

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON SEPTEMBER 7, 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
Connie Green O'Donnell, Assistant Town Administrator
William Maker, Jr., Town Attorney

CALL TO ORDER - WORK SESSION

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

Discussion – Remediation of the Floor at the Firehouse

Additionally Present: Fire Chief, Noah Goldberg, Deputy Chief, Joe Russo, Building Inspector, John Landi, and Town Engineer, David Goessl

Mr. Altieri explained that there is current concern about the weight bearing support of the Fire House Center Floor. Most recently the outer bays were supported, but this current issue has to do with the inner bays. The meeting tonight will address an interim plan and a long term plan.

Chief Goldberg addressed the Board and explained that with the arrival of the new apparatus, the Department reviewed the condition of the entire floor. The engineering firm of Grigg & Davis was hired to do the analysis, and the subsequent report was not good. The findings are that the 1926 floor is not safe for the current apparatus.

David Goessl explained the proposal from Grigg & Davis to do a temporary support structure under the bays. This repair will put the lower level of the Fire house out of commission.

This repair will be temporary, with a complete repair to be done in the spring of 2017.

The discussion surrounded the unfortunate timing of this news, as well as the need for alternative solutions for housing the apparatus as well as accommodating Fire Department staff during potential emergencies, as well as the use of the Club Room.

The Board moved the approval of the Agreement for Structural Engineering Services for the Temporary Shoring of the Apparatus Bay Floor to the Regular Agenda for the Fire Commissioners.

Discussion – Unsafe - Building Proceeding – 40 Weaver Street

Additionally Present: John Landi, Building Inspector

The Town Board reviewed photos of the interior of the property, taken by Mr. Landi. The photos demonstrate the unsafe condition of the building. Mr. Landi explained that the Town has boarded up the building to keep vandals and trespassers from entering the building. Mr. Altieri explained that the Town

has tried to contact the owner, Virginia Curry, for years, but to no avail. Recently the owner was served with papers regarding the unsafe condition, as legislated in the Town Code under Chapter 161 Property Maintenance. Mr. Maker fully explained what is stated in the Town Code, Chapter 161. The mailing was not received by the owner, and the Town was informed, by what is believed to be the owner's husband, that in fact the owner had died. The Town will work with the Town Attorney on his recommendation that the Town hire an attorney in South Carolina. The recommendation is for a South Carolina Attorney to go to the Probate Court and see if probate papers have been filed for the estate of Ms. Curry. Mr. Landi added that there is an oil leak on the property, the DEC was notified, but they determined it is not bad enough to require their intervention. Mr. Maker added that in South Carolina, if a person dies without a will, the estate goes to the husband.

ADDED ITEM

Town Center Parking Lot Renovation

Additionally Present, Town Engineer, David Goessl

The Town Board reviewed the most current schematic drawings for the Town Center Parking Lot.

Review of Rock Removal Law

The Town Board reviewed the current draft legislation. It was noted that the jail time should be removed. For the record, it was noted that the Town received correspondence from a resident, Joe Lanni. The Town suggested some of the points brought up by Mr. Lanni be evaluated by an expert. The Board felt it was important to move forward with the current amendment while it continues to address the comments made by Mr. Lanni.

Review of Method of Sale – In Rem Properties

The Town Board reviewed the memo from Mr. Altieri, dated August 24, 2016. The memo outlined the plan for the sale of the In Rem properties approved by the Court, and included a full listing of the properties. Mr. Maker stated that this has been a 12-18 month process, finalized in the Courts official ruling that these properties be foreclosed. It is the recommendation that these properties not remain Town property, and that they should be sold. Specifically, the Town wants to be as transparent as possible, by notifying adjacent neighbors, publishing a formal notice in the newspaper, as well as listing the properties on the Town's web site. The Board would like Mr. Altieri to look into an on-line auction. This evening the Town will declare these properties surplus. This was added to this evening's agenda.

Review Feasibility Analysis – Roundabout – Madison Avenue & New Jefferson Street

The Town Board reviewed and discussed a draft feasibility study prepared by Barton and Loguidice, the consultants that are also preparing the design of the Town Center. The Town Board would like to proceed with a full evaluation and analysis of a roundabout. This analysis will help the Town determine whether to move forward or not. This was moved to the regular agenda for this evening.

Request for Historic Marker – Palmer Avenue & Weaver Street

A request was discussed from Carol Aiken to replace the historical marker at the corner of Weaver Street and Palmer Avenue. The marker denotes the original location of the first Sunday school. The Board did not object to a more prominent marker, but did not like what was proposed. The Board suggested using the marker that is already there, elevating it with a bigger stone, and moving it to a better location, would be better. Mr. Altieri will propose this to Ms. Aiken.

Update – Floor Area Ratio Law

No update.

New Business

It was brought to the Town Boards' attention, that a letter was received by John Landi and Bill Maker from Cuddy and Feder regarding the Redwood Nursery property. Mr. Maker has not seen the letter yet, so there was no discussion. This item will be added to the September 21st Meeting.

On motion of Councilwoman Katz, seconded by Councilman Murphy, the Board unanimously agreed to enter into an Executive Session to discuss the Purchase of Real Property, and labor negotiations with the Firefighters' Bargaining Unit.

EXECUTIVE SESSION

Purchase of Real Property
Labor Negotiations with the Firefighters' Bargaining Unit

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

ADDED ITEM

'Reports of Council' as recorded in the Minutes

The Town Clerk discussed with the Town Board the policy for recording of the 'Reports of Council' in the Minutes. It was agreed upon that the Town Board will submit written reports for the Town Clerk to insert into the Minutes.

CALL TO ORDER - REGULAR MEETING

The Regular Meeting of the Town Board was called to order by Supervisor Seligson at 8:20 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

I emailed the second Supervisor's Monthly Email Newsletter the last week of August. I plan to send a mailed hard copy newsletter twice a year – once in the spring and once in the fall. I will email a monthly newsletter as well. We ask that residents go to www.townofmamaroneckny.org, our website, to sign up for the monthly newsletters as well as other agendas, minutes, and notices from the Town. You can customize which information you want to receive. We ask everyone to sign up for the emergency notifications called Swift 911. The new website has new pay online features allowing residents to pay for recreation programs and everyone to pay violations including parking tickets online. You can now also pay your school taxes online all through the Town website. The Town will hold the annual September 11th Ceremony on Sunday September 11, 2016 at Girl Scout Rock in Memorial Park. Members of the Villages and Town emergency responder will participate as well as veterans, Girl Scouts, Boy Scouts and public officials. The whole community is invited. On Saturday September 17 we have the annual fall cleanup event at Hommocks Conservation Area as part of the International Coastal Cleanup program. Please meet us at 9:00 am at the

conservation area parking area on Hommocks Road to participate. It is a good idea to wear boots as it will not be low tide. We provide gloves, garbage bags and snacks. You can now recycle your clothes, pocketbooks, belts, and shoes at the Maxwell Avenue Town yard at the Larchmont Mamaroneck Joint Garbage Commission. There is a bin there that is available when the yard is open to residents. It is a great opportunity to remove these items from the waste stream to lower our garbage tipping costs. Finally, I would like residents to know that the Town's summer programs were great successes from camps to concerts and kayaking to combo fitness. Welcome to September and back to school time.

CITIZEN'S COMMENTS

Supervisor Seligson asked if anyone in the audience would like to address the Board, on a topic other than the Public Hearing, and there was not.

PUBLIC HEARING (S) – “Second Amendment to the Days and Hours when Removal of Rock by Mechanical Means is Permitted in Residence Districts and in the Recreation District of the Town of Mamaroneck” 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 August 8, 2016 a Public Hearing will be held on Wednesday, September 7, 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: “Amendment to the Rock Removal Law”.

Section 1 – Purpose.

The Town Board is considering amendments to the current Rock Removal Laws, with respect to materials removed, hours permitted, and duration.

The full text of this law can be viewed on the website or copies can be 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**

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

Mr. Maker explained the purpose of this amendment, as the elimination of the threshold for what was required to get a permit; the Town Board felt everyone removing rock should get a permit. But the Town Board felt that removal of manmade products should not require a permit. There was also the removal of the calendar year and replaced with a twelve month consecutive month rule.

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

Joseph Lanni, of 21 Valley Road, addressed the Board. Mr. Landi had previously sent correspondence to the Town Board regarding this legislation.

Mr. Lanni addressed the health and safety concerns with the widespread current practice of hydraulic breaker use for the removal of rock and silica based products. Mr. Lanni brought to the Town Boards attention the health and safety issues regarding air born micro crystal silica.

Mr. Lanni gave a lengthy and informative presentation, which lead to a productive discussion of additional modifications to the current law. The Town Board asked Mr. Lanni if he would consider helping the Town formulate additional changes to this legislation, of which Mr. Lanni was more than willing to do.

The Town Board stated that although they would like to work on additional amendments, this amendment will help address current residents' concerns with respect to limiting the length of time a resident can remove rock.

The Town Clerk's received, and hereby records for the Minutes, having received the written comments of Mr. Lanni for the Public Hearing.

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

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

Local Law No. 10 - 2016

This local law shall be known as the "Second Amendment to the Days and Hours when Removal of Rock by Mechanical Means is Permitted in Residence Districts and in the Recreation District of the Town of Mamaroneck" Law.

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

Section 1 – Purpose:

In 2004, the Town Board enacted Local Law No. 2-2004 to create rules for the days and hours when removal of rock by mechanical means would be permitted in Residence Districts and in the Recreation District of the Town. By Local Law No. 10-2007, the Town Board amended Local Law No. 2-2004 based upon the Town's experience with the original law. Nine years have passed since the 2007 amendment and over that time period, the Town Board has had the opportunity to observe the workings of this law, as amended, and has determined that further refinements should be made in order to balance the rights of persons to enjoy peace and tranquility in their neighborhoods with the rights of owners to develop or improve their homes and properties in ways permitted by the zoning ordinance.

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

Section 106-58.1 of the code of the Town of Mamaroneck hereby is repealed and the following substituted in its place:

§106-58.1 Duration and hours for mechanical rock removal

A. As used in this section, the following terms shall have the meanings indicated:

MECHANICAL MEANS

The use of any tools that are not operated solely by human muscular power. Explosives and the tools used in connection therewith shall not be considered mechanical means.

ORIGINAL CONSTRUCTION

Streets and curbs, and the lines, pipes, culverts and conduits used for transporting potable water, stormwater, sewage and utilities, such as gas, telephone, electricity, cable television and internet service, that are built on land subdivided after February 1, 2004, if the subdivision plat creating the lots in that subdivision also created one or more new private or public streets or created extensions to any existing private or public street.

ROCK

Natural stone and not impervious concretions created by humans such as macadam, concrete and bricks.

ROCK REMOVAL

The reduction in size of rocks by mechanical means and the removal of such rock from the subject property.

ROCK REMOVAL PERMIT

A permit issued for rock removal on a subject property.

SUBJECT PROPERTY

A lot for which a rock removal permit is required, or is land where original construction is to occur if such land lies outside a lot.

- B. A rock removal permit is required for the removal of rock of any quantity.
- C. Rock removal shall be allowed only on the 15 days (not including Saturdays, Sundays and public holidays listed in § 24 of the New York General Construction Law) immediately following the date of the rock removal permit. The rock removal permit shall contain the date after which rock removal no longer will be allowed to be done pursuant to that permit. Upon a showing of undue hardship, the Building Inspector or the Director of Building Code Enforcement and Land Use Administration may extend the last day on which rock may be removed pursuant to a rock removal permit by up to 5 days. If the number of additional days would include a day or days on which rock removal is prohibited by this section, the extension period will bypass such days and resume on the first day thereafter when rock removal is permitted by this section. This subsection shall not apply to original construction.
- D. For original construction, rock removal shall be allowed only for the 180 days (not including Saturdays, Sundays and public holidays listed in § 24 of the New York General Construction Law) immediately following the date of the rock removal permit. That permit shall contain the date after which rock removal no longer will be allowed to be done pursuant to that permit.
- E. Notice to neighbors; affidavit of mailing.
 - (1) No later than 10 days before rock removal for which a rock removal permit is required commences, the following notice shall be mailed to the owners of each lot that has a lot line lying within 150 feet of any lot line of the subject property:

"Dear Neighbor,

Rock removal from the property known as [INSERT THE STREET ADDRESS OR THE LOCATION OF THE SUBJECT PROPERTY IF IT HAS NO STREET ADDRESS] by mechanical means, such as drills, jackhammers and other types of gas, diesel or electric powered equipment is scheduled to begin on [INSERT EFFECTIVE DATE OF THE ROCK REMOVAL PERMIT].

The law does not permit rock removal by mechanical means to occur on Saturdays, Sundays or public holidays. It also prohibits such removal before 9:00 AM (prevailing time) and after 6:00 PM (prevailing time) on those days when rock removal by mechanical means is permitted.

The last day on which rock can be removed from this site by mechanical means is [INSERT THE LAST DATE ON WHICH ROCK REMOVAL BY MECHANICAL MEANS CAN OCCUR].

For further information, please contact [INSERT THE NAME OF THE OWNER OR THE PERSON IN CHARGE OF THE PROJECT] at the following telephone number: [INSERT CURRENT TELEPHONE NUMBER OF THE PERSON WHOSE NAME APPEARS ABOVE].

Very truly yours,

[SIGNATURE OF THE OWNER OF THE SUBJECT PROPERTY]

[PRINT OR TYPE THE NAME OF THE OWNER OF THE SUBJECT PROPERTY]"

- (2) An affidavit attesting to that mailing must be filed with the Building Department before a rock removal permit can be issued for the subject property. The owner of the subject property shall attest to that affidavit.
- F. Rock removal shall not be permitted in any residence district or in the Recreation District of the Town of Mamaroneck:
 - (1) On Saturdays;
 - (2) On Sundays;
 - (3) On public holidays listed in § 24 of the New York Construction Law; or
 - (4) Before 9:00 a.m. (prevailing time) or after 6:00 p.m. (prevailing time) on weekdays which are not public holidays listed in § 24 of the New York General Construction Law.

- G. No more than one rock removal permit shall be issued for a subject property within any twelve month period.
- H. Any person who violates this section shall be guilty of a violation which shall be punishable by a fine of not more than \$1,000, and also shall be liable for the civil penalty imposed by § 106-55C of the Code. Each use of mechanical means to remove rock on a day or at an hour when rock removal is prohibited by this section shall constitute a separate offense.
- I. If there is a violation of this section by someone other than the owner of the subject property, the owner of the subject property also shall be guilty of a violation which shall be punishable by a fine of not more than \$1,000, and also shall be liable for the civil penalty imposed by § 106-55C of the Code.
- J. This section shall not apply to the removal of rock which is excavated without first being reduced in size.
- K. This section shall not apply to public utility companies, the United States of America, the State of New York, the County of Westchester, the Town of Mamaroneck, the Mamaroneck Union Free School District, the Villages of Larchmont, Mamaroneck or Scarsdale or any independent contractors engaged by any of them.

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 filing with the Secretary of State.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

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 Odierna, 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.	Globe/Cairns NFPA RX Fire Coat & Harness Pants	2548
AAA Emergency Supply Co.	Fire Hooks - keyless garage tool & installed new Scott 4.5 air cylinder	204.75
Atlantic Westchester, Inc.	Hvac maintenance 7/30/16 & 8/2/16, filters for Hvac	1614.22
AT & T Mobility	Wireless Services for 7/12 - 8/11/16	360.77
ASAP	Shipping for New England uniforms	23.9
Brewers	3/4 BRZ SWIV Eye Snap 3 3/4" long	27.32
Cablevision	Cable services for 8/23 - 9/22/16	198.04
CIT Finance LLC	Xerox Copier contract for August 2016	261.56
Con Edison	Fire HQ service 6/29-7/29/19	133.78
Iron Compass Map Co.	On-Scene Explorer software subscription 9/2016 - 8/2017	1950
Ready Refresh	Rental of water coolers at FD HQ 7/19 - 8/18/16	114.96
Sound Shore Pest Control, Inc.	Exterminating services on 7/27/16	65
Town of Mam'k PFFA	Life Insurance for career staff for the month of July 2016 - 12 Firefighters	188.64
Town of Mam'k PFFA	Life Insurance for career staff for the month of Aug 2016 - 12 Firefighters	188.64
Town of Mamaroneck Fire Dept.	Water	178.11
Uni First Corp.	Cleaning supplies for building 8/5, 8/12 & 8/19/16	241.34
Verizon	Fire HQ service 7/10-8/9/16	234.38
Verizon	Fire HQ service 8/10-9/9/16	241.91
Villa Maria Pizza	Food for Fast Drill 8/25/16	73.02
Westch Elevator Services, Inc.	Maintenance for month of August 2016, and Anti-Wear elevator oil	340
Waterway	Fire Hose testing, Aerial test (ladder 19), Pump Test (Eng 51,37,36) Ground ladder test	5840.06
		0
	Total:	15028.4

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. Appointment Career Firefighter

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

RESOLVED, that the Mamaroneck Town Board does hereby appoint Sahnjai Karnsombot as a Firefighter at an annual salary of \$47,832.20, effective the first Monday after receiving approval from Westchester County Civil Service.

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

3. Remediation of the Floor at the Firehouse

Supervisor Seligson explained that during Worksession the Town Board met with the Fire Chiefs, the Building Inspector and the Town Engineer, to discuss what has come to their attention as to the safety and efficacy of the Fire House floor. Previously the Commission approved funds for reinforcement measures for the two outer bays. The Town subsequently began a review of the center bay area floor, and asked for a consulting engineer to do an initial analysis. It is the recommendation from this analysis that the center bay area floor, built in 1926, be immediately reinforced, and a more thorough analysis be done.

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

RESOLVED, that the Town of Mamaroneck Board of Fire Commissioners hereby authorizes the contract with Grigg & Davis in the amount of \$3,600.00, to prepare the design for the interim repair of the Fire House Floor.

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

4. Fire Report and Service Awards

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

August 2016

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	31
Minors	15
Stills	10
Out of Town (Mutual Aid)	1
EMS	39
Drills	4
TOTAL	100

Total number of personnel responding:	673
Total time working:	37 hours and 33 minutes

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

RESOLVED, that the Town of Mamaroneck Fire Commissioners does hereby accept the Service Awards Report for the Second Quarter of 2016 as follows:

ATTACHMENT A

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

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

AFFAIRS OF THE TOWN

1. Authorization – Transfer of Funds – Sewer Repairs – Colonial Avenue

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

RESOLVED, that the Mamaroneck Town Board does hereby authorize the transfer of funds in the amount of \$15,000 for the repair of the broken sewer main on Colonial Avenue, as detailed by the Town Comptroller in the following schedule:

BUDGET AMENDMENT - INCREASE 2016 SEWER DISTRICT BUDGET

9/7/2016 TOWN BOARD MEETING

SEWER DISTRICT (FUND SS):

INCREASE BUDGET:

SS.0000.5995	APPROPRIATED FUND BALANCE	\$ 15,000.00
SS.8120.4253	SEWER CONSTRUCTION	\$ 15,000.00

* REPRESENTS ANTICIPATED USAGE OF SEWER DISTRICT UNRESERVED FUND BALANCE TO FUND THE REPLACEMENT OF DAMAGED SANITARY SEWER PIPE ON COLONIAL AVENUE

(SEE MEMO FROM HIGHWAY SUPT.)

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

2. Authorization – Transfer of Funds – School Zone Traffic Signal

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 \$4,000, to the Part Town Traffic Control Budget, for the installation of a solar powered School Zone Flashing Light, to replace the signal that was destroyed in a storm, as detailed by the Town Comptroller in the following schedule:

BUDGET AMENDMENT - INCREASE 2016 GENEREAL PART TOWN FUND BUDGET

9/7/2016 TOWN BOARD MEETING

GENERAL PART TOWN (FUND B)

INCREASE BUDGET:

B.0000.5995	APPROPRIATED FUND BALANCE	\$ 4,000.00
B.3310.2129	TRAFFIC SIGNALS	\$ 4,000.00

* REPRESENTS ANTICIPATED USAGE OF PART TOWN UNRESERVED FUND BALANCE TO FUND THE REPLACEMENT OF THE TRAFFIC SIGNAL ON MURRAY AVE NEAR HOMER AVE

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

3. Authorization – Stop DWI Patrol Project Reimbursement Intermunicipal Agreement

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

WHEREAS, the Town of Mamaroneck has participated in the Stop DWI Patrol Project since 1986, and

WHEREASE, the current Intermunicipal Agreement covers the period from January 1, 2016 through December 31, 2020, at an annual reimbursement rate not to exceed \$8,400, for specific expenses the Town may incur in its efforts to enforce the New York State Vehicle and Traffic Laws that prohibit intoxicated and impaired driving in Westchester County.

NOW, THERFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby approve the Westchester County Stop DWI Patrol Project Reimbursement Intermunicipal Agreement, 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

4. Consideration of Certiorari

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

805 Boston Post Road, LLC

805 Boston Post Road, LLC
 Section/Block/Lot: 9-2-486
 Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2010	\$ 20,000	\$ 1,384	\$ 18,616
2011	\$ 20,000	\$ 864	\$ 19,136
2012	\$ 20,000	\$ 1,556	\$ 18,444
2013	\$ 2,410,000	\$ 1,250,000	\$ 1,160,000
2014	\$ 2,410,000	\$ 1,260,000	\$ 1,150,000
2015	\$ 2,410,000	\$ 1,260,000	\$ 1,150,000

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

5. Declaration as Surplus – In Rem Properties

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

WHEREAS, during the previous 18 months, the Town of Mamaroneck has been proceeding with the In Rem process for properties within the Town of Mamaroneck who have been in tax arrears, and

WHEREAS, the Court case has been finalized with 15 properties officially being foreclosed, and

WHEREAS, the Town has determined that these properties should not remain Town property.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby declare the following properties to be surplus, and authorizes their sale.

- Section 1 Block 104 Lot 300 - Park Hill Lane - Unincorporated Area
- Section 1 Block 104 Lot 505 – Park Hill Lane - Unincorporated Area
- Section 2 Block 205 Lot 70 – 59 Mohegan Road – Unincorporated Area
- Section 2 Block 206 Lot 129 – South Ridge Road - Unincorporated Area
- Section 3 Block 314 Lot 47 – Fenimore Road - Unincorporated Area
- Section 4 Block 403 Lot 98 – Palmer Avenue - Unincorporated Area
- Section 4 Block 412 Lot 1002 – Rock Ridge Road - Unincorporated Area
- Section 5 Block 501 Lot 299 – Harrison Drive - Unincorporated Area
- Section 5 Block 503 Lot 490 – 84 Iselin Terrace - Unincorporated Area
- Section 5 Block 506 Lot 6 – Pryer Manor Road - Unincorporated Area
- Section 6 Block 617 Lot 119 – Mayhew Avenue/Beverly Place - Village of Larchmont
- Section 7 Block 721 Lot 20 – Cedar Avenue - Village of Larchmont
- Section 7 Block 721 Lot 841 – Prospect Avenue - Village of Larchmont
- Section 9 Block 927 Lot 148 – Old Boston Post Road - Village of Mamaroneck
- Section 9 Block 942 Lot 710.2 – Cove Road North - Village of Mamaroneck

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

6. Authorization – Engineering Services – Roundabout Study Madison Avenue

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

RESOLVED, that the Mamaroneck Town Board does hereby authorize a feasibility study be prepared by Barton and Loguidice, for the amount of \$10,000, for the installation of a roundabout at Madison Avenue and New Jefferson Street.

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 Councilman Murphy, seconded by Councilwoman Elkind Eney, it was unanimously

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meetings of July 18, 2016 and August 8, 2016, and the Special Meeting of August 22, 2016.

WRITTEN COMMUNICATIONS

Received as part of the Public Hearing

REPORT OF COUNCIL

The Town Board Members reported on their various activities and meetings since the last Town Board Meeting.

ADJOURNMENT

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the meeting was unanimously adjourned at 9:45 PM

Submitted by
Christina Battalia, Town Clerk