

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON JANUARY 9, 2017, 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 Katz, seconded by Councilwoman Elkind Eney, the Work Session was unanimously opened at 5:00PM.

1. Update- 2017 Property Reassessment Project

Additionally Present: Pam Valenza, Town Assessor

Ms. Valenza distributed paperwork titled *Adopting Homestead Option vs. Not Adopting Homestead*. The paperwork from the Assessor addressed preliminary findings, tax liability scenarios for non-condominiums versus condominiums. The reason this is before the Board is that Homestead can only be adopted during a full reassessment. Therefore, at this time the Town Assessor would like the Board to decide its policy regarding the adoption of Homestead. The Board discussed the tax liability for the non-condominiums versus the condominiums, and after discussion with the Town Assessor, the Town Board reaffirmed the policy of not adopting the Homestead Option.

2. Review of 2017 Organizational Agenda

The Town Board reviewed the resolutions for this evening's Organizational Agenda, and reviewed the schedule of Town Board Meetings.

3. Review- Boards and Commissions

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Board unanimously agreed to enter into an Executive Session to discuss appointments to Boards and Commissions, and sale of land.

EXECUTIVE SESSION

Appointments to Boards and Commissions
Sale of Land

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

ADDED ITEM

Connie Green O'Donnell stated that filling the position vacated by the retirement of Carol Braiotta, effects the whole Administrative Department and the Comptroller's Office. At this time there is an opportunity for a change in staffing and functional duties within these Departments. Connie Green O'Donnell updated the Town Board on these changes in the Administrator's Office and the Comptroller's Office.

4. Review –Proposed Amendment to Tree Law

The Town Board reviewed draft legislation that “will amend the current Tree Law (a) to give the Environmental Planner the functions and power of the Tree Preservation Committee and (b) to make the Board of Appeals the body that hears appeals. The proposed law also changes the time lines for filing appeals.” This draft differs from previous drafts that had made the Planning Board the body to determine appeals of the Tree Preservation Commissions decisions. After their discussion, the Town Board referred this to the Zoning Board of Appeals for their review.

5. Review- Ban on Weapons on Town Property

The Town Board reviewed the draft legislation in preparation for setting a public hearing. The Board removed from “Exempt person” (e) qualified retired New York or federal law enforcement officers as that term is defined in paragraph 25 of section 265.00 of the NY Penal Code.

6. New Business

Supervisor Seligson addressed some additional goals and priorities she suggests be included for 2017. The list includes: (1) updates/renovations to the VFW (2) the roundabout on Madison Avenue and New Jefferson (3) kayak launch (4) re-usable bag initiative (5) gun store (6) agenda management software (Novus Agenda) (7) affordable housing (8) comprehensive plan (9) Floor Area Ratio Law (10) opportunity to purchase Hommocks Pool (11) solar power (Municipal Buyers Group) (12) take advantage of incentives for electric cars. Supervisor Seligson asked the Board to consider this list and whether to include it in whole or in part to the current list of Goals & Priorities. Supervisor Seligson will distribute the list and asked for Board Member to prioritize and give feedback and comments. Councilman Odierna suggested assigning Town Board liaisons to these priorities.

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

EXECUTIVE SESSION

Employment History of a Particular Person

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

As previously asked by the Town Board, Mr. Maker reported on his review of possible legislation banning the sale of guns in the Town of Mamaroneck. His initial comments are that the First Amendment would not allow the Town to ban the sale of guns, but added that he believes the Town Board could regulate where those shops are located. This would be similar to regulations in place in other municipalities regarding the location of striptease establishments.

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.

SUPERVISOR'S - State of the Town Report 2017

Happy 2017 and welcome to the New Year. I would like to give my State of the Town Address reflecting back on the accomplishments of 2016 and looking forward to the future for 2017. The past year of 2016 was a busy and productive year in the Town of Mamaroneck. The Town continued to provide residents with a high level of services in garbage collection, police and fire protection, ambulance service, road repair, snow removal, court proceedings, tax collection, assessment services, senior programs, Section 8 Housing services, recreation programs, building department and Town Clerk services. In regard to road repair, the Town resurfaced over 3 miles of roads in 2016, the second highest amount ever. The Town also replaced 2000 square feet of sidewalks and 2200 linear feet of curbs.

All these services continue to be provided maintaining a financially healthy municipality. In fact, the Town earned back its Triple A (Aaa) financial rating from Moody's Investor Services this past fall. That is the highest possible rating which results in the Town getting the most advantageous interest rates on any money we need to borrow to carry out important capital projects. Some of these I will discuss.

The Town made some essential purchases and repairs in 2016. We borrowed \$8.9 million dollars for 20 years at the favorable interest rate of 1.96% to fund these projects and programs. One important project was the renovation of the Police Department Headquarters and it looks great. In addition to building improvements, the technology of the communications system and front desk has been advanced to provide even better police dispatching activities to improve the Town's response to calls for police service. Another needed and expensive repair was the replacement of the Town Center roof.

For many years, the Town had been using the VFW building on the Post Road as a Senior Center, recreational space and alternate meeting space. The VFW members were considering selling the building and knew the Town was interested. As 2016 drew to a close, the Town purchased the building. The Town will now be able to plan for the future use and maintenance of the building fulfilling a need for more physical assets, and the VFW members will continue to use the building as long as they would like.

The Town is required to evaluate and repair the entire sanitary sewer system in order to comply with US EPA regulations being carried out by NYS DEC and Westchester County. The Town signed an IMA with the County last year and began the actual sanitary sewer evaluation study this year. Working in partnership with three other communities including the Village of Larchmont, a contractor was retained and has begun smoke and dye testing pipes and drains. The work began in December 2016. The evaluation should be complete in the summer of 2017 and the Town has until 2019 to make any repairs revealed in the evaluation. The evaluation itself cost \$1.2 million.

For 2017, we can look forward to the renovation of the Town Center parking lot with green infrastructure and new signage. The Fire House on Weaver Street requires a major repair that will begin in early 2017. The Town Board will continue to investigate the possibility of creating a traffic roundabout at the I95 ramp to enhance the entrance area to the Town and calm traffic.

The Town improved its environmental sustainability by participating in the Westchester Power Program. The program transferred resident Con Ed customers into an energy savings company providing a two-year fixed cost using renewable energy credits for their electricity. Residents have the opportunity to opt out at any time free of cost. We anticipate that this program will save residents money on their electrical bills.

On the environmental front, the Sustainability Collaborative is looking to implement some Complete Streets recommendations to improve bicycle transportation and connections in the Town. The State is offering incentives and grants to municipalities to install electric vehicle infrastructure and purchase electric vehicles. I hope the Town will be able to participate. I also would like to see the Town take advantage of opportunities to create solar power in 2017.

The Town continues to save money and use less energy as a result of the renovations made to the Town Center, Ice Rink, Fire House and street lights. Continuing to improve the sustainability

and resilience of the Town will improve our quality of life and reduce our contribution of greenhouse gases to climate change.

I'm proud to say the NYS DEC certified the Town as a Climate Smart Community in October. We are only the ninth community in the State to be so certified. The Climate Smart Communities Certification program recognizes demonstrated municipal accomplishments in the reduction of greenhouse gas emissions and energy use, and adaptation to changing climatic conditions. We held a press event with the Regional Administrator of DEC at the Hommocks Conservation Area. Mamaroneck Town has been a leader in environmental initiatives for many years.

The Town created a new website and Facebook page in 2016 to better communicate with residents and offer online payments through the website. Residents can now pay their taxes, parking tickets and register for recreation programs through the Town website, www.townofmamaroneckny.org. I've tried to improve communications with residents by producing a monthly E-newsletter and sending out a bi-annual mailed newsletter. Please go to the website to sign up for agendas, e-newsletters and notices from the Town.

The Town Board passed a new Residential Site Plan Law to better protect community character and address neighborhood concerns about development. The Town Board spent many months working on the law. The law ensures that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

The Town continues to work on preparations for the Weaver Street sidewalk expansion from Murray Avenue to Bonnie Way. The work should be completed in 2017 with a grant from the New York State Department of Transportation.

In 2016 the Town completed an In Rem procedure for the first time in over 20 years. This back-tax recovery effort resulted in many, and some large, payments of back taxes and the sale of several properties. The Town Board intends to conduct an In Rem process every 5 years going forward.

All of this work could not happen without a strong municipal staff and engaged Town Board Councilmembers. Thank you to Town Administrator Steve Altieri for his leadership and dedication to the Town and to my fellow Town Board members for their commitment and engagement. I look forward to working with the Town Board and Town staff in 2017 to continue running a good government responsive to the needs of the residents and responsible to our community.

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
Commissioner:	Thomas A. Murphy

1. Other Fire Department Business

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

December 2016

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	38
Minors	15
Stills	1
Out of Town (Mutual Aid)	4
EMS	48
Drills	8
TOTAL	114

Total number of personnel responding: 785
 Total time working: 52 hours and 14 minutes

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

AFFAIRS OF THE TOWN

1. 2017 Organizational Agenda

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

RESOLVED, that Jay Reynolds is hereby reappointed as Civil Officer of the Town of Mamaroneck to serve a term of office of one year, effective January 1, 2017 and terminating on December 31, 2017, and

BE IT FURTHER

RESOLVED, that Frank Cioffi is hereby reappointed as Civil Officer of the Town of Mamaroneck to serve a term of office of one year, effective January 1, 2017 and terminating on December 31, 2017, 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.

TOWN BOARD MEETINGS

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

RESOLVED, that the 2017 regular meetings of the Town Board be held at 740 W. Boston Post Road, Mamaroneck beginning at 5:00 PM on the following dates:

January 9, and January 18
February 1 and February 15
March 1 and March 15
September 20
April 5 and 19
May 3 and 17
June 7 and 21

July TBD
August TBD
September 6 and
October 4 and October 18
November 1 and 15
December 6 and 20

AND, BE IT FURTHER

RESOLVED, that said meetings, dates and places may be changed at the pleasure of the Board upon notice being given.

OFFICIAL NEWSPAPERS

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

RESOLVED, that The Journal News is hereby designated as the official newspaper of the Town of Mamaroneck for the purpose of publishing legal notices during 2017.

DEPOSITORIES OF FUNDS:

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

RESOLVED, that the following banks and trust companies are hereby designated as depositories for funds of the Town of Mamaroneck for the year 2017 to be:

- NYCLASS Investment Pool
- The Bank of New York Mellon
- JP Morgan Chase Bank, Mamaroneck
- Wells Fargo Bank NA, Mamaroneck
- Capital One Bank, Larchmont
- Sterling Bank, Mamaroneck

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

BANK SIGNATURES

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

RESOLVED, that all authority heretofore granted to withdraw funds from and to draw checks, drafts and other orders upon the Town of Mamaroneck accounts maintained at the aforesaid banks hereby is rescinded and revoked and hereafter such withdrawals, checks, drafts and other orders shall be authorized by signatures or facsimile signatures of the Town Supervisor or Deputy Supervisor and Comptroller or Deputy Comptroller and Deputy Receiver of Taxes; and

BE IT FURTHER

RESOLVED, that all withdrawals, checks, drafts and other orders relative to the Community Services Discretionary Fund located at JP Morgan Chase Bank shall be authorized by the signatures of Anna Danoy, Director of Community Services and Public Housing, and Stephen V. Altieri, Town Administrator, and

BE IT, FURTHER

RESOLVED, that all withdrawals, checks, drafts and other orders relative to the Town of Mamaroneck PHA accounts at JP Morgan Chase and the Town of Mamaroneck PHA account at Sterling Bank, shall be authorized by the signatures of Anna Danoy, Director of Community Services and Public Housing, Anthony Siligato, Town Comptroller, Martha Ronaghan- Mark, Deputy Comptroller, and Nancy Seligson, Town Supervisor.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

2. Set Public Hearing-Ban on Weapons on Town Property

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

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on "Outlawing Firearms on or in Town-owned or Town leased Property or Building" Law, for January 18, 2017 at 8:00PM at the Town Center, 740 West Boston Post Road, 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. Set Public Hearing- Parking Restriction-Thompson Place/Laurel Avenue
- 4. Set Public Hearing-Establish Accessible Parking Space-Copley Road

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

RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearings on "Restriction on Parking on Thompson Street and a Section of Laurel Avenue" Law and the "Creation of an Accessible Parking Space on Copley Road, Law, both for January 18, 2017 at 8:00PM at the Town Center, 740 West Boston Post Road, and

BE IT FURTHER,

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

5. Authorization- Retainer Agreement-Counsel to Planning and Zoning Boards

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the retainer agreement with Lisa Hochman as (ATTACHMENT A) to serve as Legal Counsel to the Planning Board and Zoning Board of Appeals and for related work with the staff, and

BE IT, FURTHER

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

6. Salary Authorization-Town Administrator’s Office

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

RESOLVED, that the Mamaroneck Town Board does hereby appoint Susan Guimaraes as the Administrative Intern in the Administrative Offices, effective January 30, 2017 at an annual salary of \$65,000.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

7. Resolution- Westchester County Civil Service-Police Chief Exam

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

RESOLVED, that the Mamaroneck Town Board hereby authorizes the notification to Westchester County Department of Human Resources that the Town of Mamaroneck will be participating in the Police Chief exam that will be held in March 2017, and

BE IT FURTHER,

RESOLVED, that only those employees who hold the title of Lieutenant and have a minimum of twelve (12) months of permanent status will be eligible to take the exam.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

8. Resolution-Clean Water Infrastructure Program

On motion of Supervisor Seligson, seconded by Councilman Odierna. The following was approved,

Whereas, US Environmental Protection Agency(EPA) Reports and NYS Environmental Facilities Corporation(EFC) documents estimate that Wastewater Infrastructure cost needs over the next twenty years are in excess of \$30 billion in New York State; and

Whereas, these USEPA Reports and NYS EFC documents further estimate that Drinking Water Facilities Infrastructure cost needs over the next twenty years are also in excess of \$30 billion in New York State; and

Whereas, the Construction Industry Council of Westchester and Hudson Valley and the Construction Advancement Institute of Westchester and Mid-Hudson Valley launched a Clean Water/Jobs Coalition campaign and released a report in October of 2016 entitled *The Water Infrastructure GAP for New York State's Future: Clean Water Infrastructure Needs for Communities in Westchester County and the Hudson Valley* which identified over \$250 million in current clean water (wastewater and drinking water) infrastructure project needs and a billion dollars in total clean water infrastructure project needs over the next five years in the local communities of the Westchester/Hudson Valley Region; and

Whereas, investments in clean water infrastructure projects protect water bodies, purify drinking water, enhance community quality of life, create thousands of jobs and enhance the local economy; and

Whereas, local municipalities cannot take on this challenge alone and need clean water grants and low-interest financing to make these investments possible; and

Whereas, under the leadership of Governor Cuomo and the State Legislature the *Water Infrastructure Improvement Act of 2015* allocated \$425 million state-wide in clean water infrastructure grant funds to communities of which \$250 million has been awarded and close to \$35 million awarded to communities the Westchester and the Hudson Valley region; and

Whereas, this Clean Water grant program will allocate its remaining \$175 million in clean water grant funds state-wide in 2017 which will leave a zero balance in the account while many projects have not been funded and the needs remain in the billions of dollars; and

Whereas, it is critical that the Water Infrastructure Improvement Act be reauthorized and new, increased funds be appropriated state-wide in the NYS 2017-2018 budget in order for communities in Westchester County and across the State of New York to meet their clean water infrastructure needs today and into the future; and

Whereas, the Town of Mamaroneck has both wastewater and drinking water infrastructure cost needs in the millions of dollars over the next five years.

Therefore, Be It Resolved that the Town of Mamaroneck joins the Clean Water/Jobs Coalition call for Governor Cuomo and the State Legislature to appropriate \$800 million in the NYS 2017-2018 Budget for the Clean Water grant program state-wide and in doing so reauthorize the Water Infrastructure Improvement Act.

9. Consideration of Certiorari

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:

331 Waverly Avenue LLC

331 Waverly Avenue
 Section/Block/Lot: 8-24-150
 Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2008	\$22,000	\$-0-	\$22,000
2009	\$22,000	\$-0-	\$22,000
2010	\$22,000	\$-0-	\$22,000
2011	\$22,000	\$-0-	\$22,000
2012	\$22,000	\$7,400	\$14,600

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

APPROVAL OF MINUTES – December 7, 2016 and December 19, 2016

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 meetings of December 7, 2016 and December 19, 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 Murphy, seconded by Councilwoman Katz, the meeting was unanimously adjourned at 8:50 PM

Submitted by
Christina Battalia, Town Clerk