

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON JUNE 15, 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 Councilwoman Elkind Eney, the Work Session was unanimously opened at 5:00PM.

Update – Westchester County Contracts – Nutrition & Transportation

Additionally Present: Anna Danoy, Director of Community Services and Housing

Ms. Danoy explained that the Town needs comply with about 100 new requirements with respect to the services and programs we provide through Contracts with Westchester County. Anna stated that effectively Ms. Danoy believes the Town is running very good programs and is compliant, but wants the Town Board to be aware of these specific requirements and penalties. This item was added to Affairs of the Town as # 10.

Discussion – Technology Repairs/Updates

Additionally Present: Roz Cimino, IT Director

Ms. Cimino presented to the Town Board a history of the Towns' Information Technology evolution, included a visual handout. Ms. Cimino explained where the Town was before she began with the Town and where the Town is to date.

Discussion – Rock Removal Law

The Town Board reviewed a draft legislation prepared by Mr. Maker. Mr. Maker stated that he met with the Building Inspector, received his feedback, and included his comments as part of this draft. The Board noted that a 5 day additional day clause should be added, should some extraneous circumstances occur, versus and automatic 30 day extension if requested. Mr. Maker will have a new draft prepared for the next meeting.

Update – Private Roads

Mr. Altieri noted that the Bonnie Briar Homeowners Association is concerned that it should outlay the funds to pave the roads, that the Association will not get reimbursement from the various homeowners. Because of their concern, the Association is considering the alternative of just doing large patches. The Association also asked the Town to consider a 10 year installment plan. The Town Board will receive updates at the next worksession.

NEW BUSINESS

PACE University Land Use Training Program (LULA)

Supervisor Seligson asked the Town Board whether it would like to participate in this program discussed and presented to the Board at the last worksession. The Town Board agreed that this free program was very worthwhile.

Establish Parking Fees for Baldwin Avenue

The Town Board reviewed the prepared resolution for this evening. The Board would like to add a 6 hour maximum to the resolution.

Update – Westchester Joint Water Works (WJWW) Project – Macy Road Water Main

The Town Board reviewed a memo from Mr. Altieri dated June 10, 2016, detailing the project and the need for the additional funds. Supervisor Seligson further explained why the increase in funds was needed. Supervisor Seligson noted that the WJWW Municipalities think Water Works should resubmit their grant application reflecting these new costs, adding that the municipalities have addressed this with Assemblyman Steve Otis about their recommendation for resubmitting. Supervisor Seligson stated that this project is required by the EPA with respect to UV treated water.

ADDITIONAL NEW BUSINESS

Cambium

It was reported that the Housing Monitor will not include the Cambium in the housing unit settlement. Although everyone was advocating for it, the Monitor said no since the units were already required by the Town prior to the Settlement date. The units will now be rental units with an 805 median income level. The Town Community Services Department will now have to do the vetting of the occupants to meet the requirements of eligibility for the units. Mr. Altieri stated that there is continued discussion and feasibility work on a possible alternative of a traffic circle versus a traffic light at Madison and New Jefferson.

Floor Area Ratio Review

Due to the time needed for this discussion, Supervisor Seligson suggested it be moved to the next worksession.

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Board unanimously agreed to enter into an Executive Session to discuss employment history of a particular person.

EXECUTIVE SESSION

Employment History of a Particular Person.

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

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 – Hope and Courage Crawford

Supervisor Seligson presented the Proclamation as follows:

PROCLAMATION
Hope and Courage Crawford

WHEREAS: Mamaroneck High School's Varsity Tennis team had a 13-1 record this season, due in large part to the leadership and skills displayed by Hope and Courage Crawford; and

WHEREAS: For the second year in a row, they won The New York State Boys Doubles Tennis Championship at the US Tennis Center in Queens; and

WHEREAS: Hope and Courage won the Conference and Sectional Championships last season, the Conference Championship this season and came in second place in the Sectional Championship this season; and

WHEREAS: The Brothers Crawford -- aptly named Hope and Courage -- showed incredible talent, a strong work ethic and great sportsmanship; and

NOW, THEREFORE, BE IT RESOLVED, that I, Nancy Seligson, Supervisor of the Town of Mamaroneck, and the Town Board members hereby applaud Hope and Courage Crawford for their outstanding achievements and congratulate them on becoming the New York State Doubles Champs for 2015-2016.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Mamaroneck to be affixed this 15th day of June 2016.

Courage and Hope each thanked the Town Board for this recognition. They thanked their coaches, parents and teammates.

SUPERVISOR'S SUMMARY REPORT

The Westchester Joint Water Works (WJWW) is replacing water meters to be able to remotely collect flow data. With the remote meter reads they will be able to obtain water meter data by driving by a residence and will not have to go onto private property. There are only 400 additional homes that need the new meters. Please respond to WJWW's request to set up an appointment to change your meter. The replacement should only take about 30 minutes. WJWW also asks to make sure you have a back flow preventer device on your irrigation system. This is required by law and protects our drinking water system from contamination from in-ground sprinkler systems. The Town will be sending a new mailed newsletter twice a year in the spring and fall. The newsletter should go out in the next two weeks. The Town is launching a new website in late June that will be more interactive and attractive. Residents will be able to pay for parking tickets and recreation programs online. The Village of Mamaroneck Historical Society held a bicentennial celebration for the Old Schoolhouse that was a wonderful event celebrating the long and rich history of the community.

The Larchmont Mamaroneck Local Summit held a breakfast meeting focused on recreational activities in the area and our own Superintendent of Recreation, Jill Fisher, presented. She did an excellent job. The Town is selling recycling bins and rain barrels at the Town Yard on Maxwell Ave. on Saturday mornings. Please remember that leaf blowers are banned from June 1 to September 30 so please inform your landscapers to refrain from using them. Finally, the Town had a staff BBQ at the TMTD that was well attended and enjoyed by all. Thank you to the TMTD and especially Chief Joe Russo for his cooking.

CITIZEN'S COMMENTS

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

PUBLIC HEARING (S) – Correction of an Omission to the Residential Site Plan 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 June 1, 2016 a Public Hearing will be held on Wednesday, June 15, 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: "Correction of an Omission to the Residential Site Plan Law" Law

Section 1 – Purpose.

On May 18, 2016, the Town Board passed Local Law No. 6 of 2016 creating a site plan review procedure for the construction of single family homes in certain defined situations. The R-15 zoning district was omitted inadvertently from the list of zoning districts to which this law is to apply. This amendment corrects that error.

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, 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: June 6, 2016

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

Supervisor Seligson explained the amendment, then asked if anyone wished to comment on the proposed Local Law.

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

On motion of Councilman Murphy, seconded by Councilman Odierna, the following Local law was approved:

Local Law No. 9 - 2016

This local law shall be known as the "Correction of an Omission to the Residential Site Plan Law" Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

On May 18, 2016, the Town Board passed Local Law No. 6 of 2016 creating a site plan review procedure for the construction of single family homes in certain defined situations. The R-15 zoning district was omitted

inadvertently from the list of zoning districts to which this law is to apply. This amendment corrects that error.

Section 2 – Amendment of a current section of the Mamaroneck Code:

Section 178-4 A. (3) of the Code of the Town of Mamaroneck hereby is repealed and the following substituted in its place:

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

R-6 zoning district	45%
R-7.5, R-10 and R-15 zoning districts	40%
R-20, R-30 and R-50 zoning districts	35%.

Section 3 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 4 – Effective Date:

This Local Law shall become effective upon the later of the filing with the Secretary of State or July 1, 2016.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

CONTINUED PUBLIC DISCUSSION – Purchase of Veterans of Foreign War Building

Mr. Altieri gave a PowerPoint Presentation outlining the background, the current uses of the building, the Senior Program development, additional programs and other uses, and the purchase plan.

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 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	Road Flares, Hydrotest, Recharge, O-Ring Overhaul	352.00
AAA Emergency Supply Co	Hydrotest, Recharge, O-Ring Overhaul	135.00
Amazon.com	Dry Erase Markers & Board, Indoor base radio antenna	185.62
ASAP	Shipping charges for pagers	41.16
AT&T Mobility	Wireless Service for 4/12 - 5/11/16	360.87
Cablevision	Cable services for 5/23 - 6/22/16	198.04
CIT Finance, LLC	Xerox Copier Contract - May 2016	247.35
Con Edison	Fire HQ gas svc 04/29/16 - 05/31/16	193.42
Minerva Cleaners	Advanced inspection of pants, repair pockets	42.00
Nestle Waters North America	Rental of water coolers - May 2016	114.96
New England Uniform	Class A dress blouse w/pants, hat, 2 long sleeve shirts	437.00
R.G. Brewer	50z mag/ALU polish, 120z CLR metal cleaner, braided wire, zinc plated hanger	24.69
Sound Shore Pest Control	Exterminating services on 5/24/16	65.00
Town of Mamaroneck Fire Dept.	Shipping charges for equipment repair on 5/19/16	12.29
Uni First Corp.	Rug cleaning, replacement wipes, mop, clean towels 5/20 & 5/27/16	135.76
United Communications Corp.	4 new pagers	1557.98
Villa Maria Pizza	FAST drill meal - 5/25/16	88.88
		0.00
		0.00
		0.00
		0.00
	Total:	4192.02

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 read the Fire Report for the Month of May as submitted by Chief Goldberg as follows:

May 2016

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	32
Minors	28
Stills	2
Out of Town (Mutual Aid)	5
EMS	34
Drills	3
TOTAL	104

Total number of personnel responding: 1038
 Total time working: 41 hours and 53 minutes

Commissioner Elkind Eney acknowledged the superior work of Chief Noah Goldberg in rescuing passengers from a sinking boat off of Playland. Our condolences go out to Paul Tortorella and his family on the passing of Paul's grandfather yesterday.

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

AFFAIRS OF THE TOWN

1. Authorization – Bonding Resolution – Purchase of VFW Building

BOND RESOLUTION DATED JUNE 15, 2016.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$2,230,000 BONDS OF THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF A PARCEL OF LAND AND THE BUILDING THEREON, 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 any significant adverse effect on the environment; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof, 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 acquisition of a parcel of land and the building thereon, located at 1288 Boston Post Road, in the Town of Mamaroneck, Westchester County, New York, for continued senior program and other Town uses, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$2,230,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,230,000 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 94, based on subdivisions 11(b) and 21(a) 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. 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

2. Authorization – Contract of Purchase VFW Building

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Contract of Sale between David Potts Jr., Post No. 1156, Veterans’ of Foreign Wars of the United States, Inc., (Seller) and the Town of Mamaroneck (Purchaser), for the purchase price of \$2,150,00.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

3. Authorization – Transfer of Funds – Technology Repairs/Updates

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Budget Amendment and Transfer of Funds for Technology Repairs and Updates as outlined by the Town Comptroller in the following schedule:

AMEND 2016 CAPITAL PROJECT & BUDGET - COMPUTER HARDWARE & SOFTWARE			6/15/2016	TOWN BOARD MEETING
CAPITAL PROJECTS FUND (FUND H):				
AMEND BUDGET:				
EXP	H.1680.0400.2016.19	COMPUTER SOFTWARE	\$ 138,723.00	
	H.1680.0400.2016.20	COMPUTER HARDWARE & EQUIPMENT	\$ 4,390.00	
REV	H.0000.5031.2016.19	TRANSFERS FROM GENERAL TOWN FUND	\$ 104,043.00	A
	H.0000.5032.2016.19	TRANSFERS FROM PART TOWN FUND	\$ 34,680.00	B
	H.0000.5031.2016.20	TRANSFERS FROM PART TOWN FUND	\$ 4,390.00	B
(CAPITAL PROJECT #2016-19)				
<i>(Increase project budget with \$104,043 additional funding to be transferred from General unrestricted fund balance & \$34,680 additional funding to be transferred from Part Town unrestricted fund balance.</i>				
* Original Capital Project Budget:			\$ 43,800.00	
* Funding source:				
* INTERFUND TRANSFERS PREVIOUSLY APPROVED			\$ 46,005.00	
* TRANSFER FR GEN TOWN FD - R.O.B. 6/15/16			\$ 104,043.00	A
* TRANSFER FR PART TOWN FD - R.O.B. 6/15/16			\$ 34,680.00	B
* Revised Capital Project Budget as amended on 6/15/16:			\$ 184,728.00	
(CAPITAL PROJECT #2016-20)				
<i>(Increase project budget - \$4,390 additional funding to be transferred fr Part Town unrestricted fund balance.</i>				
* Original Capital Project Budget:			\$ 87,050.00	
* Funding source:				
* INTERFUND TRANSFERS PREVIOUSLY APPROVED			\$ 92,110.00	
* TRANSFER FR PART TOWN FD - R.O.B. 6/15/16			\$ 4,390.00	B
* Revised Capital Project Budget as amended on 6/15/16:			\$ 96,500.00	
GENERAL & PART TOWN FUNDS (FUND A & B):				
AMEND BUDGET:				
EXP	A.9900.9950	TRANSFER TO CAPITAL PROJECT	\$ 104,043.00	A
REV	A.0000.5995	APPROPRIATED FUND BALANCE	\$ 104,043.00	A
EXP	B.9900.9950	TRANSFER TO CAPITAL PROJECT	\$ 39,070.00	B
REV	B.0000.5995	APPROPRIATED FUND BALANCE	\$ 39,070.00	B
* Increase (A&B) budgets with \$143,113 of appropri.fund balance to be transferred to Capital Proj. #2016-19 & 2016-20				

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 – Water District Project – Macy Road Water Main

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the following Order for Public Hearing was approved:

In the Matter
of
The Increase and Improvement of Facilities of
the Town of Mamaroneck Water District No. 1
in the Town of Mamaroneck, Westchester
County, New York (Additional Costs)

**ORDER
CALLING
PUBLIC
HEARING**

WHEREAS, pursuant to proceedings heretofore had and taken by the Town Board of the Town of Mamaroneck, Westchester County, New York, pursuant to the provisions of Section 202-b of the Town Law, it has been determined to be in the public interest to provide for a certain increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1 (the "Water District") in the Town of Mamaroneck, Westchester County, New York, at a maximum estimated cost of \$478,700, consisting of the Town's 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, "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; and

WHEREAS, a map, plan and report including an estimate of cost has heretofore been prepared in connection therewith and is on file in the office of the Town Clerk of such Town; and

WHEREAS, in order to undertake the improvements to the aforesaid facilities as described therein, it will be necessary to expend the sum of \$958,700, an increase of \$480,000 over that previously authorized; 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 ("SEQRA"), the implementation of which as proposed will not result in any significant adverse environmental impact and the documentation related to SEQRA is available in the office of the WJWW for inspection during normal office hours; and

WHEREAS, it is now desired to call a public hearing on the question of authorizing such increase and improvement of facilities of said Town of Mamaroneck Water District No. 1 at the revised maximum estimated cost; 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, 740 West Boston Post Road, in Mamaroneck, New York, in said Town, on the 18th day of July, 2016, at 8:00 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Town of Mamaroneck Water District No. 1 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 designated for this purpose, 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

5. Authorization – Transfer of Funds – Spring Tree Planting Program

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the transfer of funds for the Spring Tree Planting and Mosquito Control as detailed by the Town Comptroller as follows:

BUDGET AMENDMENT - TRANSFER FROM TRUST FUND TO GENERAL FUND			
	6/15/2016	TOWN BOARD MEETING	
GENERAL TOWN WIDE FUND (FUND A):			
	INCREASE BUDGET:		
A.0000.5041	TRANSFERS FROM TRUST FUND		\$ 7,420.00
A.8510.4178	PLANTS / TREES/ MOSQUITO CONTROL		\$ 7,420.00
	* (REPRESENTS USE OF TREE PLANTING FUND DONATIONS FOR PURCHASE OF STREET TREES FOR ANNUAL SPRING PLANTING)		
	* TRUST A/C # T.0000.0097 (TREE PLANTING FUND)		\$ (7,420.00)

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

6. Authorization – Emergency Notification System Contract

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Contract with Swift Reach to provide ENS at an annual cost of \$3,725.00, and

BE IT, FURTHER

RESOLVED, that the Town Administrator is hereby authorized 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

7. Resolution – Establish Parking Fees – Baldwin Avenue

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

WHEREAS, the Town Board having enacted Local Law No. 8 -2016 whereunder it can establish, by resolution, the cost for parking, the time of day when payment for parking is required and the method by which parking is paid for the 8 parking spaces on the southerly side of Baldwin Avenue that are closest to Myrtle Boulevard.

NOW, THEREFORE, BE IT

RESOLVED, that the Town shall erect either on Baldwin Avenue or Myrtle boulevard (in the vicinity of Baldwin Avenue) a machine to receive parking fees, or a parking meter in front of

each parking space on the southerly side of Baldwin Avenue for which payment for parking is required, and be it further

RESOLVED, that payment for parking in such spaces shall be required between the hours of 8:00 AM and 4:00 PM (prevailing time) on those Mondays, Tuesdays, Wednesdays, Thursdays and Fridays that are not a public holiday (as defined in section 24 of the NY General Construction Law), and

BE IT, FURTHER

RESOLVED, that the cost for parking shall be at the rate of \$1.00 per hour, and

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 Katz, seconded by Councilwoman Elkind Eney, the following was approved,

WHEREAS, the Town Board passed Local Law No. 8-2016 establishing paid parking on a section of Baldwin Avenue and time restricted parking on the balance of Baldwin Avenue, and

WHEREAS, the local law may have a negative impact on those residents of Baldwin Avenue who own motor vehicles because either their properties do not have a driveway in which to park motor vehicles or they own more motor vehicles than can be parked in their driveways, and

WHEREAS, section 147-5 of the Code of the Town of Mamaroneck authorizes the Town Board to designate certain areas within Parking Lot No. 1 as special permit parking areas to accommodate the needs of the community.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board designates the entire Parking Lot No. 1 for special permit parking for residents of Baldwin Avenue, and

BE IT, FURTHER

RESOLVED, that the Town Clerk shall sell no more than 2 Special Parking Permits (“SPP”) to a resident of Baldwin Avenue, and

BE IT, FURTHER

- RESOLVED, that the Town Clerk shall not issue an SPP for a motor vehicle
- (i) unless the owner or lessee of that motor vehicle demonstrates to the satisfaction of the Town Clerk, acting reasonably, that such owner or lessee resides on Baldwin Avenue,
 - (ii) for which the Town Clerk has issued a parking permit that allows that vehicle to be parked in any of the Town’s parking lots or
 - (iii) that has or is required to have a commercial license plate,
 - (iv) which has three or more outstanding and unpaid parking violations against it for parking violations that occurred within the unincorporated area of the Town, and

BE IT, FURTHER

RESOLVED, that the Town Clerk shall maintain a record of the license plate number and the vehicle identification number of each motor vehicle for which an SPP is issued, and

BE IT, FURTHER

RESOLVED, that the Town Clerk shall collect the sum of twenty-five and no/ths (\$25.00) dollars for each SPP sold. Each SPP shall be valid until the last day of the first month of September that begins after such permit shall have been issued except for permits issued prior to September 30, 2016, which permits shall be valid until the last day of September 2017, and

BE IT, FURTHER

RESOLVED, that the fees collected from the sale of SPPs and replacement SPPs be credited to the General Fund-Part Town, and

BE IT, FURTHER

RESOLVED, that the Town Clerk shall revoke an SPP if the Town Clerk, acting reasonably, determines that such permit was issued based upon false information or was otherwise issued or used improperly or wrongfully, or if after such permit is issued, the number of outstanding and unpaid parking violations against a motor vehicle for which such permit had been issued for parking violations that occurred within the unincorporated area of the Town reaches three or more, or if the SPP is affixed to a motor vehicle other than the motor vehicle for which it was issued, and

BE IT, FURTHER

RESOLVED, that the Town Clerk shall mail written notice of the revocation to the person to whom such permit was issued at the address for such person that appears on the application for the SPP being revoked and that the revocation shall be effective on the third business day after the notice is mailed, and

BE IT, FURTHER

RESOLVED, that a revoked SPP may be reinstated by curing the underlying basis for the revocation and the payment of a fee that is triple the amount of the fee for an SPP, and be it further

RESOLVED, that the person to whom a revoked SPP has been issued shall remove it from the motor vehicle for which it was issued and destroy it. The failure to do so shall be a violation of this law, and

BE IT, FURTHER

RESOLVED, that an SPP shall be affixed at such location(s) on the motor vehicle as the Town Clerk may determine, and

BE IT, FURTHER

RESOLVED, that SPPs are not transferable and that if title to a motor vehicle for which an SPP has been issued is transferred or if such motor vehicle is returned to the company from which it was leased, the SPP no longer shall be valid and it shall be removed from the vehicle and destroyed, and

BE IT, FURTHER

RESOLVED, that if an applicant for an SPP replaces a motor vehicle for which an SPP had been issued with another motor vehicle that he/she owns or leases, then upon receipt of the sum of twenty-five and no/100ths (\$25.00) dollars, Town Clerk shall issue a replacement SPP; provided that on the date that the replacement SPP is issued, the motor vehicle is eligible for an SPP, and

BE IT, FURTHER

RESOLVED, that a replacement SPP shall expire on the same day as the day on which the SPP that it is replacing would have expired if that permit were not replaced, and

BE IT, FURTHER

RESOLVED, that an SPP issued for a motor vehicle owned or leased by a resident of Baldwin Avenue shall be removed from such vehicle immediately if that person ceases to be a resident of Baldwin Avenue.

The above resolution was put to a roll call vote with those members of the Town Board, in attendance voting as follows:

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Nay
Seligson	Aye

8. Resolution – Discontinuation of Hunting & Fishing Licenses

Deferred

9. Consideration of Certiorari

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

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

Chatsworth Auction Rooms & Furniture Studio
 151 East Prospect Avenue
 Section/Block/Lot: 9-12-71.2
 Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2009	\$ 14,100	\$ 5,700	\$ 8,400
2010	\$ 14,100	\$ 4,600	\$ 9,500
2011	\$ 14,100	\$ 4,350	\$ 9,750
2012	\$ 14,100	\$ 4,900	\$ 9,200
2013	\$ 850,000	\$ 275,000	\$ 575,000
2014	\$ 850,000	\$ 265,000	\$ 585,000
2015	\$ 850,000	\$ 250,000	\$ 600,000

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

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

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

Sebastian Contarino
 115 Halstead Avenue
 Section/Block/Lot: 9-1-100
 Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2010	\$ 22,000	\$ 5,890	\$ 16,110
2011	\$ 22,000	\$ 5,440	\$ 16,560

2012 \$ 22,000 \$ 6,340 \$ 15,660

10. 2016 Contracts from Westchester County Department of Senior Programs and Services (DSPA)

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the (7) Contracts for the Westchester County Department of Senior Programs and Services as follows:

Federal Funds:	III B Transportation	\$ 8,172
	III C-1 Nutrition	\$ 17,608
	Nutrition Services Incentive Program IIIC-1	\$ 7,446
	III C-2 Home Delivered Meals	\$ 42,032
	Nutrition Services Incentive Program IIIC-2	\$ 20,736
	Weelness & Nutrition	\$ 6,225
State Funds:	NYS AAA Transportation Program	\$ 1,725

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

APPROVAL OF MINUTES

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meetings of May 18, 2016 and June 1, 2016.

WRITTEN COMMUNICATIONS

None

REPORT OF COUNCIL

ADJOURNMENT

On motion of Councilwoman Katz, seconded by Councilman Murphy, the meeting was unanimously adjourned at 9:35 PM

Submitted by
Christina Battalia, Town Clerk