

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 and Myrtle Blvd between Weaver Street & Lakeside Drive**
5. **New Business**

8:00PM CALL TO ORDER – CONFERENCE ROOM **C**

PRESENTATION – Mary Louise Cox, Town 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 – Bond Resolution – Town of Mamaroneck Sewer District**
7. **Approval - 2016 Capital Projects Schedule & Transfers of Funds**
8. **Authorization – Bonding Resolutions – 2016 Capital Projects**
  - a. **Capital Project 2016-04, \$768,500 Roads, Curbs & Sidewalks**
  - b. **Capital Project 2016-06, \$367,425 Purchase Vehicles & Equipment**
  - c. **Capital Project 2016-14, \$371,250 Town Center Improvements**
  - d. **Capital Project 2016-48, \$447,120 Reconstruction Town Center Parking Lot**
  - e. **Capital Project 24-06, \$300,000 Add'l Funds Town Police HQ Improvements**
  - f. **Capital Project 2016-22 \$10,800, Purchase Sen Citizen Bus**
  - g. **Capital Project 2016-31 \$41,400, Recreation Facility Improvements**
  - h. **Capital Project 2016-49 \$88,000, Storm Drainage Improvements**
9. **Request for Removal of Sidewalk at 39 Barnum Road**

APPROVAL OF MINUTES

REPORTS OF THE COUNCIL

TOWN CLERK'S REPORT

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

**MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON FEBRUARY 17, 2016, BEGINNING AT 5:00PM IN CONFERENCE ROOM D AND CONTINUING AT 8:00 PM IN CONFERENCE ROOM C OF THE TOWN CENTER, 740 W. BOSTON POST ROAD, MAMARONECK, NEW YORK**

**PRESENT:** Supervisor Nancy Seligson  
Councilman Ernest C. Odierna  
Councilwoman Abby Katz  
Councilwoman Jaine Elkind Eney  
Councilman Thomas A. Murphy

**ALSO PRESENT:** Christina Battalia, Town Clerk  
Stephen V. Altieri, Town Administrator  
William Maker, Jr., Town Attorney  
Connie Green O'Donnell, Assistant Town Administrator

**CALL TO ORDER - WORK SESSION**

On motion of Councilwoman Katz, seconded by Councilman Murphy, the Work Session was unanimously opened at 5:00PM.

**OUT OF ORDER**

Review – Parking Restrictions – Hillside Road/Echo Lane & Proposed Truck Ban – East Hickory Grove Drive, Rockland Avenue and Myrtle Blvd between Weaver Street & Lakeside Drive

The Town Board reviewed the draft legislation for setting public hearings on these two laws.

**ADDED ITEM**

Supervisor Seligson noted that at the recent Conference of the Association of Towns, she attended discussions regarding the importance of having a Comprehensive Plan. Supervisor Seligson said it made her more aware of the need for an updated Town Comprehensive Plan, especially for grant processes, adding that many grants are a multi-year process and a Comprehensive Plan is very important to those applications. Supervisor Seligson emphasized that this is overdue for the Town and should be put on the agenda. The Board discussed that the Town has many plans in place, the Hazard Mitigation Plan, the Local Waterfront Revitalization Plan, all of which can form the basis for an effective Comprehensive Plan. The Board asked Mr. Altieri to speak with Frank Fish, to determine a rough cost of using his firm to help the Town in this endeavor.

On motion of Councilman Murphy, seconded by Councilwoman Katz, the Board unanimously agreed to enter into an Executive Session to discuss Appointments to Boards and Commissions and litigation with Janet Scully.

**EXECUTIVE SESSION**

Litigation with Janet Scully  
Appointments to Boards and Commissions

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Board unanimously agreed to resume the Regular Meeting.

On motion of Councilman Murphy, seconded by Councilwoman Katz, the Town Board unanimously agreed to re-enter into an Executive Session to discuss litigation with the Police Department.

**EXECUTIVE SESSION**

**Litigation Police Department**

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Board unanimously agreed to resume the Regular Meeting.

**ADDED ITEM**

Councilwoman Katz brought to the Town Board's attention that discussions have taken place regarding a broken fence behind the Larchmont Library. Questions of whether the Library should be paying for this repair, meaning a shared cost with the Town, or whether this is a Village of Larchmont expense and not one to be shared with the Town.

**Discussion – Proposed Residential Site Plan Law**

**Additionally Present: Arthur Wexler, Chair of the Zoning Board of Appeals and Ralph Engel, Chair of the Planning Board**

**Additionally present at worksession was Charlie Gottlieb, of Cuddy & Feder Law Firm.**

**Mr. Gottlieb distributed to the Town Board a document titled Site Plan Amendment – Exemptions, Premises: 1 Durham Road, Larchmont NY.**

**The Board Chairs were present at the request of the Town Board for their input on the draft Site Plan Law.**

**Mr. Engel distributed to the Town Board the Village of Larchmont's Planning Board's Option B Submission Cover Sheet and a proposed Town of Mamaroneck Planning Board Site Plan Checklist. He suggested the Town have a checklist incorporated into the submission process for a site plan application.**

**The Town Board discussed the current draft of the Site Plan Law with the Chairs, specifically, but not limited to, discussion of thresholds for an application to come before the Planning Board, as well as the triggers for referral to the Planning Board. Mr. Altieri will distribute to the Town Board additional emails received from Mr. Engel. The Town Board has an added worksession on February 25<sup>th</sup>, to further discuss the Site Plan Law.**

**LMC-TV Discussion of Space Needs**

**Additionally Present: Eric Lewis, Chief Executive Officer of LMC-TV, Matt Sullivan, Chief Operating Officer for LMC-TV and LMC-TV Board Members, Jeff Meighan, Michael Witsch and John Verni**

**Jeff Meighan gave a review of the process that the LMC-TV Board and the Board of Control have gone through evaluating the Fire House and the Town Center as new homes for LMC-TV.**

**Eric Lewis gave a PowerPoint Presentation of moving LMC-TV to the Fire House as he believes this location better addresses the needs of the Community.**

**The Town Board raised concerns regarding the on-going expenses, owning versus renting the building, as well as concerns about reduced franchise fees and the potential for depleting Capital funds.**

**It was stated that the Board of LMC-TV has voted to move forward with the Fire House proposal, but the Board of Control has not formally voted to move forward with a plan.**

**CALL TO ORDER - REGULAR MEETING**

The Regular Meeting of the Town Board was called to order by Supervisor Seligson at 8:00 PM, she then pointed out the location of the exits.

Supervisor Seligson noted that the Town Board met for a worksession beginning at 5:00 o'clock this evening, adding this is an open meeting that all residents' are welcomed to attend.

**PRESENTATION – Mary Louise Cox, Town Poet Laureate**

Supervisor Seligson welcomed Solange Desantis of the Mamaroneck Arts Council, who then introduced Mary Louise Cox.

Mary Louise Cox read her poem as follows:

*My Music*

*What is your music?  
a waterfall, summer rain?  
thunder, wolves howling?  
ducks quacking on the wing?  
drums, violins, flutes?  
cymbals, a tingsha?  
a Japanese temple gong?  
far off whistle of a train?  
children singing  
"my love is like an arbutus"?  
the telephone ringing?  
a certain voice?  
music of the spheres?  
other?  
My music is your heartbeat!*

**SUPERVISOR'S SUMMARY REPORT**

*The Town Board and staff have been working on developing the Site Plan Review amendments that are the subject of the moratorium. We have held several meetings and reviewed two draft documents. This evening during the work session we met with the Planning Board Chair, Ralph Engel and the Chairman of the Zoning Board, Arthur Wexler to discuss the proposed amendments. The Town is poised to hear bids for the Community Choice Aggregation program next week. This program would provide residents with fixed energy supply costs from an energy service company rather than Con Ed. Residents would have the ability to opt out free of charge at any time. Several of us attended the Association of Towns annual training meeting in NYC this week. It's a large conference with multiple training sessions for elected, appointed and hired Town employees. Please note that the Town Recreation Department is holding the second annual Bunny Hop race on April 10, 2016.*

**CITIZEN'S COMMENTS**

Supervisor Seligson asked if anyone in the audience would like to address the Board, and there was not.

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

The following Notice of Public Hearing is entered into the record as follows:

**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 17<sup>th</sup> 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

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Public Hearing was unanimously opened.

Supervisor Seligson asked if anyone wished to comment on the Public Interest Order, and there was not.

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Public Hearing was unanimously closed.

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the following Public Interest Order was adopted:

|  |  |
|--|--|
| <p style="text-align: center;">In the Matter<br/>of</p> <p>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 style="text-align: center;">PUBLIC<br/>INTEREST<br/>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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The following resolution was offered by Councilwoman Elkind Eney who moved its adoption, seconded by Councilman Murphy to-wit:

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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

**BOARD OF FIRE COMMISSIONERS**

The Meeting was called to order by Commissioner Seligson, and then on motion of Commissioner Elkind Eney, seconded by Commissioner Katz, the Board of Fire Commissioners was unanimously declared open. Present were the following Members of the Commission:

Commissioner: Nancy Seligson  
 Commissioner: Ernest C. Odierna  
 Commissioner: Abby Katz  
 Commissioner: Jaine Elkind Eney  
 Commissioner: Thomas A. Murphy

**1. FIRE CLAIMS**

On motion of Commissioner Elkind Eney, seconded by Commissioner Katz, it was

**RESOLVED** that this Commission hereby authorizes payment of the following Fire Department Claims as approved by the Fire Chief and audited by the Comptroller’s Office:

| <u>VENDOR</u>                   | <u>DESCRIPTION</u>   | <u>AMOUNT</u>           |
|---------------------------------|--|-------------------------|
| AAA Emergency Supply Co.        | Scott air pak bracket, RIT bailout system replaced                     | \$216.50                |
| Argento & Sons, Inc.            | Ariens snow blower, shear pin, proglove                                | 1540.79                 |
| Atlantic Westchester Inc.       | Repair heat in Furnace/Telephone Room                                  | 652.50                  |
| Byram Mason & Building Supply   | Calcium chloride   | 109.75                  |
| Cablevision                     | Cable services for 1/23/16 - 2/22/16                                   | 127.79                  |
| CIT                             | Xerox copier contract - Jan. 2016                                      | 247.35                  |
| Chatsworth Cleaners             | Uniform cleaning - January 2016  | 17.48                   |
| Con Edison                      | Fire HQ gas svc 12/31/15 -2/1/16                                       | 1094.44                 |
| Goosetown Communications        | New mobile radios  | 375.00                  |
| G & R Mechanical Corp           | Repair ice machine   | 320.00                  |
| Grainger                        | Mop, mop end   | 39.16                   |
| New England Uniform Co., LLC    | Knit hats, ball caps, jacket   | 558.00                  |
| Ready Refresh                   | Rental for water coolers at FD HQ January 2016                         | 114.96                  |
| R & L Consulting                | Annual subscription to Ibackup   | 199.50                  |
| Sound Shore Pest Control Inc.   | Exterminating Services 1/22/16   | 65.00                   |
| Town of Mam'k PFFA              | Life Ins. For the month of Feb. 2016 - 12 firefighters (2 Pay periods) | 188.64                  |
| The Knox Company                | Repair key secure  | 74.00                   |
| Uni First Corp.                 | Carpet cleaning, wipes, bags, spray & towels, soap, purell, mop,etc.   | 105.36                  |
| United Communications Corp.     | Pager repair   | 372.00                  |
| Verizon                         | Fire HQ svc 1/10/16 - 2/9/16   | 231.79                  |
| Westech Elevator Services, Inc. | Maintenance for month of February 2016                                 | 175.00                  |
|                                 |  | 0.00                    |
| <b>Total:</b>                   |  | <b><u>\$6825.01</u></b> |

The above resolution was put to a roll call vote:

Commissioner Murphy      Aye  
 Commissioner Elkind Eney      Aye  
 Commissioner Katz      Aye  
 Commissioner Odierna      Aye  
 Commissioner Seligson      Aye

**2. Other Fire Department Business**

Commissioner Elkind Eney noted that the Fire Council is working on the new apparatus, adding they were to have made a pre-construction meeting in Pennsylvania, but the site visit was cancelled due to the recent storm.

There being no further business to come before the Commission, on motion of Commissioner Katz, seconded by Commissioner Elkind Eney, the Commission unanimously adjourned and the Town Board reconvened.

**AFFAIRS OF THE TOWN**

**1. Report of Bids – TA-16-01 Grass Maintenance – Hommocks Field & Pool**

The following Report of Bids is entered into the record as follows:

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

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

On motion of Councilman Murphy, seconded by Councilman Odierna, it was

WHEREAS, on February 3, 2016, the Town publicly opened and read four (4) bids for TA-16-01 Grass Maintenance – Hommocks Field & Pool

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby Award Contract TA-16-01 Grass Maintenance – Hommocks Field & Pool to the lowest responsible bidder, Acocella Contracting at a total price of \$8,750 in the year 2016, and \$8,850 in the year 2017, and

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said Contract on behalf of the Town.

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

**2. Budget Amendment – Town Court Grant**

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, the following was approved,

WHEREAS, the Town Court has received a grant in the amount of \$4,400 from the New York State Office of Court Administration for the replacement of the Town Court Magnetometer used for security screening on Court night.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Amendment to the 2016 Budget to reflect the receipt of New York State Grant, as detailed by the Town Comptroller in the following schedule:

**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.

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

**3. Budget Transfer – Sewer District**

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the following was approved,

WHEREAS, the 2014 Sewer Rent Legislation permitted the issuance of sewer rent bills based upon the consumption of water by property owners in the unincorporated area, and

WHEREAS, the Town has negotiated with Westchester Joint Water Works to provide billing services for the sewer rent fee on a quarterly basis for residential properties, and monthly for commercial properties.

NOW, THEREFORE, BE IT,

RESOLVED, that the Mamaroneck Town Board does hereby approve the fee of \$3,000 to be charged by the Westchester Joint Water Works to the Town for billing services for the sewer rent charge, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does approve the Budget Transfer as detailed by the Town Comptroller in the following schedule:

**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.*

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

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

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, it was unanimously

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on “ Restriction on Parking on Hillside Road and on a section of Echo Lane” Law for March 2, 2016, at 8:00PM in the Court Room of the Town Center, and

BE IT FURTHER,

RESOLVED, that the Town Clerk is hereby authorized to publish the notice of said hearing in a newspaper appointed as an official newspaper, and that said Notice, be posted.

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

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, it was unanimously

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on “ Restriction of Truck Traffic from East Hickory Grove Drive, Rockland Avenue and a section of Myrtle Boulevard” Law for March 2, 2016, at 8:00PM in the Court Room of the Town Center, and

BE IT FURTHER,

RESOLVED, that the Town Clerk is hereby authorized to publish the notice of said hearing in a newspaper appointed as an official newspaper, and that said Notice, be posted.

6. Set Public Hearing – Bond Resolution – Town of Mamaroneck Sewer District

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the following Order was approved,

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

|  |  |
|--|--|
| in the Town of Mamaroneck, Westchester County,<br>New York |  |
|--|--|

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 March 16, 2016, at 8:00 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 official newspaper, 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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The order was thereupon declared duly adopted.

7. Approval - 2016 Capital Projects Schedule & Transfers of Funds

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the 2016 Capital Project Schedule as follows:

ATTACHMENT A

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, it was

RESOLVED, that the Mamaroneck Town Board does hereby authorize the transfer of funds in the amount of \$469,350 as detailed in the following Capital Project Budget & Funding Schedule as follows:

ATTACHMENT B

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

8. Authorization – Bonding Resolutions – 2016 Capital Projects

a. Capital Project 2016-04, \$768,500 Roads, Curbs & Sidewalks

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the following was approved,

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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

b. Capital Project 2016-06, \$367,425 Purchase Vehicles & Equipment

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the following was approved,

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

c. Capital Project 2016-14, \$371,250 Town Center Improvements

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the following was approved

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

**d. Capital Project 2016-48, \$447,120 Reconstruction Town Center Parking Lot**

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the following was approved,

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

**e. Capital Project 24-06, \$300,000 Additional Funds Town Police HQ Improvements**

On motion of Councilman Murphy, seconded by Councilwoman Katz, the following was approved,

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

f. Capital Project 2016-22 \$10,800, Purchase Sen Citizen Bus

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, the following was approved,

**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(1<sup>st</sup>) 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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

**g. Capital Project 2016-31 \$41,400, Recreation Facility Improvements**

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, the following was approved,

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

h. Capital Project 2016-49 \$88,000, Storm Drainage Improvements

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the following was approved

**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:

|                          |     |
|--------------------------|-----|
| Councilman Murphy        | Aye |
| Councilwoman Elkind Eney | Aye |
| Councilwoman Katz        | Aye |
| Councilman Odierna       | Aye |
| Supervisor Seligson      | Aye |

The resolution was thereupon declared duly adopted.

**9. Request for Removal of Sidewalk at 39 Barnum Road**

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the following was approved,

WHEREAS, the sidewalk in front of 39 Barnum Road is in need of repair, and in lieu of repair, the Town Superintendent of Highway, with approval of the homeowner, is recommending its removal.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby approve the removal of approximately 30 feet of sidewalk in front of 39 Barnum Road and to restore the area to grass.

The above resolution was put to a roll call vote:

|             |     |
|-------------|-----|
| Murphy      | Aye |
| Elkind Eney | Aye |
| Katz        | Aye |
| Odierna     | Aye |
| Seligson    | Aye |

**APPROVAL OF MINUTES – None**

**WRITTEN COMMUNICATIONS**

Noted that Written Communications were received under worksession

**REPORT OF COUNCIL**

Councilman Murphy announced that the Village of Mamaroneck will be holding a presentation with the Army Corp of Engineers at the Emelin Theatre on February 25<sup>th</sup> at 7:30pm, to present the plan to address flooding in the Village of Mamaroneck. He is encouraging residents to attend and give their input on this very important subject.

Supervisor Seligson added that this is a plan that has been in discussion for many years.

Councilman Odierna stated that he has been in South America for the past few weeks. He is glad to be home.

Councilwoman Katz attended the Coastal Zone Management Commission Meeting, noting they are finalizing their work on the Local Waterfront Revitalization Plan. Councilwoman Katz attended the Library Board Meeting noting the renovation is moving along well and access to the library services is available in the Village Center located in the rear library. She attended the Association of Town's Conference this week, adding it is always gratifying when you hear other municipal issues to know how well the Town is run. Councilwoman Katz gave a special shout-out to Mr. Liberti, the Mamaroneck High School teacher who took his AP classes to New Hampshire for the Presidential Primary.

Councilwoman Elkind Eney attended the Village of Mamaroneck and the Village of Larchmont Chamber of Commerce Meetings. Mamaroneck is gearing up for next seasons events and in the Larchmont they have created sub committees to work on various things such as special events and securing new businesses. Councilwoman Elkind Eney attended the Summit Meeting at which they discussed after school programs and the need for such programs among working parents. Councilwoman Elkind Eney attended the Westchester Municipal Officials' Association Dinner in Mt. Pleasant, noting that Richard Brodsky was the speaker. Councilwoman Elkind Eney attended the Association of Town's as well, noting how enjoyable and informative it is to attend the Association of Towns Conference. Last evening, she attended the Recreation Commission Meeting, noting they reviewed revenue for the Hommocks Ice Rink. She remarked that the rink revenue is affected by the weather--it was down the weekend of the big snowstorm.

**ADJOURNMENT**

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the meeting was unanimously adjourned at 9:10 PM

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Submitted by  
Christina Battalia, Town Clerk