

March 18, 2009

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON MARCH 18, 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  
Councilwoman Phyllis Wittner  
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

**WORK SESSION**

**Update - Community Services**

Anna Danoy, Director of Community Services was present to give the Town Board an update on the consolidation process. She spoke about how well things were going and how well Maria Gallagher has helped bring the seniors together. She said there was an unbelievable amount of administrative paperwork she is handling, but all in all everything is going quite well.

On motion of Supervisor O’Keeffe, seconded by Councilman Fishman, the Town Board unanimously agreed to enter into Executive Session to discuss lease of real property.

**EXECUTIVE SESSION**

**Lease of Real Property**

On motion of Supervisor O’Keeffe, seconded by Councilman Fishman, the Board unanimously agreed to re-enter Work Session.

**Insurance Presentation**

Eugene Fulton from the Coughlin Group and James Normile of Marshall & Sterling were present to lead the discussion and give an overview of the Town’s Insurance Policies. The Board reviewed in detail the policies for all elements of the Town.

**Draft Parking Plan – Washington Square Area**

The Board reviewed the proposed parking plan for Washington Square and Commuter Lot #1. The Board revisited the parking fees. They will have further discussion of fees at the April 1<sup>st</sup> Town Board Meeting – they encourage those interested to please attend.

**Update – Construction of the Parking Deck at Myrtle Blvd**

The Board discussed the request by FCD Mamaroneck to extend the time to complete the project from April 14, 2009 to May 15, 2009. It was the recommendation of the Town’s Consultant Bond Davis, that the cement deck not be poured until overnight temperatures were consistently over 35-40 degrees. Due to the severely cold weather the pouring of the cement has been delayed.

**Update – Traffic Signal at Myrtle Boulevard and North Chatsworth**

Mr. Altieri noted that the countdown indicators have been received and are due to be installed next week. Requests for proposals for the remainder of the installation were received yesterday; work should be completed over the next few weeks.

**Preliminary Plans – Reconstruction of the Sanitation Commission Buildings**

This discussion was deferred; the Board is still awaiting additional information.

**CALL TO ORDER**

The regular meeting of the Town Board was called to order by Supervisor O’Keeffe at 8:30 PM 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 Odierna, 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 Seligson presented fire claims for authorization of payment, thereafter on Commissioner Odierna’s motion, seconded by Commissioner Fishman, 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:

AAA Emergency Supply Co.	Hydrotest, Relace Cylinder	1,065.00
AAA Emergency Supply Co.	Hydrotest, Repair 2 Scott Packs	879.56
AAA Emergency Supply Co.	Service & Repair 2 Scott Packs	537.51
AAA Emergency Supply Co.	Engine Equip.	147.00
AAA Emergency Supply Co.	Fire Exting. Replacement	135.00
AAA Emergency Supply Co.	Scott Bottle Repair	96.00
AAA Emergency Supply Co.	Hydrotest Scott Bottle	48.00
AAA Emergency Supply Co.	Stream Light Repair	37.50
Avaya	Service Contract	18.55
Brewer Hardware	Battery,Safety Hasp	34.75
Cleaning Systems	Cleaning Supplies	188.78
Con Edison	Gas Service	21.81
Dave Walsh	Building Construction Class	703.00
G & K Services	Cleaning Services	135.27
Giacomo Service Center	NYS Inspection 2009	10.00

March 18, 2009

NFPA	Annual Dues 2009	150.00
NOCO Energy	Fuel	55.36
Pitt Stop Auto Parts	Brakes for Explorer	621.75
Rickert Lock & Safe Co.	Replace Combo Pack	156.00
Sound Shore Contracting	Basin Waste Cleaning	85.00
Technical Electronics Inc.	Radio Repair	95.00
Verizon Wireless	Cell Phones 1/27/09-2/26/09	353.84
Villa Maria Pizza	Food for Training	50.74
Westech Elevator	Maintenance for March 2009	175.00
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	Total:	5,800.42

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

2. Other Fire Department Business

The Commission noted that the Department received another Homeland Security Grant for the replacement of very old air packs; this is a nice follow up to the previous grant received for the turn out gear.

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

**AFFAIRS OF THE TOWN**

1. Authorization – Nutrition/Transportation Agreement - Westchester County

On motion of Councilman Odierna, seconded by Councilwoman Wittner, it was unanimously approved;

**WHEREAS**, with the consolidation of the senior citizen and community services programs into the Town of Mamaroneck programs the Town is now eligible for all of the subsidies available for the nutrition and transportation programs offered through the County.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Mamaroneck Town Board does hereby approve the agreements between the Town of Mamaroneck and Westchester County for subsidies for the bus transportation, nutrition center and meals-on-wheels programs, and

**BE IT, FURTHER**

**RESOLVED**, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said contracts and associated documents on behalf of the Town.

2. Authorization – Financial Management Software Agreement – KVS

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

March 18, 2009

**RESOLVED**, that the Mamaroneck Town Board does hereby accept the proposal by KVS Information Systems for the financial management software for the Town, at an initial cost of \$67,644, which included 66 hours of training at \$8,200, and a first year maintenance and support fee of \$11,789, and  
**BE IT, FURTHER**

**RESOLVED**, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said agreement on behalf of the Town, after final approval of the agreement by the Town Attorney.

The above resolution was put to a roll call vote:

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

**3. Authorization – Town and Westchester County Property Tax Warrant**

On motion of Councilwoman Wittner, seconded by Councilman Fishman, it was unanimously

**REOLVED**, that Anthony S. Siligato, Receiver of Taxes of the Town of Mamaroneck is hereby commanded pursuant to the provision of the Westchester County Tax Law, Article 16, Chapter 852, Laws of 1948, as amended, and also pursuant to resolution of the Town Board of the Town of Mamaroneck adopted March 18, 2009, by authority of Chapter 313 of Laws of 1934, to receive and collect from the several persons named in the Assessment Roll hereunto annexed by the Westchester County Tax Law, Article 16, Chapter 852 of the Laws of 1948, as amended, for the neglect to pay the Judicial, County, Town and Town District Taxes, charges for services, exemptions removed, and water arrears after the levy thereof as follows:

Judicial and County Taxes	\$36,096,487.00
Town and Town District Taxes	19,066,155.00
Charges for Services	- 0 -
Exemptions removed	- 0 -
Water arrears	- 0 -

\$55,162,642.00

And you are hereby directed to deposit to the credit of the Town of Mamaroneck into the JP Morgan Chase Bank, all of such monies so collected by you by virtue of this warrant.

And you are further commanded to make and file with the undersigned, the Supervisor of the Town of Mamaroneck, as required by the Westchester County Tax Law, Article 16, Chapter 852, Laws of 1948, as amended, the reports provided for therein.

And you are further directed and commanded to proceed as directed and authorized by said Westchester County Tax Law, Article 16, Chapter 852, Laws of 1948, as amended.

And in case any person named in said Assessment Roll shall neglect or refuse to pay his taxes or penalties (after giving the notices and waiting the time as specified in said Act) you are hereby authorized to collect the said taxes and penalties with the costs and charges of such collections in the manner provided by the Westchester County Tax Law, Article 16, Chapter 852 of the Laws of 1948, as amended, and for so doing this shall be your sufficient warrant.

Given under my hand and seal at the Town of Mamaroneck, Westchester County,

March 18, 2009

New York, on the 18th day of March 2009.

**4. Set Public Hearing – Amendment to Special Permit/Contract FCD Mamaroneck, LLC**

Mr. Maker explained that FCD Mamaroneck had requested the Town amend the Special permit whereby extending the time to complete the Parking Deck from April 14, 2009 to May 15, 2009. Mr. Maker further explained that it was the recommendation of the Town’s Engineer Bond Davis, that the cement deck not be poured until overnight temperatures were consistently over 35-40 degrees. Due to the severely cold weather the pouring of the cement has been delayed. Mr. Maker advised the Board that under these circumstances the amendment is warranted. The Board will need to set a Public Hearing as required for any amendment to a special permit.

On motion of Councilwoman Wittner, seconded by Councilman Fishman, it was unanimously

**RESOLVED, that the Mamaroneck Town Board does hereby set the date for a Public Hearing on the Amendment to the Special Permit, FCD Mamaroneck, LLC for April 1, 2009 at 8:15 PM or as soon thereafter as is possible in the Court Room of the Town Center, 740 W. Boston Post Road, Mamaroneck, New York, 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. Salary Authorization**

**Community Services**

On motion of Councilman Odierna, seconded by Councilman Fishman, it was

**RESOLVED, that the Mamaroneck Town Board does hereby appoint Ed Shaw a Senior Bus Driver for the Senior Center effective March 16, 2009 at an hourly rate of \$13.50.**

The above resolution was put to a roll call vote:

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

**Highway Department**

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson, it was

**RESOLVED, that the Mamaroneck Town Board does hereby appoint Joseph Giordano a part time driver with the Highway Department, to pick up donated**

March 18, 2009

vegetable oil on a scheduled route basis for the Town Garage, effective March 16, 2009, at an hourly rate of \$12.00 per hour.

The above resolution was put to a roll call vote:

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

**Recreation**

On motion of Councilman Odierna, seconded by Councilman Fishman, 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**

Brian Davidson	Lifeguard	\$8.50 per hour	effective 3/13/09
Andres Legramandi	Lifeguard	\$8.25 per hour	effective 3/13/09
Lindsay Naughton	Lifeguard	\$10.00 per hour	effective 3/13/09

The above resolution was put to a roll call vote:

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

**6. Appointment – Zoning Board of Appeals**

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

**WHEREAS, a vacancy exists in the Alternate Member A of the Zoning Board Appeals.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Mamaroneck Town Board does hereby appoint Robert Viner, as Alternate Member A of the Zoning Board of Appeals, 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 December 31, 2010.**

**7. Approval of Certiorari**

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

March 18, 2009

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

Marvil Building Corp.  
418-424 Mamaroneck Avenue  
Mamaroneck, NY 10543

Block: 907 Lot: 49  
Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2007	\$24,600	\$17,000
2008	\$24,600	\$17,000

The above resolution was put to a roll call vote:

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

**APPROVAL OF MINUTES – February 25, 2009 and March 4, 2009**

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meetings of, February 25, 2009 and March 4, 2009.

**ORAL COMMUNICATIONS**

Irving Scharf, 334 Richbell Road, spoke about reassessment. He disagrees with the current manner of assessment and addressed the Board with a number of his proposed changes.

Bryan Rohman of the Larchmont Gardens’ Civic Association announced the Association’s Annual Meeting, tentatively set for May 4, 2009. He then asked the Board to update a few items; the timing for the spring summer plantings along the Brook, the status for repairing of the new sidewalks along the Brook (he handed the Board pictures of the sidewalk).

Mr. Rohman was given updates with specifics on the repairing of the sidewalks.

**WRITTEN COMMUNICATIONS**

None

**SUPERVISOR’S REPORT**

Supervisor O’Keeffe reported that she has been actively involved with the Joint Water Works and other municipal endeavors, and deferred to her colleagues for their reports

**REPORT OF COUNCIL**

Councilman Odierna noted the wonderful Senior Center St. Patrick’s Day celebration. He attended the R.A.D.A.R meeting at which they were discussing possible sites for teen activities. He attended the WMOA meeting and the Summit meeting at which New Rochelle’s Mayor Noam Bramson led a discussion on the future of New Rochelle. The Summit also discussed the role of the Human Rights Commission.

March 18, 2009

Councilwoman Wittner stated she was delighted to be back. She is so appreciative of all the notes and cards she has received.

Councilwoman Seligson attended the D.A.R.E. graduation, noting what a great job Officer Rui has been doing. She attended the Planning Board Meeting last week. She is so glad to have Councilwoman Wittner (Phyllis) back in fighting shape.

Councilman Fishman noted Traffic Committee has been postponed until next week. He congratulated our High School Coach Mike Chapparelli for taking his team to the State finals in Utica; unfortunately they lost the championship game. He further congratulated Sean Hagen who was named player of the year for Division 1, as well as the number of players who were chosen to play for the State team.

Mr. Altieri reported on the closing of Myrtle Boulevard for the installation of the panels for the new parking deck.

### **ADJOURNMENT**

Supervisor O’Keeffe closed the meeting in memory of Robert “Bing” Millar who passed away. Bing was a WWII Veteran who was a wonderful supporter of the Town. He could be seen taking pictures at events and sending them to everyone; it was a wonderful gift.

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson, Supervisor the meeting was unanimously adjourned at 9:35PM.

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Submitted by  
Christina Battalia, Town Clerk