

May 6, 2009

MINUTES OF THE REGULAR MEETING AND WORKSESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON MAY 6, 2009 BEGINNING AT 5:00 PM IN CONFERENCE ROOM A, 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:

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

WORK SESSION

Discussion with Town Prosecutors

Town Prosecutors, Susan Fiore and Matthew McCauley were in attendance by invitation of the Board. The Board discussed with the Prosecutors, how the workflow of cases were going, what were the majority of cases they receive and generally how information is generated for various cases. The Board did discuss reviewing Town fines in the near future. Mr. McCauley did suggest adding to the Ordinances a maximum fine, giving prosecutors ability to fine a repeat commercial violator differently than a resident for a one time violation. The Prosecutors asked for identification for when they have to make site visits.

Geographic Information Systems (GIS)

Liz Paul, Town Environmental Planner presented to the Board the New York GIS Software. She explained that as a continuation of the Town’s implementation of Geographic Information Systems (GIS) to consolidate data on land parcels, infrastructure and natural features of the Town, the Town would like to implement the New York GIS software. This software will enable the Town to develop electronic files for activities and transactions relating to land parcels and infrastructure. With this data virtually every Town Department can track events such as accidents or sewer backups, department performance and maintenance activities. The cost of the software is \$14,630.00 which will be fully funded by a grant received from the New York State Department of State. Annual maintenance costs will be \$5,800, offset by annual convenience fees charged. The Town has reviewed several programs including Muncity, Woodard and Curran Infrastructure Software, Citi-Works and New York GIS. At this time, it is the recommendation of the Town staff to purchase New York GIS. This item is on the Affairs of the Town for this evening’s Regular Meeting.

First Quarter Financial Report

Tony Siligato, Town Comptroller, presented to the Board his operating analysis for revenues and expenses for the first quarter of 2009, including comparisons with 2008. The biggest item, not surprisingly, is the decreased revenue from investments. Generally there are no surprises in the first quarter expenses; however increased expenses, of note, incurred in the Sewer District, Highway Fund and Police Department.

Update – First Floor Renovations, Town Center

The Board reviewed preliminary plans for the first floor renovation as prepared by Gordon Yestadt Architects.

May 6, 2009

Overnight Parking – Mountain Ave

Mr. Altieri was asked to speak further with the Mamaroneck Police Department.

Washington Square Parking Plan

The Board reviewed the proposed modifications to the plan for this evening's Public Discussion.

Co-op Camp

The Board reviewed correspondence from Naomi Lowenthal, regarding the Coop Camp program budget and funding shortfall. The Board discussed the fact that they had previously requested clarification from the Coop Camp program with respect to Town and Village funding. The Board did not receive the clarification it had requested, and asked Mr. Altieri to have a follow up conversation with Ms. Lowenthal and report back to the Board.

On motion of Supervisor O'Keeffe, seconded by Councilwoman Seligson, the Board unanimously agreed to enter into Executive Session to discuss Employment History of a particular individual and Litigation.

EXECUTIVE SESSION

Employment History
Litigation

Correspondence – Village Mayors, Elizabeth Feld and Kathy Savolt

The Board reviewed correspondence from Mayor Feld and Mayor Savolt on the topic of consolidation and shared services. Both Mayors support hiring a consultant to help the tri-municipal communities analyze the operations and recommend areas of consolidation and shared services. The Mayors also propose the municipalities jointly apply for funding through the New York State Local Government Efficiency Grants to hire a consultant.

CALL TO ORDER

The regular meeting of the Town Board was called to order by Supervisor O'Keeffe at 8:45PM she then pointed out the location of exits.

TAKEN OUT OF ORDER

PUBLIC DISCUSSION - Washington Square Parking Plan

The Board asked Frank Fish of Buckhurst Fish & Jacquemart to attend this evening's meeting to help explain to the residents the parking plan. Mr. Fish spoke specifically with respect to his firm's November 2007 Washington Square Parking Study. The Board heard from the following residents:

Ron Fass, 14 No Chatsworth
Stanley Patchen, 14 No Chatsworth
Cal Kleeper, 1 Washington Square
Mr. Lenney, 14 No Chatsworth
Bonnie Youngswick, 17 No Chatsworth
Joel Windham, 14 No Chatsworth

May 6, 2009

The Board presented its amendments to the previously approved Parking Plan as follows:

Area Business Lot # 3 - \$400.00 per year
Regular 24 Permits – \$600.00 per year
Senior Citizen 24 Hour Permit – \$350.00

Separate permits will be issued for upper and lower levels, with the existing permit holders given a choice of whether they prefer the upper or lower level. New permits will be issued to the upper and lower levels by alternating applications. Six (6) handicapped spaces will be created along Vine Street for the exclusive use by Lot # 3 permit holders. Area Business Permits will be distributed to upper and lower levels by alternating applications as well. Initially fifteen (15) permits will be issued to Area Business; this represents approximately twelve percent of the total number of spaces, where thirty percent was recommended by the Town's Consultant.

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

RESOLVED, that the Mamaroneck Town Board hereby declares the adoption of the proposed Washington Square Parking Plan and associated fees to be a Type II action under the New York State Environmental Quality Review Act (SEQRA) requiring no further action.

Councilman Fishman stated his concerns for lowering the parking fees. He is afraid people will leave their apartment building parking spaces for cheaper spaces offered by the Town. He is also concerned that the Town residents who own this parking deck are not getting their fair value for a commodity they own. Finally, he is concerned that the handicapped spaces being created on Vine Street are setting a precedent.

Councilwoman Seligson and Councilwoman Wittner shared his concerns, but felt this issue has been going on for a very long time and the matter needed closure and resolution.

Councilman Odierna noted that many people came forward in support of the Senior Citizens; there was very little input from the other side. He is therefore, in support of these changes/decreases.

Written Comments by Brian Lobel were read and entered into the minutes:

THE REDUCTION IN THE RATES FOR 2009/2010 24-HOUR PARKING PERMITS FROM THOSE ORIGINALLY PROPOSED TO THE PUBLIC REPRESENTS A FURTHER REDUCTION FROM FAIR MARKET RATES.

IT IS A POLITICAL RESPONSE TO A FEW VOICES WHO WILL BENEFIT FINANCIALLY WHILE TAXES ARE INCREASED FOR ALL TOWN RESIDENTS. IT FAILS TO ADDRESS THE NEEDS OF THOSE WITH LIMITED INCOMES AND IT FAILS TO ADDRESS THE OVERALL TRANSPORTATION AND ENVIRONMENTAL ISSUES OF THE TOWN BY PROVIDING FOR A JITNEY OR SHUTTLE TYPE SERVICE.

WILL ANY BOARD MEMBERS DEMONSTRATE THE COURAGE NOW TO DO WHAT IS RIGHT FOR THE WHOLE TOWN?

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Washington Square Parking Plan amendments as follows:

Area Business Lot # 3 - \$400.00 per year
Regular 24 Permits – \$600.00 per year
Senior Citizen 24 Hour Permit – \$350.00

Separate permits will be issued for upper and lower levels, with the existing permit holders given a choice of whether they prefer the upper or lower level. New permits

May 6, 2009

will be issued by upper and lower levels by alternating applications.

Six (6) handicapped spaces will be created along Vine Street to for the exclusive use by Lot # 3 permit holders.

Fifteen (15) Area Business Permits will be sold and distributed to upper and lower levels by alternating applications.

The above resolution was put to a roll call vote:

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

TAKEN OUT OF ORDER

ORAL COMMUNICATIONS

Abby Katz, Larchmont Gardens' Civic Association, announced the Association's Annual Meeting on June 8th at 7:30PM at the Weaver Street Fire House. She noted the main agenda will be the Duck Pond. She asked for updates on the curbing on Myrtle Blvd, at which she was informed it was not on the agenda at this time. She then asked if the residents could submit a planting plan and was told yes.

Mr. Altieri gave a brief update on the status of the sidewalks along the Brook and the steps the Town is taking to have the contractor correct the problem.

Claire Kubasik thanked the Board for all the great work they have done with respect to the parking situation.

PUBLIC HEARINGS - Repeal of Off-Street Parking in Residential Districts

The following notice of Public Hearing was entered into the record:

NOTICE OF PUBLIC HEARING
May 6, 2009

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Mamaroneck on May 6, 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 to consider the adoption of a local law entitled "Repeal of the Off Street Parking in Residential Districts" Law.

Purpose:

Section 240-79 (B) of the Zoning Ordinance provides restrictions on off-street parking which have become anachronistic. The law was enacted at a time when it was less common for households to have more than one automobile so that parking the family car either in a garage or more than 25 feet from the home's front lot line was feasible. Now it is the norm for each household to have two or three cars making it impossible to park all of them in a garage or more than 25 feet from the home's front lot line.

In addition there were no SUVs or other extra large motor vehicles when the law was passed. Garages that were built prior to 1960 cannot accommodate some of today's vehicles. Hence such vehicles are parked in driveways.

For these reasons, the Town Board finds that it is appropriate to repeal section 240-79 (B) of the Zoning Ordinance.

May 6, 2009

The full text of this Local law may be examined and copies obtained at the Town Clerk's office during regular hours (Monday through Friday, 8:30 AM to 4:30 PM, or until 4:00 PM during June, July and August) at 740 W. Boston Post Road Mamaroneck, New York

PLEASE TAKE FURTHER NOTICE that at the Public Hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments at or prior thereto.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MAMARONECK

CHRISTINA BATTALIA
TOWN CLERK

Published: March 17, 2008

Mr. Maker explained that by law amendments to Zoning Code must first be referred and reviewed by the Planning Board. Mr. Maker has been notified by the Planning Board that they have comments with respect to this amendment and would request further time to review this with the Town and the Town's Attorney. It is, therefore, the recommendation that this Public Hearing be adjourned until May 20, 2009.

On motion of Councilman Fishman, seconded by Councilwoman Seligson, the Public Hearing was unanimously adjourned until May 20, 2009.

BOARD OF FIRE COMMISSIONERS

The meeting was called to order by Commissioner O'Keeffe, and then 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 Councilwoman 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:

AAA Emergency Supply Co.	Hydrolic Oil	60.00
Con Edison	Gas	19.91
G & K Services	Cleaning Service	155.43
High Tech Fire & Safety	Dyna-Fit Suspenders	36.76
IKON	Copier Monthly Fee	212.13
Lifeguard Systems Inc.	Firefighting Equipment	253.40
NOCO Energy Corp.	Fuel	50.00
Oakland Beach Deli	Food for 4/14/09	203.94
Pitt-Stop Auto Parts	Fuel Line For Ladder 19	28.50
Poland Springs	Drinking Water	81.85
R & L Consulting	Symantec Endpoint Protection License	99.00
Sound Shore Contracting	Plumbing Repairs	129.00
Sound Shore Pest Control	Exterminating Services 3/5 & 3/31/09	130.00
Smith El Dis Co. Inc.	Lamps	411.72

May 6, 2009

Smith El Dis Co. Inc.	Lamps	195.40
Town of Mamaroneck P.F.F.A.	Life Insurance Premium April '09	330.12
United Water	Service from 1/2-4/1/09	310.29
Verizon	Telephone Service 4/10-5/9/09	714.07
Total:		3,421.52

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

Commissioner Wittner read the Fire Report for the Month of April as submitted by Chief McCarthy as follows:

April 2009

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	14
Minors	14
Stills	0
Out of Town (Mutual Aid)	0
EMS	16
Drills	2
TOTAL	46

Total number of personnel responding: 634
Total time working: 13 hours and 54 minutes

Commissioner Wittner read the Service Awards Report for the 1st Quarter of 2009 as submitted by Chief McCarthy. On motion of Commissioner Seligson, seconded by Commissioner Wittner the Service Awards Report was accepted and entered into the record as follows:

Attachment A

Commissioner O’Keeffe spoke of the passing of Anthony Mirande, a longtime resident of Larchmont and proprietor of Franklin Cleaners, died at home on May 3, 2009; he was 88 years old. Mr. Mirande was born April 26, 1920 in Larchmont to the late Emilio and Philomena Carpino Mirande. He served in the United States Army during WWII as a military policeman, was the longest living member of the Town of Mamaroneck Fire Department and Ex Chief in 1953, was a member of the VFW and also the American Legion. He will be remembered as an outstanding member and contributor to our community.

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

AFFAIRS OF THE TOWN

1. Authorization – Revised Ambulance Service Fees

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the 2009 Ambulance District Fee Schedule as follows:

BLS Emergency	\$470
ALS I Emergency	\$600
ALS II Emergency	\$725
Mileage	\$12.50 per loaded mile
Oxygen	\$40.00 surcharge

2. Authorization – Renewal of Southeast Consortium Lease

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

RESOLVED, that the Mamaroneck Town Board does hereby authorize and direct the Town Administrator to execute in the name of the Town of Mamaroneck a lease for the rental of Suite 301 at the Town Center located at 740 West Boston Post Road, Mamaroneck, NY 10543 and designated as part of Block 917, Lot 1.3 on the Town’s tax assessment map to South East Consortium for Special Services, Inc. for five years at an annual rents of \$16,000 for the period from June 1, 2009 to May 31, 2011, \$16,640 for the period from June 1, 2011 to May 31, 2013 and \$17,300 for the period from June 1, 2013 to May 31, 2014.

3. Authorization – NYGIS Software

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

WHEREAS, as a continuation of the Town’s implementation of GIS systems to consolidate data on land parcels, infrastructure and natural features of the Town, the Town would like to implement the New York GIS software to develop electronic files for activities and transactions relating to land parcels and infrastructure, and

WHEREAS, the cost of the software of \$14,630 will be fully funded by a grant received from the New York Department of State, with an annual maintenance cost to the Town of \$5,800, to be offset by convenience fees received.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby approve the proposal submitted by New York GIS and authorizes the Town Administrator to execute a contract subject to approval of the contract form 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

4. Approval of Certiorari

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

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

Ray Catena Corporation
1435 - 1451 Boston Post Road
Larchmont, NY 10538
Block: 411 Lots: 249 and 280

Town of Mamaroneck/Village of Larchmont

Block: 411 Lot: 280

<u>Year</u>	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2002	\$13,900	\$12,160
2003	\$13,900	\$11,080
2004	\$13,900	\$11,770
2005	\$13,900	\$11,050
2006	\$13,900	\$10,230
2007	\$13,900	\$9,960
2008	\$13,900	\$9,780

Block: 411 Lot: 249

<u>Year</u>	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2002	\$115,000	\$100,640
2003	\$115,000	\$91,640
2004	\$115,000	\$97,370
2005	\$115,000	\$91,390
2006	\$115,000	\$84,640
2007	\$115,000	\$82,380
2008	\$115,000	\$80,940

The above resolution was put to a roll call vote:

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

5. Salary Authorizations:

Community Services

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the salary increase for the Maria Gallagher, Senior Center Director, for 2009 to \$75,160.00, retroactive to January 1, 2009 and for 2010 to be increased to \$81,750, and

BE IT, FURTHER

May 6, 2009

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to amend Ms. Gallagher's employment agreement to reflect the salary adjustment.

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 Councilman Odierna, seconded by Councilwoman Wittner, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the promotion of Mike Pinto to Garage Foreman/Fleet Manager at a salary of \$67,555.00, retroactive to June 1, 2008, a non union position directly reporting to the Highway Superintendent.

The above resolution was put to a roll call vote:

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

Ambulance District

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the salary increase for the Ambulance District Paramedics from \$26.50 to \$27.50 per hour as budgeted for Fiscal Year 2009, retroactive to January 1, 2009.

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 Councilwoman Seligson, 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:

Memorial Park Tennis Courts

Sean Rouse	Attendant	\$11.00/hour	effective 5/1/09
David Conover	Attendant	\$12.00/hour	effective 5/1/09

May 6, 2009

Francine Brill	Alternate Attendant	\$12.50/hour	effective 5/1/09
Andrew Valentine	Attendant	\$10.50/hour	effective 5/1/09

The above resolution was put to a roll call vote:

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

ORAL COMMUNICATIONS

Previously in the meeting

WRITTEN COMMUNICATIONS

Previously in the meeting

SUPERVISOR'S REPORT

Supervisor O'Keeffe announced that Councilwoman Seligson is being honored at the Federated Conservationists of Westchester County on June 4th, she will be speak about the Long Island Sound

Also of note, Arthur Wexler, the Chair of the Town's Zoning Board of Appeals, will be honored at the Westchester Municipal Planning Federation.

REPORT OF COUNCIL

Councilman Fishman will be attending the Traffic Committee Meeting next week. The Housing Authority will celebrate with an anniversary BBQ in June. There is good news Authority was again praised for its budgeting and planning.

Councilwoman Seligson attended the Zoning Board of Appeals Meeting on April 22nd, LISWIC on April 24th. She and Supervisor O'Keeffe spoke on the Environmental Accomplishments of the Town at the Summit Meeting on April 24. She attended the Town's Employee Service Awards on April 24th and the Community Counseling Center's Dinner on April 29th and the Sheldrake Environmental Center's Fund Raiser on May 1st. Councilwoman Seligson noted the Town sponsored Land Use Training Seminar presented by Frank Fish, Bill Maker and Liz Paul offered to the Planning and Zoning Board Members – it was well attended.

Councilwoman Wittner noted her attendance at the Westchester County Soil and Water Conservation District Meeting on April 17th, the Summit Group on April 24th, Coastal Zone Management Committee on April 28th, the Town of Mamaroneck Employee Service Awards on April 29th, Community Counseling Center Dinner on April 29th and finally, the Town's land use class offered to the Town's Zoning and Planning Boards, given by William Maker, Frank Fish and Elizabeth Paul.

Councilman Odierna attended many of the same meetings as Councilwoman Wittner, adding his attendance at the R.A.D.A.R. Meeting, in which they continue their quest to engage the teens of our community and keep them off drugs and alcohol. He also noted they are actively looking for sponsorship.

May 6, 2009

The Board thanked and praised Mary Stanton for a wonderful job with the Town's Wellness Fair. Ms. Stanton gave a brief description of the event.

ADJOURNMENT

On motion of Supervisor O'Keeffe, seconded by Councilwoman Wittner, the meeting was unanimously adjourned in memory of Anthony Mirande at 10:55 PM.

**Submitted by
Christina Battalia, Town Clerk**