

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON FEBRUARY 3, 2010, BEGINNING AT 5:00 PM IN CONFERENCE ROOM A AND CONTINUING AT 8:15 PM IN THE COURT ROOM OF THE TOWN, 740 W. BOSTON POST ROAD, MAMARONECK, NEW YORK

PRESENT:

Supervisor Valerie M. O’Keeffe
Councilwoman Phyllis Wittner
Councilman Ernest C. Odierna
Councilwoman Nancy Seligson
Councilman David J. Fishman

ALSO PRESENT:

Linda Silvestre, Deputy Town Clerk
Stephen V. Altieri, Town Administrator
William Maker, Jr., Town Attorney

CALL TO ORDER – WORK SESSION

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson the Work Session was unanimously opened at 5:10PM.

Councilman Fishman entered Work Session at 6:15.

Update – Review of Town Website

Tiffany Torres of Bryan Foy Design was in attendance to review comments regarding the new website.

Memorial Bench – Gardens’ Lake

The Board heard from Bill Wolf, a resident who would like to place a bench in memory of his wife Susie Geller. The Board discussed several options with Mr. Wolf. He was truly appreciative for the Board’s help.

Purchase of Fire Apparatus

Fire Chief Sean McCarthy, First Deputy Fire Chief Brendan Collins and Second Deputy Fire Chief Joe Russo were present. The Chiefs explained the need for replacement of Rescue 6, which is 21 years old, as well as Engine 37, which is 23 years old. The purchase of Fire Apparatus must be put out for a Mandatory Referendum. The time frame for such an action would be to receive bids in April of 2010, bid openings in May 2010, with a Mandatory Referendum thereafter. The estimated cost for the replacement of Rescue 6 is \$425,000.00, and the replacement cost for Engine 37 is \$550,000.00. These purchases would not affect the 2010 budget, but would for 2012. The Chiefs feel it is imperative that these trucks be replaced in order for the Department to be most effective.

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson, the Board unanimously agreed to enter into Executive Session to discuss Acquisition of Land.

The Board noted the intention of Linda Harrington to resign from the Zoning Board of Appeals.

EXECUTIVE SESSION

Acquisition of Land

On motion of Councilman Odierna, seconded by Councilwoman Wittner, the Board unanimously agreed to close Executive Session.

CALL TO ORDER - REGULAR MEETING

The regular meeting of the Town Board was called to order by Supervisor O’Keeffe at 8:50PM, she then pointed out the location of exits.

BOARD OF FIRE COMMISSIONERS

The meeting was called to order by Commissioner O’Keeffe and on motion of Commissioner Wittner, seconded by Commissioner Fishman, the Board of Fire Commissioners was unanimously declared open.

Present were the following members of the Commission:

Commissioner:	Valerie M. O’Keeffe
Commissioner:	Phyllis Wittner
Commissioner:	Ernest C. Odierna
Commissioner:	Nancy Seligson
Commissioner:	David J. Fishman

1. FIRE CLAIMS

Commissioner Fishman presented fire claims for authorization of payment, thereafter on Commissioner Fishman’s motion, seconded by Commissioner Wittner, 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:

911 Wear	Uniform for Wilson	\$343.00
911 Wear	Hats and Turtlenecks	447.50
A & M Industrial	Gas Cylinder	370.03
Amazon.com	Two GPS Systems	332.31
ASAP Etc.	Gear Repair Shipping	12.66
Cablevision	Cable TV	114.34
Cleaning Systems	Supplies	212.39
Keith Napolitano	Reimb. For Reg. Fee for Training Class	25.00
NYS Assoc. of Fire Chiefs	Annual Dues	35.00
NYS Fire Academy	Intro to Fire Officer Class-Napolitano	111.00
Oakland Beach Deli	Food for Collation-Jan. Drill	245.00
Poland Springs	Drinking Water-Jan.	58.03
Printwear Inc.	Embr. COG Jackets	48.00
Sutphen Corp.	Valve Repair E36	113.42
Town of Mamaroneck P.F.F.A.	Life Ins. Premium Jan.'10	188.64
Verizon	Phone Service 1/10-2/9/10	279.35
Villa Maria Pizza	Food for Training 1/22/10	101.47
West. Cty. Assoc. of Fire Chiefs	2010 Dues	200.00
W.J.W.W.	Service 12/31/09-3/31/10	100.00
Total:		\$ 3,337.14

The above resolution was put to a roll call vote:

Commissioner Fishman	Aye
Commissioner Seligson	Aye
Commissioner Odierna	Aye
Commissioner Wittner	Aye
Commissioner O’Keeffe	Aye

The Commissioners noted the wonderful installation dinner held for the Fire Department on January 23. Supervisor O’Keeffe noted it was a frugal but delicious meal, adding this was not a catered affair, but completely cooked by the Department.

2. Presentation by Chief McCarthy

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

AFFAIRS OF THE TOWN

1. Report of Bids – TA-10-02 Pavement Markings & Striping

The Report of Bids is entered into the record as:

Attachment A

Mr. Altieri explained the details of the Contract. Mr. Odierna emphasized that he has not been happy with the marking and stripping done by this company. He believes that the roads should be erased and redone completely. Mr. Altieri explained that the only way to correct mistakes is to grind out the paint, adding blacking out doesn’t look any better. The Board felt the contractor should be held accountable for any areas that are not properly done.

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson, the following was approved:

WHEREAS, the Town publicly opened and read (3) bids for Contract TA-10-02 Pavement Markings and striping on January 21, 2010.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-10-02 - Pavement Markings and Striping to the lowest responsible bidder, Highway Safety Systems, of Rockland, Mass., at a price of \$10,890.00 for 2010 and \$11,268.00 for 2011.

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Nay
Wittner	Aye
O’Keeffe	Aye

2. Appointment – Cable TV Advisory Committee

Councilman Fishman explained the role of the Cable TV Advisory Committee, continuing with a recommendation to appoint Brad Garfield to fill the vacancy on the Committee. Councilman Fishman read some of the highlights of Mr. Garfield's resume.

On motion of Councilman Fishman, seconded by Councilman Odierna, the following was unanimously approved:

WHEREAS, due to the resignation of Alexandre LeClere, a vacancy exists on the Cable TV Advisory Board.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby appoint Brad Garfield to the Cable TV Advisory Board, and

BE IT, FURTHER

RESOLVED, that the foregoing appointment shall be effective immediately upon the appointee taking and subscribing the oath mandated by section 25 of the New York Town Law, and shall expire on October 31, 2011.

3. Resolution – Property Revaluation

Mr. Altieri explained that the Town has been informed and in contact with the New York State Office of Real Property Services (ORPS) to help facilitate a property revaluation in the Town. ORPS has provided a template for the request for proposal (RPF) and will assist with the preparation of the final draft of the RPF. ORPS will also help in evaluating firms and providing education to the residents.

The Board emphasized that this is not a final resolution putting forth the process of property revaluation in the Town, but rather a resolution emphasizing their intent to move forward with this process.

On motion of Councilman Fishman, seconded by Councilwoman Wittner, the following was unanimously approved:

WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments; and

WHEREAS, computer-assisted mass appraisal systems, technical advice, and financial assistance are available by cooperative agreement with the New York State Office of Real Property Services; and

WHEREAS, the last reassessment of real property in the Town of Mamaroneck took place in 1968 and

WHEREAS, the Town Board believes that a reassessment should be considered in order to comply with Section 305 of the New York State Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF MAMARONECK, NEW YORK, AS FOLLOWS:

SECTION 1. That the Town of Mamaroneck shall develop a plan to consider the reassessment of real property in the Town of Mamaroneck in time for the promulgation of the 2013 assessment roll.

SECTION 2. That the Town Board does hereby agree, in conjunction with the New York State Office of Real Property Services to support the Town's assessment staff in this reassessment plan.

SECTION 3. That the Town Administrator is authorized to enter into any necessary agreements to achieve this purpose. Any agreements resulting in an expenditure of funds by the Town of Mamaroneck must first be approved by the Town Board. Any agreement

with a private contractor to provide services for this reassessment shall be entered into only upon review by the Town Attorney and approval by the Town Board.

This resolution shall take effect immediately.

4. Authorization – Ambulance District Agreements – Mamaroneck Emergency Medical Service (MEMS), and Larchmont/Town of Mamaroneck Volunteer Ambulance Corps (LVAC)

Mr. Altieri explained that the Ambulance District operates in conjunction with two volunteer ambulance corps operating in the Town of Mamaroneck, those being the Mamaroneck Emergency Medical Service (MEMS), and the Larchmont/Town of Mamaroneck Volunteer Ambulance Corps (LVAC). Since 1994 when the District was originally formed there have been operating agreements which are due to expire on January 31, 2010.

On motion of Councilman Odierna, seconded by Councilwoman Seligson, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the Agreement between the Town of Mamaroneck Ambulance District and Mamaroneck Emergency Medical Services for a period of three (3) years beginning February 1, 2010 and ending January 31, 2013, 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:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O’Keeffe	Aye

On motion of Councilwoman Seligson, seconded by Councilman Fishman, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the Agreement between the Town of Mamaroneck Ambulance District and Larchmont/Town of Mamaroneck Volunteer Ambulance Corps. for a period of five (5) years beginning February 1, 2010 and ending January 31, 2015, 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:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O’Keeffe	Aye

5. Authorization Amendment to IMA for Gardens' Lake Restoration

Mr. Altieri stated he has received notification from Westchester County that an amendment to the Intermunicipal Agreement was being sent to the Town Board for approval. As explanation Mr. Altieri stated that the current agreement indicates the County will provide \$1 million toward the Gardens' Lake restoration project, when in effect their intention is to provide funding for 50% of the project cost with a maximum amount being \$1 million.

On motion of Councilwoman Wittner, seconded by Councilman Fishman, the following was approved:

WHEREAS, through the Westchester County Flood Mitigation Program, the Town of Mamaroneck will be restoring the Larchmont Gardens' Lake, and

WHEREAS, on January 20, 2010 the Mamaroneck Town Board approved the Agreement between the County of Westchester and the Town of Mamaroneck for the Larchmont Gardens' Lake project, and

WHEREAS, Westchester County is now seeking an amendment to that Agreement clarifying funding for this project, and

WHEREAS, the current agreement indicates the County will provide \$1 million toward the Gardens' Lake restoration project, shall now read Westchester County will provide funding for 50% of the project cost with a maximum amount being \$1 million.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby approve the amendment to the Agreement between the County of Westchester and the Town of Mamaroneck for the Larchmont Gardens' Lake project, and

BE IT, FURTHER

RESOLVED, that subject to review by the Town Attorney, the Town Administrator is hereby authorized to execute said amendment on behalf of the Town.

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O'Keeffe	Aye

6. Set Public Hearing Truck Traffic – Harmon Drive

Adjourned until February 10, 2010.

ORAL COMMUNICATIONS

Bryan Rohman, Larchmont Gardens' Civic Association, asked for a 'shovel date' for the Duck Pond. Mr. Altieri stated that bids are anticipated to be opened on February 22, adding due to the number of bids, it may take a few weeks to analyze. Mr. Altieri stated this will not begin until April. Mr. Rohman inquired about the status of the 'bad pour' on the sidewalk on Brookside Drive. Mr. Altieri responded that the performance bond company is currently reviewing the bid specifications; the Town will be deciding the next step once that process is complete. Mr. Altieri added it is still unclear whether this will lead to litigation. Mr. Rohman, inquired as to what the process would be in order to gain a no parking rule on the curve at Ellsworth and Eton Road. Councilwoman Wittner responded that he should go to the Traffic Committee. Finally, Mr. Rohman noted the stairwell at the Train Station is beginning to show rust.

Councilman Odierna noted this has been happening since November, adding that it can and should be treated and should be good for a number of years.

WRITTEN COMMUNICATIONS

None

SUPERVISOR'S REPORT

Supervisor O'Keeffe noted her recent trip to Florida in which she met with former Supervisor Elaine Price who sends all her regards to the residents of the Town.

REPORT OF COUNCIL

Councilman Fishman attended, as the new Liaison for the Zoning Board of Appeals Meeting. The Zoning Board would like to revise pieces of the Town Code which are troublesome. Councilman Fishman also attended the Cable TV Board of Control. The 2010 budget for LMC-TV was discussed, as well as the returning of funds to the Municipalities from the Cable TV Board of Control from the reserved funds. Different scenarios are being reviewed as to how best to return these funds, adding this surplus is chiefly the result of signing new agreements with Cablevision and Verizon.

Councilwoman Seligson, spoke at the Coastal Zone Management Commission Meeting, at which members of the community were invited who were interested in pursuing environmental efforts in the Town. Councilwoman Seligson is particularly interested in volunteer efforts toward the Town's green house gas reduction and carbon footprint programs especially in the area of reporting. Councilwoman Seligson stated how proud the Board is for having such professional and serious minded volunteers.

Councilwoman Wittner attended the Coastal Zone Management Commission Meeting, as previously reported the Department of State presented a power point, adding their main objective was educating the Sound Shore area about dangerous storm surges and sea level rising. Councilwoman Wittner attended the Long Island Sound Watershed Intermunicipal Council, adding they are still struggling with the proper wording for an agreement.

Councilman Odierna, as new liaison, attended the Board of Architectural Review. He also stated how impressed he was with the professionalism of the many volunteers that give their time to the Town. He emphasized that it would be so much more efficient if the processes for these Boards could be moved along.

Councilwoman Seligson emphasized that many times the length of the process has just as much to do with the residents doing their homework and being properly prepared, than it does with the Boards themselves. The Mamaroneck Chamber of Commerce, will meet Tomorrow, February 4 at 8:00AM, and the League of Women Voters will meet Friday morning at Hector's Diner.

ADJOURNMENT

On motion of Supervisor O'Keeffe, seconded by Councilwoman Wittner the meeting was unanimously closed at 10:10PM.

Submitted by
Christina Battalia, Town Clerk