

March 4, 2009

MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON MARCH 4, 2009 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
Councilman Ernest C. Odierna
Councilwoman Nancy Seligson
Councilman David J. Fishman

ALSO PRESENT:

Christina Battalia, Town Clerk
Stephen V. Altieri, Town Administrator
William Maker, Jr., Town Attorney

ABSENT:

Councilwoman Phyllis Wittner

WORK SESSION

Website Presentation

Tiffany Torres was present to demonstrate to the Town Board the new website design being created by Brian Foy Consulting.

Presentation by Gordon & Yestadt Architects

Mr. Gordon and Mr. Yestadt presented drawings for a residential second story addition to Gjokos Hair Salon. They have been before the Zoning Board with this proposal, but have been denied a variance. Among issues involved is the required parking needed. The Board explained the obvious difficulty with parking in the Washington Square area. Some ideas were discussed. The Board asked the architects to investigate parking options and return to the Board with ideas. Mr. Altieri will follow up with the County regarding the property at Fifth Avenue and Madison.

Property Revaluation Project

The Board discussed the presentation that took place at the Village of Larchmont and the Village of Mamaroneck, as presented by the Town’s Consultant Thomas Frey. They discussed the questions presented and how the Town should proceed. The next step for the Town would be to create a Request for Proposal (RFP) the Board would then decide the time frame for setting a Public Hearing.

Letter from Disabled On the Move, Inc.

The Board read the letter from Melvyn Tanzman regarding the request by the Taylor’s for a handicapped parking space on Alden Road. The letter addresses the issue of offering the space on a 6 month trial period. This idea is being favored by the Traffic Committee. The Board reiterated the issues they are confronting with respect to this request. Mr. Altieri was asked to follow up with the Alden Road Apartments regarding potential parking on their property along Alden Road. The Board would like to follow up on possible options before making a final decision.

CALL TO ORDER

The regular meeting of the Town Board was called to order by Supervisor O’Keeffe at 8:15PM she then pointed out the location of exits.

PROCLAMATIONS

Supervisor O’Keeffe welcomed Mr. Totten and Mr. Sands.

Supervisor O’Keeffe then welcomed Mayor Elizabeth Feld, Carmine Deluca and Clarence who were present for the Proclamations of the retirement of Phillip Totten, Jr. and Benjamin Sands.

Mayor Feld read the following Proclamation:

PHILLIP TOTTON JR.

WHEREAS, since July 17, 1972, Phillip Totten Jr. has dedicated thirty seven years of his life serving the public in his position with the Town of Mamaroneck and then the Larchmont-Mamaroneck Joint Garbage Disposal Commission, and

WHEREAS, his extensive knowledge of the community and his understanding of the needs of the residents was invaluable as the Commission sought to improve sanitation and recycling services in the Town of Mamaroneck and Village of Larchmont; and

WHEREAS, we will all miss his professionalism and desire to do the best job possible; and

WHEREAS, we know that one of the parts of the job that Phil will not miss are those days of working in the rain.

NOW, THEREFORE BE IT RESOLVED, that on the occasion of his retirement, Supervisor Valerie Moore O’Keeffe and Mayor Elizabeth Feld as Commissioners of the Larchmont-Mamaroneck Joint Garbage Disposal Commission join with the members of the Town of Mamaroneck Town Board and Village of Larchmont Board of Trustees in thanking Phillip Totten Jr. for his many years of service and wish him a long and happy retirement.

Supervisor O’Keeffe read the following Proclamation:

PROCLAMATION – BENJAMIN W. SANDS

WHEREAS, since December 4, 1971, Benjamin W. Sands has devoted thirty eight years of his life serving the public in his position with the Town of Mamaroneck and then the Larchmont-Mamaroneck Joint Garbage Disposal Commission; and

WHEREAS, during his time with the Town and Commission he has witnessed a great many changes in the community including the introduction of the very successful recycling programs; and

WHEREAS, his knowledge of the community and its residents has made him a critical part of the program’s success; and

WHEREAS, most recently Ben has been best known as the operator of the Town’s first ever “veggie-powered” sanitation truck.

NOW, THEREFORE BE IT RESOLVED, that on the occasion of his retirement, Supervisor Valerie Moore O’Keeffe and Mayor Elizabeth Feld as Commissioners of the Larchmont-Mamaroneck Joint Garbage Disposal Commission join with the members of the Town of Mamaroneck Town Board and Village of Larchmont Board of Trustees in wishing Benjamin W. Sands many years of joyful retirement and even more enjoyment on the golf course.

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Supervisor O’Keeffe and Mayor Feld both spoke warmly and with much appreciation for the service these two men have provided the Town for so many years, adding so often we recognize our Emergency personnel and forget what a vital role our Sanitation personnel play in the quality of life we enjoy in the Town and Village. Mr. Altieri praised both men for their years of dedication and service to the Town.

BOARD OF FIRE COMMISSIONERS

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

Present were the following members of the Commission:

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

Absent was the following member of the Commission:

Commissioner: Phyllis Wittner

1. FIRE CLAIMS

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

2434 CW Corp.	2 car washes-1/1 &1/24/09	11.00
Bound Tree Medical	Gauge & Blood Pressure Unit	55.26
Cablevision	Cable Service	82.33
Cleaning Systems Co.	Building Cleaning Supplies	461.25
G & K Services	Cleaning Services	135.27
IKON	Copier Services	212.13
Poland Springs	Drinking Water	79.10
Smith EI Dis Co Inc.	Lamps	266.75
Town of Mamaroneck Fire Dept.	Reimb. For food-2/16/09	141.99
Town of Mamaroneck PFFA	Life Ins. Premium-Feb. '09	220.08
Verizon	Phone Service	426.87
Witmer Public Safety Group	Drop Bag, Straps, Carabiners	131.43
Total:		2,223.46

The above resolution was put to a roll call vote:

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

2. Other Fire Department Business

Commissioner O’Keeffe spoke of the recent events at the Reservoir and at Saxon Woods in which dog owners went onto the frozen water to rescue their dogs. This is obviously a dangerous situation and encouraged residents to keep their dogs on leashes as required.

Chief Sean McCarthy was congratulated on his recent marriage.

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

AFFAIRS OF THE TOWN

ADDED ITEM

The Town was asked to give a brief overview of the FCD Mamaroneck, LLC project.

Mr. Altieri began by stating that the FCD Mamaroneck project has been purchased by Iron Oaks, the developer who built Sweetwater in the Village of Mamaroneck. He stated that the developers have been issued a demolition permit, but have not as yet applied for a building permit; they have until 2011 to apply for a building permit. Mr. Maker explained the affordable housing component as well as the conditions for building the parking, specifically, residents of the new building would not be able to obtain parking permits in the new deck.

Lynda LeMote- Garmony, who requested the presentation, was present and asked a number of questions. She asked that the Town put on the website architectural renderings of the building.

**1. Report of Bids
a) TA -09-01 Street Sweeping Services**

The following report of bids was entered into the record as Attachment (A) at the end of the Minutes.

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

WHEREAS, on February 20, 2009 the Town publicly opened and read one (1) bid for Contract TA-09-01 Street Sweeping Services.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-09-01 Street Sweeping Services, to Three-D Industrial Maintenance, of Hawthorne, NY, for \$720.00 a day for 2009 and \$736.00 a day for 2010, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said Contract on behalf of the Town.

The above resolution was put to a roll call vote:

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

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REPORT OF BIDS

b) TA-09-02 Grass Maintenance – Hommocks Field and Hommocks Pool

The following report of bids is entered into the record as Attachment (B) at the end of the Minutes.

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

WHEREAS, on February 20, 2009 the Town publicly opened and read eleven (11) bids for Contract TA-09-02 Grass Maintenance-Hommocks Field and Hommocks Pool.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-09-02 Grass Maintenance-Hommocks Field and Hommocks Pool to the lowest responsible bidder meeting the Town's Specifications to PA Ferraro Landscaping, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said Contract on behalf of the Town.

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Absent
O'Keefe	Aye

REPORT OF BIDS

c) TA-09-03 Grass Maintenance – Cemeteries and Various Locations

On motion of Councilman Odierna, seconded by Supervisor O'Keefe, the following was unanimously agreed:

WHEREAS, on February 24, 2009 the Town publically opened and read five (5) bids for Contract TA-09-03 Grass Maintenance- Cemeteries and various Locations, and

WHEREAS, during the course of reviewing the bids the Town discovered an omission in the bid document that resulted in bid proposals based upon different units of work.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby reject all the bids for Contract TA-09-03 Grass Maintenance- Cemeteries and various Locations.

2. Authorization – Senior Citizens’ Trust Fund

**On motion of Councilwoman Seligson, seconded by Supervisor O’Keeffe
The following was unanimously approved;**

WHEREAS, the Village of Larchmont has maintained a small account of funds generated from donations and membership dues from Senior Citizen Program Members’, and

WHEREAS, with the Town of Mamaroneck assuming full responsibility for Senior Programs the Town must establish a trust fund for these funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Comptroller to establish the Senior Citizen Program Trust Fund.

3. Authorization – Ambulance Service Agreements

On motion of Supervisor O’Keeffe, seconded by Councilman Odierna, the following was approved,

WHEREAS, the Ambulance District charges patients directly for ambulance services and with many charges ending in collection, it is the recommendation of the Ambulance Districts billing service Evolution Concepts to enter into agreements so as the Ambulance District will receive payments directly from insurance providers.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby approve of the provider agreements with POMCO and MVP Health Service, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said Agreements on behalf of the Town once the final wording has been approved by the Town Attorney.

The above resolution was put to a roll call vote:

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

4. Authorization – Land Survey Contract – Memorial Park

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

WHEREAS, the Town Board has been discussing the possibility of completing a master plan for Memorial Park, and

WHEREAS, knowing a survey would be critical to the master plan process to locate park features and buildings the Town issued a request for proposal, receiving three proposals ranging from \$8,890.00 to 15,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to enter into a contract with Ward Carpenter Engineers to complete a survey of Memorial Park at a total cost of \$8,890.00, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Comptroller to transfer funds from the General Fund Part Town into Account B7140.4002 Memorial Park in the amount of \$8,890.00.

The above resolution was put to a roll call vote:

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

5. Referral to Planning Board – Amendment to Zoning Code – Parking in Residential Zones

**On motion of Councilwoman Seligson, seconded by Supervisor O’Keeffe
It was unanimously**

RESOLVED, that the Mamaroneck Town Board does hereby refer to the Planning Board the proposed change to the Zoning Ordinance, section 240-79 (B), with respect to restrictions on off-street parking.

6. Set Public Hearing – Amendment to Zoning Code – Parking in Residential Zone

On motion of Councilwoman Seligson, seconded by Councilman Odierna, the following was unanimously

RESOLVED, that the Mamaroneck Town Board does hereby set a Public Hearing for the proposed change to the Zoning Ordinance, section 240-79 (B) for May 6, 2009, 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.

7. Approval of Certiorari

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

RESOLVED, that the Town Board does hereby approve the following Settlement of Certiorari as recommended by the Town Attorney:

**James Caspi d/b/a Keystone Management Company
76 Wendt Avenue
Larchmont, NY, 10538
Block: 606 Lot: 302**

Town of Mamaroneck/Village of Larchmont		
<u>Year</u>	<u>Assessment</u>	<u>Reduced Assessment</u>
2001	\$82,000	\$82,000
2002	\$82,000	\$82,000
2003	\$82,000	\$82,000
2004	\$82,000	\$72,000
2005	\$82,000	\$72,000
2006	\$82,000	\$70,000
2007	\$82,000	\$69,000
2008	\$82,000	\$68,000

The above resolution was put to a roll call vote:

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

8. Salary Authorization - Recreation

RECREATION

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

RESOLVED, that as provided for in the 2009 Town Budget the Town Board does hereby authorize the payment of salary to the following:

Hommocks Pool

Antiono Issac	Early Morning Swim	\$25/session	effective 2/27/09
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The above resolution was put to a roll call vote:

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

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

SUPERVISOR’S REPORT’

Supervisor O’Keeffe reported on her attendance at a Revaluation Forum, sponsored by the Gannett Newspaper with Noam Branson, Mayor of New Rochelle, Chuck Lesnick, City Council President of Yonkers, Ken Jenkins, Yonkers.

The Village of Mamaroneck Farmer’s Market is open at Saint Thomas’ Episcopal Church on Boston Post Road Saturdays from 8:30 – 12:00.

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REPORT OF COUNCIL

Councilman Odierna reported on the recent meeting of R.A.D.A.R. - very thought provoking. It was a half day event with approximately eighty people in attendance. They used an impressive electronic feature allowing for instant voting and analysis of the most important issues to prevent the use of drugs and alcohol use by our teens. R.A.D.A.R will be holding another event tomorrow at which they will discuss sites for teen events and activities.

Councilman Seligson added, that the use of the electronic voting moved the agenda along quickly, enabling the facilitators to assess what were the most important issues and to have a result on the concrete next steps for the highest priority issues.

Councilman Fishman said the Town is continuing to discuss issues from Traffic Committee. There are a number of exciting things to report with respect to sports and the High School. I would like to do a full report for our next meeting. In the meantime we congratulate Coach Chapparelli and the Boys Hockey team for being Section Champs, they will move on to play for State Champions this weekend.

The Town Clerk noted her attendance as a recently appointed member of the Westchester County Records Commission. She also noted she was newly appointment to the New York State Archives Regional Advisory Committee, her first meeting was this morning.

ADJOURNMENT

On motion of Supervisor O’Keeffe, seconded by Councilman Fishman, the meeting was unanimously adjourned at 10:25 PM, into an Executive Session to discuss Collective Bargaining and Sale of Real Property. Supervisor O’Keeffe adjourned in memory of Rose M. Wysk, a long time resident of Larchmont, who has passed at the age of 102. Rose was the oldest of six children who she helped to raise. She was a strong and courageous woman whom will be missed.

Submitted by
Christina Battalia, Town Clerk