

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON SEPTEMBER 21, 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

ABSENT: Councilman Thomas A. Murphy  
Christina Battalia, Town Clerk

ALSO PRESENT: Linda Silvestre, Deputy 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 - In REM Proceeding

Additionally Present: Mr. Adler, property owner of 325 Prospect Avenue, and his Attorney, Mary Beth Mullins.

Mr. Adler spoke with the Town Board regarding the in rem proceedings that were initiated on his property. He questions why he never received a statement or a bill for taxes in arrears. Mr. Adler was subsequently exonerated by the Court, but he feels the Town owes him recompense for his legal fees as well as owing him a written apology. The Town explained that there is no legal requirement to send out a tax bill or past due notice.

The Town Board also discussed the paperwork regarding the public auction, and made a few changes/corrections. The auction is scheduled to take place in the Town Center Courtroom on Thursday, October 20, 2016 at 11:00am.

Update – Capital Projects

Additionally Present: Tony Siligato, Town Comptroller

The Town Board reviewed the *Capital Projects Status Report*, dated September 17, 2016.

Discussion – Correspondence Redwood Nursery

The Town Board reviewed a letter from Cuddy & Feder, LLP, and Attorneys for the purchaser of Redwood Nursery, 144 Weaver Street. The Town Board believes the new owner should have a staff peer review, and this peer review will determine how best to move forward. There are also additional issues that need to be discussed with John Landi.

Update – Floor Area Ratio Law

The Town Board reviewed a proposal from BFJ Planning, the firm of Frank Fish, for consulting services with respect to a review of the Zoning Code. The Board would like to have a second proposal.

New Business

The Town Board discussed the Hommocks Park Apartments tenant placement with respect to a number of available apartments. The Board noted that there will be a party on November 5<sup>th</sup>, at 11:00 am, to celebrate the Housing Authority and its accomplishments.

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Town Board unanimously agreed to enter into a closed session to receive advice of Counsel.

ADVICE OF COUNSEL

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

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Board unanimously agreed to enter into an Executive Session to discuss appointments to the Planning Board and the Zoning Board of Appeals.

EXECUTIVE SESSION

Appointments to the Planning Board and the Zoning Board of Appeals.

On motion of Councilwoman Katz, seconded by Councilman Odierna, 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 8:25 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 staff continues to work on the 2017 budget. The calendar for budget meetings is posted on the Town website and all meetings are open to the public. We had a successful cleanup at the Hommocks Conservation Area as part of the International Coastal Cleanup program coordinated by Ocean Conservancy and the Littoral Society. We had 40 volunteers including members of Iona's Pi Kappa Phi fraternity, the French American School, MHS students, and local residents. We collected a substantial amount of garbage and recycling material. Thank you to everyone who participated. Thank you to everyone who participated in the Town's annual September 11<sup>th</sup> Ceremony including emergency responders from the Village of Mamaroneck, the Village of Larchmont and the Town. Several Town staff and Deputy Supervisor Ernie Odierna and I participated in the County's Emergency Tabletop Exercise. This is a program that brings together chief representatives from all County municipalities to work through and review responding to an emergency. This year the scripted emergency was an active shooter exercise that was awful to contemplate.*

*There are lots of exciting events coming up in the Village of Larchmont this weekend to celebrate the 125<sup>th</sup> Anniversary of the Village. One activity is Big Truck Day on Saturday where the Town will have three trucks on display for kids and families. The Larchmont Public Library is having a ribbon*

*cutting Saturday morning at 11:00 to celebrate the Library Transformation Project. The Town and Village of Larchmont share the library. The Transformation Project was paid for by a grant from NYS and private donations. The Sheldrake Environmental Center is holding their Annual Fall Festival Sunday October 16<sup>th</sup> at which the Town's Sustainability Collaborative will have a table to demonstrate leaf mulching and quieter leaf blowers.*

*Please note that September 30<sup>th</sup> is the last day to pay school taxes without incurring a late penalty. You can pay either the first installment or the entire bill.*

**CITIZEN'S COMMENTS**

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

**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

Absent was the following Member:

Commissioner:	Thomas A. Murphy
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**1. FIRE CLAIMS**

On motion of Commissioner Elkind Eney, seconded by Commissioner Odierna, 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:

The above resolution was put to a roll call vote:

Commissioner Murphy	ABSENT
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 Elkind Eney, seconded by Commissioner Katz, the Commission unanimously adjourned and the Town Board reconvened.

**AFFAIRS OF THE TOWN**

**1. Authorization – Renewal of License Agreement - Caretaker – 685 Weaver Street**

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

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Agreement between the Town of Mamaroneck (“Licensor”) and Michael and Karen Orchanian (“Licensees”) now residing at 684 Weaver Street, Larchmont, New York, to continue to inhabit the living quarters on the second floor of the building on the Premises in exchange for a monthly fee and for the provision of certain services by the Licensees with respect to the maintenance of the Premises, 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	ABSENT
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

2. Authorization – Renewal of Caretaker License Agreement - Veterans of Foreign War Building

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

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Agreement between the Town of Mamaroneck (“Licensor”) and Joseph and Pamela Cotroneo (“Licensees”) now residing at 116 Elliott Avenue, Mamaroneck, New York, to inhabit the living quarters of the premises known as 1228 Boston Post Road, Larchmont, New York, and also known as the Veterans of Foreign Wars Post 1156, on the second floor of the building on the Premises in exchange for a monthly fee and for the provision of certain services by the Licensees with respect to the maintenance of the Premises, 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	ABSENT
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

3. 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:

Chatsworth Gardens Condominium

14 North Chatsworth Avenue  
Section/Block/Lot: 1-27-150.1 through 150.75  
Town of Mamaroneck only

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2013	\$22,699,000	\$6,918,600	\$15,750,400
2014	\$22,699,000	\$6,818,910	\$15,850,090
2015	\$22,699,000	\$6,669,120	\$15,990,880

The above resolution was put to a roll call vote:

Murphy	ABSENT
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

4. Appointment – Planning Board and Zoning Board of Appeals

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

WHEREAS, with the resignation of Elizabeth Cooney as Alternate Member A of the Zoning Board of Appeals, a vacancy now exists.

NOW, THEREFORE, BE IT

RESOLVED, that Steve Marsh be appointed to the position of Alternate Member A of the Town of Mamaroneck Zoning Board of Appeals, and

BE IT FURTHER

RESOLVED, that the foregoing appointments shall be effective immediately upon the appointees taking and subscribing the oath mandated by section 25 of the New York Town Law and shall expire on December 31, 2020, and

WHEREAS, with the resignation of Steve Marsh as Member D of the Planning Board, a vacancy now exists.

NOW, THEREFORE, BE IT

RESOLVED, that Elizabeth Cooney be appointed to the position of Member D of the Town of Mamaroneck Planning Board, and

BE IT FURTHER

RESOLVED, that the foregoing appointments shall be effective immediately upon the appointees taking and subscribing the oath mandated by section 25 of the New York Town Law and shall expire on December 31, 2018.

The above resolution was put to a roll call vote:

Murphy	ABSENT
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

APPROVAL OF MINUTES

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

**RESOLVED**, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meeting of September 7, 2016, and the Special Meetings of July 7, 2016 and July 27, 2016.

**WRITTEN COMMUNICATIONS**

None

**REPORT OF COUNCIL**

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

**ADJOURNMENT**

On motion of Councilman Odierna, seconded by Councilwoman Elkind Eney, the meeting was unanimously adjourned at 9:00 PM

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Submitted by  
Christina Battalia, Town Clerk