

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON MAY 4, 2016, BEGINNING AT 5:00PM IN CONFERENCE ROOM A AND CONTINUING AT 8:00 PM IN THE COURT ROOM 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  
Connie Green O'Donnell, Assistant Town Administrator  
William Maker, Jr., Town Attorney

CALL TO ORDER - WORK SESSION

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

Supervisor Seligson introduced Alexis Espada, one of the two Mamaroneck High School Seniors' interning for the Spring Senior Internship Program.

Update – Town Computer Systems

Mr. Altieri explained that had it not been Ms. Cimino's anniversary, she would have been present to discuss this in person. Having said that, Mr. Altieri gave a comprehensive update on the occurrences last week with the servers and the difficulties users had in accessing data and software. This was a very difficult situation that took many man hours and outside consultants to resolve. The Town computer are now up and running again.

Update – Sewer System Evaluation Study

The Town Board Reviewed Mr. Altieri's memo dated April 27, 2016, explaining the consortium of communities issuing a joint request for proposals for firms to conduct the sewer System Evaluation Study. The Board was reminded that this is just for an evaluation study, and does not include any repair work. The Town Board also reviewed the bids received, the lowest received from GHD Engineering for \$3,144.414.00. Because the financing of this project is through the issuance of bonds, and the Town Sewer District is a Special Improvement District, a public hearing needs to be held. Mr. Altieri stated that the four municipalities met with the County today to discuss the County taking over the sewer system infrastructure. Mr. Altieri reported that the County may consider doing a study to analyze that with financial assistance from municipalities.

TAKEN OUT OF ORDER

Private Roads

Residents of the Bonnie Briar Association, we present. The residents were, Louis Fienberg, 31 Bonnie Briar Lane, Mark Schumer, 3 Highland Road and Carol Lewis, 32 Bonnie Briar Lane. Mr. Altieri's memo reads "Recently the Town Supervisor and I met with representatives of the Bonnie Briar Association with regards to the condition of the roads in their section of the Town. Specifically the roads include: Rebeau Drive, Stafford Road, Bonnie Briar Lane, Highland Road and Roxborough Road. The Association requested the meeting to ask for some form of relief on the issue of permanent road repairs. Supervisor Seligson stated

that the issue of the Town taking over these roads has been discuss, but has not moved forward because these roads do not meet specifications for Town Roads. The Town would require that the roads be brought up to Town standard, and residents have not wanted that. The Town Board discussed the liability for the Town in maintaining private roads. The Board discussed various options stating that the next step would be to determine the cost estimate for paving. The Board felt having the cost analysis would be beneficial for further discussion. Supervisor Seligson asked if the residents in attendance had any comments. Mr. Schumer asked that a permanent resolution is be agreed upon and codified. Ms. Lewis made a case for the Town to share the cost of paving, stating that the sanitation trucks are the worst offenders on tearing up the roads. The residents also suggested that maybe the Town pave, but less frequently than other Town roads, for instance every 25 years instead of every ten years.

#### ADDED ITEM

##### Waverly Avenue Bridge

Mr. Altieri explained that he was contacted by Village of Mamaroneck Administrator, Rich Slingerland to consider a request to the Army Corp. of Engineers that they remove the Waverly Avenue Bridge from their proposed project. The Town officially maintains this bridge, and removing it from the project cost would help the Village of Mamaroneck with the grant process. It was suggested by Mr. Maker that the Town Board phrase the letter with something to the effect of the Town understands that any capital improvements to the bridge belongs to the Town.

##### Update – 2016 Goals and Projects

The Town Board reviewed the Status of 2016 Goals/Priorities in a memo dated April 27, 2016. Specifically, the priority of certain projects were discussed as not a priority.

The Town Board revisited the priorities.

#### ADDED ITEM

The Town Clerk informed the Town Board that with respect to Peddler's License, there is a waiver of the fee if an applicant can demonstrate that they have paid for and received a Peddler's License from the County of Westchester. The Town Board asked Mr. Maker to draft a resolution to that effect.

##### Update – Town Center Parking Lot/Site Project

No particular questions, the Town Board moved to the next item.

##### Residential Site Plan Law

Supervisor Seligson began the discussion asking the Town Board whether if this legislation does not address all the concerns raised, would they like to work on amending the Floor Area Ratio Law (FAR). The Town Board would like to discuss the FAR Law. Mr. Maker noted that there is an intern this spring who could do some preliminary work on the FAR law.

##### Catch Basin Long Island Sound Markings

The Board viewed the free catch basins decals provided by Save the Sound, to mark the catch basins. The Town Board does not wish to use catch basin markings with the logo of an entity suing the Town.

LMC-TV Space

No discussion

The Supervisor Seligson asked for a closed door session to receive advice of Counsel.

**CALL TO ORDER - REGULAR MEETING**

The Regular Meeting of the Town Board was called to order by Supervisor Seligson at 8:15 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.

**SUPERVISOR'S SUMMARY REPORT**

*The Town had several community events in the past two weeks. The first was an Arbor Day planting by second grade girl scouts. They met last Friday with Town Conservation Coordinator Elizabeth Paul in the Hommocks Conservation Area to plant tree seedlings. On Saturday morning April 30 we had the semiannual cleanup in honor of Earth Day. Over thirty people helped clean the Leatherstocking Trails starting at Winged Foot Drive. Ernie Odierna and I joined several Town residents, Iona's Pi Kappa Phi fraternity had a great showing with 10 young men, the French American School had several families participate, Walgreens sported a team of four and provided water bottles and granola bars to sustain us, and we had Girl Scouts from Chatsworth Avenue School. Thank you to Sustainability Coordinator Sue Odierna for organizing the event, Liz Paul for coordinating and supervising and Frank Giordano from the Sanitation Commission for following up on our efforts.*

*The Icebreaker Hockey Tournament took place this past weekend. Jaine Elkind Eney will report more specifically on that. Thank you to Dan Demasi for organizing and running the event. Connie Green O'Donnell, deputy town administrator, and I had a special opportunity to present students of the MHS Special Ed transition program with Town certificates of completion for their participation in a mock interview program. Connie spent hours interviewing students who had prepared in class by creating resumes and practicing interview skills. The students had a real-life learning experience and were thrilled to receive certificates. Thank you to Connie for being so generous with her time.*

*We have two MHS senior class interns working in our office for the end of year intern program. We look forward to working with them. We're progressing with the revision of the website. The Town Board has reviewed an initial template and is in the process of submitting recommendations. The new website should be live in early July.*

**CITIZEN'S COMMENTS**

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

**PUBLIC HEARING (S) – "Restricted and Metered Parking on Baldwin Avenue" Law**

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

**NOTICE OF PUBLIC HEARING**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on April 20, 2016 a Public hearing will be held on Wednesday, May 4, 2016 at 8:00 PM or as soon thereafter as is

possible at the Town Center, 740 W. Boston Post Road, Mamaroneck, New York to consider "Restricted and Metered Parking on Baldwin Avenue" Law.

Section 1 – Purpose.

Baldwin Avenue presents a unique situation. It is within walking distance of the Larchmont Metro-North train station, making it attractive to drivers who periodically travel by rail to New York City. Baldwin Avenue also is walking distance to Memorial Park and the recreational facilities run by the Town in that park. This law aims to strike a balance among the needs of the Baldwin Avenue residents, occasional train travelers and users of Memorial Park by creating a mixture of two hour time parking spaces and longer term metered parking spaces on Baldwin Avenue. The goal is to accommodate persons who require short term parking when they engage in recreational activities, like tennis, at Memorial Park, and longer term parking for persons who wish to travel to New York City to shop, visit museums or keep appointments with physicians, etc.

The full text of this Amendment is stated below and can also be examined and copies obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, and in June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY.

PLEASE TAKE FURTHER NOTICE that at the Public hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments at or prior thereto.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF MAMARONECK

CHRISTINA BATTALIA

TOWN CLERK

Published: April 28, 2016

On motion of Councilman Odierna, seconded by Councilwoman Katz, the Public Hearing was unanimously opened.

Supervisor Seligson asked Councilwoman Katz to explain the purpose of the legislation, of which she did.

Supervisor Seligson asked if anyone wished to comment on the proposed Local Law.

Laura Fusco addressed the Board. Ms. Fusco has no driveway and asked for more consideration in the law for residents of Baldwin. Ms. Fusco also asked that Saturday be removed from the restrictions.

Marie Schiraldi-Cattau, 20 Baldwin Avenue, stated that she believes it's a mistake to think that the parking is crowded.

Ms. Schiraldi-Cattau feels meters make the area too urban, she also feels that constantly having to cross Myrtle Blvd is dangerous. Additionally, she asks that the Town Board consider the residents when deciding on any legislation.

John Canton, 20 Baldwin, favors a seasonal option in the legislation. Mr. Canton is concerned since there is no enforcement now, that some discretion will be used should this pass.

Councilwoman Katz stated that the Board will review with the Recreation Department their actual concerns with respect to parking issues, and will let the Recreation Department know the residents' concerns that parking is not that bad and this legislation is not needed.

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

**BOARD OF FIRE COMMISSIONERS**

The Meeting was called to order by Commissioner Seligson, and then on motion of Commissioner Elkind Eney, seconded by Commissioner Murphy, 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 Department Business**

Commissioner Elkind Eney read the Fire Report for the Month of April as submitted by Chief Goldberg as follows:

April 2016

<b>ALARM TYPE</b>	<b>NUMBER</b>
Generals	24
Minors	19
Stills	1
Out of Town (Mutual Aid)	2
EMS	38
Drills	6
<b>TOTAL</b>	<b>90</b>

Total number of personnel responding: 680  
 Total time working: 35 hours and 45 minutes

**2. Service Awards Report 1<sup>st</sup> Quarter 2016**

On motion of Commissioner Elkind Eney, seconded by Commissioner Katz, the Fire Commission accepted the Service Awards for the First Quarter of 2016 as submitted by Noah Goldberg.

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

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

**AFFAIRS OF THE TOWN**

**1. Set Public Hearing – Residential Site Plan Law**

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

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on the “Site Plan Approval of Residential Development” Law, for May 18, 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.

**2. Set Public Hearing – Accessible Parking Spaces - Washington Square**

On motion of Councilwoman Katz, seconded by Councilman Murphy, it was

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on the "Adding Two Accessible Parking Spaces on Washington Square" Law, for May 18, 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.

3. Authorization – 2016 Building Department/Land Use Fee Schedule

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the Schedule of Fees - Building Department 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

4. Authorization – Engineering Services- Town Center Parking Lot Projects

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

RESOLVED, that the Mamaroneck Town Board does hereby accept the proposal of Barton and Loguidice of Albany, NY for the engineering and design services for the Town Center Parking Lot and Site Improvements at a cost of \$47,750.00, and

BE IT, FURTHER

RESOLVED, that the Town Administrator is hereby authorized to execute said agreement 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

5. Consideration of Certiorari

On motion of Councilwoman Elkind Eney, seconded by Councilman Odierna, it was

RESOLVED, that the Town Board hereby authorizes the settlement of the following tax certiorari on the following terms:

RDS Realty, Inc.

656 Van Ranst Place  
Section/Block/Lot: 8-22-362  
Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2013	\$650,000	\$300,000	\$350,000
2014	\$650,000	\$300,000	\$350,000
2015	\$650,000	\$300,000	\$350,000

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 Councilman Odierna, it was

RESOLVED, that the Town Board hereby authorizes the settlement of the following tax certiorari on the following terms:

660 Mamaroneck Avenue Corp.

660 Mamaroneck Avenue  
Section/Block/Lot: 8-19-23  
Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2010	\$20,000	\$5,225	\$14,775
2011	\$20,000	\$4,800	\$15,200
2012	\$20,000	\$5,650	\$14,350

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

APPROVAL OF MINUTES – April 6, 2016

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meeting of April 6, 2016.

WRITTEN COMMUNICATIONS

None

REPORT OF COUNCIL

Councilwoman Elkind Eney noted she attended on multiple occasions the terrific Ice Breaker Tournament. Many wonderful establishments donated food to this fund raising event. Councilwoman Elkind Eney also attended the Fire Council Meeting.

Councilwoman Katz attended the Coastal Zone Management Commission Meeting, of interest was the discussion of the East Brookside home that is going to be razed. The presentation by the Architect was very good presenting three examples of other homes that had been razed, adding that she applauds the resident, as the plans look great. Councilwoman Katz reminded residents to vote in the School Budget Elections on Tuesday, May 17<sup>th</sup>.

Councilman Odierna noted the Town's Clean Up the Sheldrake as part of the National Cleanup Up Day. Councilman Odierna reminded residents of this wonderful area of the Town, and noting the work the Town's Environmental Planner and her crew does each year to keep everything looking so amazing. Councilman Odierna attended the Healthy Mamaroneck Meeting, adding that they are beginning to plan for their Fall Fair. Councilman Odierna also attended the Fire Council Meeting with Councilwoman Elkind Eney. Councilman Odierna attended the Community film showing of, *I Am Not a Racist, Am I?* This was a very educational film.

Councilman Murphy had nothing new to report, He is very glad that spring is here!

#### ADJOURNMENT

Supervisor Seligson closed the Meeting in memory of Charlotte King. Mrs. King was the wife of Marty King, a former Town Justice. Our condolences goes out to the King family.

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, the meeting was unanimously adjourned at 9:30 PM

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Submitted by  
Christina Battalia, Town Clerk