue in the Village of Mamaroneck and Macy Road in the Town of Harrison. Within the Town of Mamaroneck Budget, the Water District is considered a special improvement district pursuant to New York State Statute. As such, the issuance of bonds requires that a public hearing be held to hear any and all comments regarding the proposed borrowing.

The North Barry Avenue/Macy Road water main project is part of the Westchester Joint Water Works (WJWW) 2016 Capital Project Program. The water main is essential to the water transmission system in that it provides a means for transmitting water to service the entire WJWW service area. There are two main sources of water for the WJWW water system. The North Barry Avenue water main can convey water from either source to insure continuous water service to the entire service area should there be an interruption in one of the two sources.

This is considered a joint project meaning all three communities in the WJWW participate in the cost. The total cost of the project is estimated at \$2.5million. The Town's share is \$462,000 (18.5%). A factor of 3.5% has been added for bond cost so the bond resolution permits a borrowing of up to \$478,000.

The WJWW has applied to the New York State Environmental Finance Corporation for a grant to offset a portion of the cost of this project however a requirement of the grant is that the applicant provides evidence of having prepared for the financing of the project. Should a grant be awarded for this project our actual borrowing for the project would less.



Stephen V. Altieri
Town Administrator

At a regular meeting of the Town Board of the Town of Mamaroneck, Westchester County, New York, held at the Town Hall, in Mamaroneck, New York on February 17, 2016, at 8:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

<p>In the Matter of The Increase and Improvement of the Facilities of the Town of Mamaroneck Water District No. 1 of the Town of Mamaroneck, Westchester County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
---	--------------------------------------

WHEREAS, the Town Board of the Town of Mamaroneck, Westchester County, New York, has under consideration the increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the construction of a 16-inch water

transmission main from North Barry Avenue in Mamaroneck, New York to Macy Road in Harrison, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$478,700; and

WHEREAS, at a meeting of said Town Board duly called and held on February 3, 2016, an Order was adopted by it and entered in the minutes specifying the said Town Board would meet to consider said increase and improvement of the Water District, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mamaroneck, New York, in said Town, on February 17, 2016 at 8:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make improvements to the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York, being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck, consisting of the construction of a 16-inch water transmission main from North Barry Avenue in Mamaroneck, New York to Macy Road in Harrison, New York, including original furnishings,

equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$478,700.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

_____	VOTING	_____

The order was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$478,700 BONDS OF THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE TOWN OF MAMARONECK WATER DISTRICT NO. 1, IN THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, said regulations provide will not result in a significant adverse environmental impact; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the construction of a 16-inch water transmission main from North Barry Avenue in Mamaroneck, New York to Macy Road in Harrison, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$478,700; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York, being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck, consisting of the construction of a 16-inch water transmission main from North Barry Avenue in Mamaroneck, New York to Macy Road in Harrison, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$478,700, there are hereby authorized to be issued \$478,700 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$478,700 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said

Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in

Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his or her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

FIRE COMMISSION

EM 1

ITEM 1

AFFAIRS OF THE TOWN

ITEM 1



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Report of Bids- Contract TA-16-01

Grass Maintenance- Hommocks Field and Pool

Date: February 9, 2016

On February 3, 2016 the Town publicly opened and read bids for the above referenced contract. The scope of this contract includes the following:

- ❖ Spring and Fall Cleanup including the removal of leaves, branches and debris from the Hommocks Field and outdoor pool area.
- ❖ Mowing of grass once per week between April and November as per the specifications of the bid. The document lists the time of the day when mowing can be completed to coordinate with the field and pool use schedules.
- ❖ Hedge trimming and maintenance of all shrub beds on a regular basis

The bid is for a two year contract (2016 & 2017). Bids were received from four contractors (see attached schedule). The low bid was submitted by Acocella Contracting to provide the services specified for a total cost of \$8,750 in 2016 and \$8,850 in 2017.

Acocella Contracting has previously performed this type of work for the Town at both the pool and for our parks and road shoulder contract.

ACTION REQUESTED: THAT THE TOWN BOARD ACCEPT THE BID OF ACOCELLA CONTRACTING AS THE LOWEST RESPONSIBLE BIDDER TO PERFORM THE WORK REQUIRED UNDER CONTRACT TA-16-01 AT THE PRICES SUBMITTED AND THAT THE TOWN ADMINISTRATOR BE AUTHORIZED TO EXECUTE A CONTRACT WITH ACOCELLA CONTRACTING.

Stephen V. Altieri
Town Administrator

TOWN OF MAMARONECK - CONTRACT #TA-16-01
GRASS MAINTENANCE – HOMMOCKS FIELD & POOL
BID OPENING: 11:00 AM, E.S.T., WEDNESDAY, FEBRUARY 3, 2016

	Name of Bidder	Address	Bond/ Cert Check	Total	
				2016	2017
1.	Acocella Contracting	68 Gaylor Road, Scarsdale, NY 10583	X	\$8,750.00	\$ 8,850.00
2.	P.A. Ferraro	61 Harvest Drive, Brewster, NY 10509	X	\$8,775.00	\$8,950.00
3.	Landscape Concepts	253 Route 100, Somers, NY 10589	X	\$10,157.00	\$10,664.85
4.	Pat Scanlon Landscaping	P.O. Box 1136, New City, NY 10956	X	\$19,000.00	\$19,000.00

AFFAIRS OF THE TOWN

ITEM 2



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Authorization Budget Amendment- Town Court

Date: February 9, 2016

The Town Court was awarded a grant of \$4,400 by the New York State Office of Court Administration for the replacement of our magnetometer used for security screenings court night. Therefore a budget amendment is required to increase the Town Court equipment budget to reflect the grant funds that will used for the equipment purchase.

ACTION REQUESTED: THAT THE TOWN BOARD AUTHORIZE THE AN AMENDMENT TO THE 2016 BUDGET TO INCREASE ACCOUNT A1110.2101 BY \$4,400 TO REFLECT THE RECEIPT OF THE NEW YORK STATE GRANT FOR PURCHASE OF A NEW MAGNETOMETER

Stephen V. Altieri
Town Administrator



BUDGET AMENDMENT - INCREASE 2016 GENERAL TOWNWIDE FUND BUDGET

2/17/2016 TOWN BOARD MEETING

GENERAL TOWNWIDE (FUND A):

INCREASE BUDGET:

A.0000.3999	STATE GRANT - JUSTICE COURT	\$	4,400.00
A.1110.2101	OFFICE EQUIPMENT	\$	4,400.00

** REPRESENTS RECEIPT OF FUNDS FROM THE NYS UNIFIED COURT SYSTEM - JUSTICE COURT ASSISTANCE PROGRAM (JCAP) IN THE AMOUNT OF \$4,400 FOR THE PURPOSE OF UPGRADING SECURITY FOR COURT.*

STATE OF NEW YORK
UNIFIED COURT SYSTEM
Westchester County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601
(914) 824-5100

DEC 23 2015

Lawrence K. Marks
Chief Administrative Judge

Alan D. Scheinkman
Ninth District Administrative Judge

Michael V. Cocco
Deputy Chief Administrative Judge
Courts Outside New York City

December 23, 2015

Ms. Denise Cookingham
Court Clerk
Mamaroneck Town Court
740 West Boston Post Road
Mamaroneck, NY 10543

Dear Ms. Cookingham:

We are pleased to advise you the Mamaroneck Town Court has been awarded a grant under the 2015-2016 cycle of the Justice Court Assistance Program (JCAP).

JCAP was established by the New York State Legislature in 1999, at the request of the Unified Court System, to help provide our State's town and village courts with the resources and equipment necessary to fulfill their critical role in our justice system. Under the Court System's Action Plan for the Justice Courts, JCAP has been expanded, both in the level of funding and the scope of the projects funded.

The Mamaroneck Town Court is one of 353 courts receiving JCAP funding this year. Details regarding your award are set forth on the enclosed reconciliation form. Funds will be sent to your municipality via direct deposit or check and must be spent within 180 days. The reconciliation form must be returned to the Office of Justice Court Support via fax at: (518) 438-3518 or e-mail at: jcap@nycourts.gov.

Congratulations and thank you for your participation in the Justice Court Assistance Program.

Alan D. Scheinkman
Ninth District Administrative Judge

Charles Apotheker
Supervising Judge

cc: Hon. Randall Eng, Presiding Justice Appellate Division
Hon. Michael V. Cocco, Deputy Chief Administrative Judge
Courts Outside New York City

1/6/16 -
copy of both pp
to Steve

2015-2016 Justice Court Assistance Program Award Reconciliation Form

Use fax this form to 518-438-3518 or mail to:
Office of Justice Court Support, 187 Wolf Road, Suite 103, Albany, N.Y.12205

Application ID # 3231

In the space provided below, indicate when the money was spent on the item described below and the exact amount spent.

Funds to be spent within 180 days of receipt

Information about when you spent the grant:

Mamaroneck Town Court, Westchester County

District: 9

Item Category	Grant Amount Approved	Print Name: _____
Security	\$4,400.00	Signature: _____
<input type="checkbox"/> I affirm this was received	Date: _____	Amount actually spent: _____

Total Amount of Grant	Mamaroneck Town Court \$4,400.00
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SPECIAL NOTE REGARDING AWARD DISBURSEMENTS:

Your Town Supervisor or Village Mayor should receive a check for the amount of the grant or the grant amount will be sent via direct deposit to your municipality. All grant recipients are reminded that, as required by law, funds received hereunder may not be used for purposes other than the purchase of the item(s) set forth on the enclosed award form. Also, as stipulated in the municipal certification accompanying the application for your grant, "any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures."

Please remember to save your receipts for at least three (3) years for audit and review purposes. If the amount you spend purchasing an item is less than the amount awarded in the grant, and that difference is less than 10% of the award for that item, then you may use that savings toward another grant item or towards consumable office supplies. If the savings exceeds 10% of the amount awarded for that item, please contact the Office of Justice Court Support at (800)-232-0630 for approval.

FOR OJCS USE ONLY:		
Application # _____	Attachments _____	
Vendor ID# 1000001496	AO Date _____	Approval Date _____
Voucher# _____	DN/SP _____	Grant Amt _____
Submit Date _____	Business Unit _____	Final Approval _____

AFFAIRS OF THE TOWN

ITEM 3



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Authorization - Budget Transfer- Sewer District

Date: February 9, 2016

The Sewer Rent legislation that was authorized in 2014 permitted the issuance of sewer rent bills based upon the consumption of water by property owners in the unincorporated area. The Town reached out to the Westchester Joint Water Works (WJWW) to provide billing services for the sewer rent since they have all of the water consumption data for the unincorporated Town.

We have negotiated with the WJWW to provide billing services for the sewer rent on a quarterly basis for residential properties and monthly for commercial and multifamily properties. The fee for the billing service for 2016 would be \$3,000 for the year. That equates to 1.4% of the expected revenue of \$210,000. The fee negotiated is very reasonable for billing and collection services provided on behalf of the Town. Therefore if this acceptable to the Town Board, a budget transfer is needed from the within the Sewer District Budget. The transfer would be from the consultant line item into a new line item entitled Billing Service.

ACTION REQUESTED: THAT THE TOWN BOARD APPROVE THE FEE OF \$3,000 TO BE CHARGED BY THE WJWW TO THE TOWN FOR BILLING SERVICES FOR THE SEWER RENT CHARGES AND THAT THE TOWN BOARD AUTHORIZE THE BUDGET TRANSFER AS DESCRIBED HEREIN



Stephen V. Altieri
Town Administrator



FY 2016 BUDGET TRANSFER - SEWER DISTRICT FUND

2/17/2016 TOWN BOARD MEETING

SEWER DISTRICT (FUND SS):

BUDGET TRANSFER:

FROM	SS.8120.4035	CONSULTANT SERVICES		\$ (3,000.00)
TO	SS.8120.4283	BILLING SERVICE		\$ 3,000.00

*** REPRESENTS FUNDS TO BE REALLOCATED TO NEWLY CREATED BILLING SERVICE A/C FOR WJWW SEWER RENT CHARGES PROCESSING & ADMINISTRATIVE BILLING SERVICES.**

MEMORANDUM

AFFAIRS OF THE TOWN

MEMO

ITEM 4

Affairs of the Town

#4. Set Public Hearing - Parking Restrictions –
Hillside Road/Echo Lane

#5. Set Public Hearing – Truck Ban – East
Hickory Grove Drive, Rockland Avenue, Myrtle
Boulevard between Weaver Street & Lakeside
Drive

Documents are located in the Worksession
Packet

AFFAIRS OF THE TOWN

ITEM 5

AFFAIRS OF THE TOWN

ITEM 6



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Set Public Hearing – Bond Resolution

Town of Mamaroneck Sewer District- Sewer System Evaluation Study

Attached is the order calling a public hearing in connection with the above referenced bond resolution. Bonding for expenses in a Special Improvement District like the Town Sewer District requires a public hearing to be held by the Town Board.

The subject of the bond resolution is the issuance of bonds for the preparation of a sewer system evaluation study as required in the inter-municipal agreement between the Town and the County of Westchester. The estimated cost of this project is \$400,000 with a 3.5% factor of \$14,000 added for bonding expenses.

ACTION REQUESTED: THAT THE TOWN BOARD ADOPT THE ORDER CALLING FOR A PUBLIC HEARING RELATING TO A BOND RESOLUTION FOR A SEWER SYSTEM EVALUATION STUDY AT A MAXIMUM ESTIMATED COST OF \$414,000 AND THAT THE PUBLIC HEARING BE SCHEDULED FOR WEDNESDAY, MARCH 16, 2016

Stephen V. Altieri
Town Administrator

At a regular meeting of the Town Board of the Town of Mamaroneck, Westchester County, New York, held at the Town Hall, in Mamaroneck, New York on February 17, 2016, at _____ o'clock _____M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

<p style="text-align: center;">In the Matter of</p> <p>The Systemwide Planning Evaluation for an increase and improvement of the facilities of the Town of Mamaroneck Consolidated Sewer District, in the Town of Mamaroneck, Westchester County, New York</p>	<p style="text-align: center;">ORDER CALLING PUBLIC HEARING</p>
--	---

WHEREAS, the Town Board of the Town of Mamaroneck, Westchester County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to a systemwide planning evaluation for an increase and improvement of the facilities of the Town of Mamaroneck Consolidated Sewer District, in the Town of Mamaroneck, Westchester County, New York, at a maximum estimated cost of \$414,000; and

WHEREAS, said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, said regulations provide will not result in a significant environmental impact; and

WHEREAS, it is now desired to call a public hearing on the question of the systemwide planning evaluation for an increase and improvement of the facilities of the Town of Mamaroneck Consolidated Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Mamaroneck, New York, in said Town, on _____, 2016, at _____ o'clock P.M., Prevailing Time, on the question of the systemwide planning evaluation for an increase and improvement of the facilities of the Town of Mamaroneck Consolidated Sewer District, in the Town of Mamaroneck, Westchester County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the _____ and the _____, the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such

publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * * * *

AFFAIRS OF THE TOWN

ITEM 7



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

**Re: Adoption of 2016 Capital Project Schedule &
Authorization of Required Transfers of Funds**

Date: February 11, 2016

Attached is the 2016 Capital Project Schedule for the Town previously reviewed with the Town Board. A portion of the capital project plan will be funded with appropriated funds in the 2016 Town Budget. Therefore the second attachment is a schedule of the transfers to be made to the Capital Fund. The attachment presents the total funds to be transferred from each budget fund as well as the capital projects accounts that will receive the funds. The total transfer for all funds is \$469,350.

ACTION REQUESTED: THAT THE TOWN ADOPT THE 2016 CAPITAL PROJECT SCHEDULE AND FURTHER THAT THE TOWN AUTHORIZE THE TRANSFER OF FUNDS IN ACCORDANCE WITH THE BUDGET AMENDMENT SCHEDULE DATED 2/17/16

Stephen V. Altieri
Town Administrator

FY2016 TOWN OF MAMARONECK - CAPITAL PROJECTS BUDGET & FUNDING SCHEDULE

PROJ. #	PROJECT DESCRIPTION	PROJECT BUDGET	EXPENDITURE A/C #	TOWN	FUNDING	APPROVED	GRANTS /	APPROPRIATED	REVENUE
				BOARD RESOLUTION	SOURCE	BANS/BONDS AMOUNT	LOCAL SOURCE AMOUNT	INTERFUND TRANSFER	A/C #
2016-49	DRAINAGE IMPROVEMENTS	\$88,000.00	H.5110.0400.2016.49		BANS/BONDS	\$88,000.00			H.0000.5700.2016.49
	Culvert - Fenimore Road								
	Gardens Lake - Dredge/Maintenance								
	Cont./bond costs 3.5% - \$3,000								
2016-51	SEWER SYSTEM EVALUATION	\$414,000.00	H.8120.0400.2016.51		BANS/BONDS	\$414,000.00			H.0000.5700.2016.51
	Cont./bond costs 3.5% - \$14,000								
	* GRAND TOTALS:	\$4,019,010.00				\$2,987,195.00	\$191,765.00	\$840,050.00	
	TOTAL BANS/BONDS 2016:	\$2,987,195.00							
	TOTAL BANS/BONDS (FIRE) 2016:	\$0.00							
	* TOTAL BANS/BONDS :	\$2,987,195.00							
	* TOTAL GRANTS/LOCAL SOURCE:	\$191,765.00				**			
					2016	BDGT AMEND			
					ADOPTED	T-B-A			
	* TOTAL APPROP. TRANSFERS:	\$840,050.00							
			TRANSF FR GEN TWN -	\$190,600.00	\$130,000	\$60,600			
			TRANSF FR PART TWN -	\$125,950.00	\$105,700	\$20,250			
			TRANSF FR HIGHWAY -	\$85,000.00	\$85,000	\$0			
			TRANSF FR FIRE -	\$40,000.00	\$40,000	\$0			
			TRANSF FR AMBUL -	\$10,000.00	\$10,000	\$0			
			TRANSF FR WATER -	\$388,500.00	\$0	\$388,500			
				\$840,050	\$370,700	\$469,350			

**BUDGET AMENDMENT - INCREASE 2016 GENERAL, PART TOWN &
WATER DISTRICT BUDGETS FOR 2016 CAPITAL PROJECTS**

RB

2/17/2016 TOWN BOARD MEETING

OPERATING FUNDS (FUND A, B & SW):

INCREASE BUDGET:

A.0000.5995	APPROPRIATED FUND BALANCE	\$	60,600.00
A.9900.9950	TRANSFER TO CAPITAL	\$	60,600.00
B.0000.5995	APPROPRIATED FUND BALANCE	\$	20,250.00
B.9900.9950	TRANSFER TO CAPITAL	\$	20,250.00
SW.0000.5995	APPROPRIATED FUND BALANCE	\$	388,500.00
SW.9900.9950	TRANSFER TO CAPITAL	\$	388,500.00

CAPITAL PROJECTS FUND (H):

INCREASE BUDGET:

REV:	H.0000.5031.2016.20	TRANSFER FROM GENERAL TOWN WIDE FUND	\$	32,500.00	COMPUTER HARDWARE
	H.0000.5031.2016.40	TRANSFER FROM GENERAL TOWN WIDE FUND	\$	28,100.00	SHELDRAKE IMP
	H.0000.5032.2016.19	TRANSFER FROM PART TOWN FUND	\$	5,250.00	COMPUTER SOFTWARE
	H.0000.5032.2016.20	TRANSFER FROM PART TOWN FUND	\$	15,000.00	COMPUTER HARDWARE
	H.0000.5038.2016.12	TRANSFER FROM WATER DISTRICT FUND	\$	388,500.00	WATER IMP
			\$	<u>469,350.00</u>	
EXP:	H.1680.0400.2016.19	COMPUTER SOFTWARE	\$	5,250.00	
	H.1680.0400.2016.20	COMPUTER HARDWARE & EQUIPMENT	\$	47,500.00	
	H.7150.0400.2016.40	SHELDRAKE IMPROVEMENTS	\$	28,100.00	
	H.8340.0400.2016.12	WATER IMPROVEMENT PROJECTS	\$	388,500.00	
			\$	<u>469,350.00</u>	

AFFAIRS OF THE TOWN

ITEM 8



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Adoption of Bonding Resolutions

2016 Capital Project Schedule

Date: February 11, 2016

Aside from the use of appropriated funds, capital projects are funded with bonds issued by the Town. Attached are bond resolutions for each of the capital projects listed below. Each resolution must be adopted separately.

Capital Project#	Fund	Purpose	Maximum Bond Amount
2016-04	Highway	Reconstruction of roads, curbs, sidewalks and related expenses	\$768,500
2016-06	Highway	Purchase of vehicles and equipment	367,425
2016-14	Townwide	Various Improvements- Town Center	371,250
2016-48	Townwide	Reconstruction-Town Center Pkg Lot	447,120
24-06	Townwide	Add'l Funds- Town Police HQ Imp ¹	300,000
2016-22	Townwide	Purchase of Senior Citizen Bus	10,800
2016-31	Townwide	Recreation Facility Improvements	41,400
2016-49	Highway	Storm Drainage Improvements	88,000
		TOTAL PROPOSED BONDING	\$2,394,495

ACTION REQUESTED: THAT THE TOWN BOARD ADOPT THE ATTACHED RESOLUTIONS AUTHORIZING THE ISSUANCE OF BONDS IN A TOTAL AMOUNT OF \$2,394,495 FOR THE FINANCING OF CAPITAL PROJECTS IN 2016


/ Stephen V. Altieri
Town Administrator

¹ The Town Center Building is a Townwide charge and therefore any improvements including those in the Police Department are charged to the Townwide budget. A transfer of funds from the Part Town Fund to the Townwide Fund will be appropriated to account for the debt payments in the Townwide Fund for this project. The appropriation will occur in the first fiscal year for which a debt payment is required.

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE COST OF THE RECONSTRUCTION OF VARIOUS ROADS THROUGHOUT AND IN AND FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$853,500 AND AUTHORIZING THE ISSUANCE OF \$768,500 SERIAL BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The reconstruction of various roads throughout and in and for the Town of Mamaroneck, Westchester County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$853,500.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$768,500 serial bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- b) by the expenditure of \$85,000 current funds hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures

shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF VARIOUS VEHICLES AND ITEMS OF EQUIPMENT FOR THE HIGHWAY DEPARTMENT, IN AND FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$367,425 AND AUTHORIZING THE ISSUANCE OF \$367,425 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the acquisition of the capital item hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital item; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The purchase of various vehicles and items of equipment for the Highway Department, each item of which costs \$30,000 or more, including incidental equipment and expenses in connection therewith, in and for the Town of Mamaroneck, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$367,425.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$367,425 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile

signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$371,250 BONDS OF THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF TOWN CENTER, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The reconstruction of Town Center, in and for the Town of Mamaroneck, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$371,250.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$371,250 of bonds of the Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of

paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates,

place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$447,120 BONDS OF THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF THE TOWN CENTER PARKING LOT, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The reconstruction of the Town Center parking lot, in and for the Town of Mamaroneck, Westchester County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$597,120.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$447,120 serial bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- b) by the expenditure of \$150,000 current funds hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile

signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE
REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE RECONSTRUCTION OF AND IMPROVEMENTS TO THE POLICE HEADQUARTERS BUILDING, IN AND FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$300,000 AND AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant adverse impact on the environment; NOW, THEREFORE,

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The reconstruction of and improvements to the Police Headquarters building, in Mamaroneck, New York, in and for the Town of Mamaroneck, Westchester County, New York, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$300,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$300,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile

signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE
REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING THE PURCHASE OF A PASSENGER VEHICLE, FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$52,565 AND AUTHORIZING THE ISSUANCE OF \$10,800 SERIAL BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The purchase of a passenger vehicle for senior transportation, for the Town of Mamaroneck, Westchester County, New York, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$52,565.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$10,800 serial bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- b) by the expenditure of \$41,765 current funds hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 77(1st) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not exceed five years.**

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS RECREATION FACILITIES, IN AND FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$57,200 AND AUTHORIZING THE ISSUANCE OF \$41,400 SERIAL BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; NOW, THEREFORE,

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The construction of improvements to various recreation facilities, in and for the Town of Mamaroneck, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$57,200.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$41,400 serial bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and

b) by the expenditure of \$15,800 current funds hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of

said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BOND RESOLUTION DATED FEBRUARY 17, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, CONSTRUCTION OF STORMWATER DRAINAGE IMPROVEMENTS, IN AND FOR THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$88,000 AND AUTHORIZING THE ISSUANCE OF \$88,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. The construction of storm water drainage improvements at Fenimore Road and Gardens Lake, in and for the Town of Mamaroneck, Westchester County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$88,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$88,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile

signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE
REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

AFFAIRS OF THE TOWN

ITEM 9



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

HIGHWAY DEPARTMENT

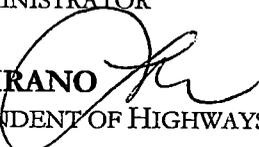
TEL: 914/381-7825

FAX: 914/381-8473

highway@townofmamaroneck.org

I N T E R O F F I C E M E M O R A N D U M

TO: S. ALTIERI
TOWN ADMINISTRATOR

FROM: L. MARTIRANO 
SUPERINTENDENT OF HIGHWAYS

SUBJECT: 39 BARNUM ROAD SIDEWALK REMOVAL

DATE: 2/4/2016

The sidewalk at the above referenced address is in need of repair. In lieu of repair, I recommend removal of the portion of sidewalk directly in front #39 Barnum.

The sidewalk leads to nowhere at a dead end street and the resident at this address has agreed on its removal (see attached). The Highway Department will perform the work and restore the area with grass. Length of sidewalk is approximately 30 feet.

Please refer my recommendation to the board to determine what course of action – removal or repair – the Highway department should proceed.

Louis Martirano
Superintendent of Highways
Town of Mamaroneck, NY

August 16, 2015

Highway Department
Town Center
740 West Boston Post Road
Mamaroneck, NY 10543

Dear Sir/Madam:

Following our phone conversation, we are writing to request that the unsafe sidewalk in front of our house be removed and replaced with lawn.

The sidewalk in front of our property located on 39 Barnum Road is uneven and unsafe for us, our children, and guests. In addition, when it rains, a puddle of water is formed that can become a breeding place for mosquitos.

Since our house is the last one on a dead end street (our property is next to Badger Camp) we respectfully request that the current sidewalk be removed and replaced with lawn.

We look forward to hearing from you.

Sincerely,

Jordanis Haralampopoulos Eleni Mariola, Ph.D.