

June 17, 2009

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON JUNE 17, 2009, 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:

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

WORK SESSION

Discussion of Rock Removal Law

Joseph Carducci, a local contractor, addressed the Board with his concerns regarding this Local Law. He feels it is overly restrictive. He encouraged the Board and the Town Attorney to review. The Board asked Mr. Carducci to put in writing any suggestions for changes he may have.

Consolidation/Shared Services

The Board discussed formalizing a mission statement as well as creating a committee.

Written Communications

The Board discussed the procedure for handling written communications.

2008 Audited Financial Statement

Dominick Consolo, of Bennett Kielson, and Mr. Siligato, the Town Comptroller, were present. The Board reviewed the 2008 Audited Financial Statement.

GASB 45

The Board reviewed the Retiree Health Valuation Under GASB #45 for the fiscal year ending December 31, 2008. This report was prepared to meet the compliance with Government Accounting Standards Board Statement # 45.

Gardens’ Lake Update

It was reported that Westchester County voted 4 to 1 to fully fund the Grants for Flood Mitigation – the Town should be receiving the anticipated \$800,000.00.

Community Development Block Grant (CDBG)

It was reported that the Town has been awarded \$150,000.00 in grant funds, to be used for renovations to the VFW – Senior Center.

June 17, 2009

mmocks Road Improvements – Safe Routes to School

Mr. Altieri noted that the project is currently out to bid, estimated of \$26,000.00. He will contact Blockbuster to inform them of the project.

Proposed Zoning Amendment - Off-Street Parking in Residential Districts

The Board reviewed the Resolution Authorizing Transmission of Report and Recommendation of the Planning Board. In light of this report, the Board would like to review this proposed Local Law further.

Councilwoman Seligson noted that at the last Planning Board there was a lot of discussion regarding the covenants' of the Elmcroft Subdivision with respect to Winged Foot.

On motion of Councilwoman Wittner, seconded by Councilwoman Seligson, the Board unanimously agreed to enter into Executive Session to discuss, Litigation and Employment History two individuals.

CALL TO ORDER

The regular meeting of the Town Board was called to order by Supervisor O'Keeffe at 8:20 PM she then pointed out the location of exits.

PUBLIC HEARING— Repeal of the Off-Street Parking in Residential Districts

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

NOTICE OF PUBLIC HEARING

May 6, 2009

Adjourned to May 20, 2009.

Adjourned to June 3, 2009

Adjourned to June 17, 2009

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Mamaroneck on June 17, 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.

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

June 17, 2009

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

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

RESOLVED, that the Mamaroneck Town Board does hereby adjourn the Public hearing on the "Repeal of the Off Street Parking in Residential Districts" Law, until August 12, 2009.

PUBLIC HEARING — Amendment to Special Permit FCD Mamaroneck, LLC

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

**NOTICE OF PUBLIC HEARING
AMENDMENT TO SPECIAL PERMIT FCD MAMARONECK LLC**

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Mamaroneck on June 17, 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 amending the Special Permit issued by the Town Board to FCD Mamaroneck LLC.

The full text of the amended permit 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: June 5, 2009

On motion of Councilman Fishman, seconded by Councilwoman Seligson, the Public Hearing was unanimously opened.

Supervisor O'Keeffe asked if anyone wished to speak for or against the proposed law.

Mr. Maker explained that as a result of public discussions, the Town Board decided that 5 of the parking spaces in the new parking deck would be designated as handicapped parking spaces. Handicapped parking spaces require more room, therefore the original number of spaces has been reduced from 118 to 116 spaces.

On motion of Councilwoman Seligson, seconded by Councilwoman Wittner, the Public Hearing was unanimously closed.

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

June 17, 2009

RESOLUTION APPROVING THE FOURTH AMENDMENT TO THE SPECIAL PERMIT ISSUED BY THE TOWN BOARD TO FCD MAMARONECK, LLC ON OCTOBER 18, 2006

Whereas, on October 18, 2006, the Town Board adopted a resolution wherein it issued a Special Permit to FCD Mamaroneck, LLC for the construction of a mixed-use development in the area generally bounded by Madison Avenue, Byron Place and Maxwell Avenue in the Town of Mamaroneck, subject to the conditions and requirements contained in the Town Board's October 18, 2006 resolution ("Special Permit"), and

Whereas, on April 2, 2008, the Town Board adopted a resolution whereby it granted the First Amendment to the Special Permit, and

Whereas, on November 5, 2008, the Town Board adopted a resolution whereby it granted the Second Amendment to the Special Permit, and

Whereas, on February 27, 2009, FCD Mamaroneck LLC transferred title to the real property on which the mixed-use development that is the subject of the Special Permit to Byron Place Associates, LLC, and

Whereas, on April 1, 2009, the Town Board adopted a resolution whereby it granted the Third Amendment to the Special Permit, and

Whereas, Byron Place Associates, LLC has asked the Town Board to amend the Special Permit to change the minimum number of parking spaces in Parking Lot #3 upon the completion of the construction of a parking deck thereon from 118 to 116 for the reasons stated below, and

Whereas, at its meeting held on June 17, 2009, the Town Board conducted a public hearing on the request made by Byron Place Associates, LLC, and

Whereas, at the public hearing all persons wishing to be heard were given an opportunity to address the Town Board either orally or in writing, and

Whereas, the public hearing was closed on June 17, 2009, and
Whereas, the Town Board finds:

(a) when it granted the Special Permit in 2006, the Town Board determined the minimum number of parking spaces for Parking Lot #3 without taking into consideration whether Parking Lot #3 would contain parking spaces for the handicapped,

(b) in the course of public meetings where the Town Board discussed rates for permits for parking in Parking Lot #3, it heard from numerous residents of the Washington Square area that a certain number of parking spaces for the handicapped within Parking Lot #3 would be beneficial,

(c) as a result of these public discussions, the Town Board decided that 5 of the parking spaces in Parking Lot #3 would be designed as parking spaces for the handicapped, and

(d) because parking spaces for the handicapped require more room than parking spaces that are not designed for the handicapped, no more than 116 total parking spaces can be laid out in Parking Lot #3.

BE IT RESOLVED that since the request by Byron Place Associates, LLC does not call for any physical change in Parking Lot #3 but only reduces by 2 the total number of parking spaces that Parking Lot #3 will contain, the Town Board determines (a) that the request by Byron Place Associates, LLC does not need to be referred to the Planning Board and (b) that the Town Board, as Lead Agency, need not make any additional or supplemental findings under the State Environmental Quality Review Act before acting upon this application for a fourth amendment to the Special Permit; and

BE IT FURTHER RESOLVED that a fourth amendment to the Special Permit is granted in that wherever the requirement that there be 118 parking spaces in Parking Lot #3 with at least 63 being at grade and at least 55 being on the Parking Deck appears in the Special Permit (as amended by First, Second and Third Amendments thereto), it shall be deleted and replaced by 116 parking spaces with at least 62 being at grade and at least 54 being on the Parking Deck, and

June 17, 2009

BE IT FURTHER RESOLVED that all of the paragraphs of the October 18, 2006 resolution granting the Special Permit, all of the paragraphs of the Town Board's April 2, 2008 resolution granting the First Amendment to the Special Permit and all of the paragraphs of the Town Board's November 5, 2008 resolution granting the Second Amendment to the Special Permit and all of the paragraphs of the Town Board's April 1, 2009 resolution granting the Third Amendment to the Special Permit (including the recital paragraphs appearing in those resolutions) that have not been deleted or amended by this resolution are reconfirmed and shall remain in full force and effect, and

BE IT FURTHER RESOLVED that the Town Administrator is authorized to execute the proposed **FOURTH AMENDMENT TO THE CONTRACT OF SALE** on behalf of the Town, and

BE IT FURTHER RESOLVED, that this resolution shall take effect only if FCD Mamaroneck, LLC executes the proposed **FOURTH AMENDMENT TO THE CONTRACT OF SALE** thereby acknowledging that its obligation to construct the Parking Deck in accordance with (i) the Special Permit issued by the Town Board on October 18, 2006 as that Special Permit has been amended on April 2, 2008, on November 5, 2008, on April 1, 2009 and by this resolution and (ii) the Contract of Sale between the Town of Mamaroneck and FCD Mamaroneck, LLC made as of January 2007, as that contract has been amended by the First Amendment to the Contract of Sale made as of April 11, 2008, the Second Amendment to the Contract of Sale made as of June 20, 2008, the Third Amendment to the Contract of Sale made as of April 1, 2009 is not altered, relieved or discharged in any way by this resolution, and

BE IT FURTHER RESOLVED that within five (5) business days of the adoption of this resolution, the Town Administrator or other duly authorized person (i) shall cause this resolution to be filed in the office of the Town Clerk and (ii) shall cause a copy thereof to be sent by first-class mail, telefax or electronic mail to Byron Place Associates, LLC and FCD Mamaroneck, LLC and to all agencies which are considered either an interested or an involved agency under the regulations promulgated by the New York State Department of Conservation pursuant to the State Environmental Quality Review Act.

FOURTH AMENDMENT TO THE CONTRACT OF SALE

This amendment ("Fourth Amendment") made as of June 17, 2009 is between the **TOWN OF MAMARONECK**, a municipal corporation duly organized and existing under the laws of the State of New York, having its principal place of business at 740 West Boston Post Road, Mamaroneck, New York 10543 ("Seller"), **BYRON PLACE ASSOCIATES, LLC** with an office at 2 Greenville Road, Katonah, New York 10536 ("Byron") and **FCD MAMARONECK LLC**, a New York limited liability company with an office located at 1775 Broadway, Suite 701, New York, New York 10019 ("Assignor").

Recitals

Whereas, the Seller and the Assignor entered into a Contract of Sale made as of January 2007, a First Amendment to the Contract of Sale made as of April 11, 2008 ("First Amendment") and a Second Amendment to the Contract of Sale made as of June 20, 2008 ("Second Amendment") for the sale by the Seller to the Assignor of all that certain piece or parcel of land described on Exhibit A annexed to the Contract consisting of approximately 5,550 square feet lying and being in the Town of Mamaroneck, County of Westchester and State of New York designated as Block 132, Lot 300.2 on the official tax map of the Town of Mamaroneck and located on the east side of Byron Place, and

Whereas, the Seller approved a Third Amendment to the Contract of Sale made as of April 1, 2009, and

Whereas, under the Contract of Sale, the First Amendment, the Second Amendment and the Third Amendment (collectively, "Contract"), upon completion of the construction of a Parking Deck over Parking Lot #3 there are to be a total of 118 parking spaces in Parking Lot #3 of which at least 63 are to be at grade and at least 55 are to be on the Parking Deck, and

June 17, 2009

Whereas, due to the inclusion of parking spaces for the handicapped in Parking Lot #3, there no longer can be a total of 118 parking spaces in Parking Lot #3, and

Whereas, on April 1, 2009, the Seller resolved to amend the Contract to reduce the minimum number of parking spaces required for Parking Lot #3 from 118 to 116.

Now, therefore, intending to be bound, the parties agree to the following:

I. **Amendment.** The Contract is amended by eliminating the requirement that upon completion of the Parking Deck there be at least 118 parking spaces in Parking Lot #3 with at least 63 being at grade and at least 55 being on the Parking Deck and substituting therefor the requirement that upon completion of the Parking Deck there be at least 116 parking spaces in Parking Lot #3 with at least 62 being at grade and at least 54 being on the Parking Deck.

II. **Assignor's Continuing Obligation.**

The Assignor agrees that nothing contained herein shall relieve it of its obligation to construct the Parking Deck in accordance with (i) the Special Permit issued by the Town Board on October 18, 2006 for a mixed-use development in the area generally bounded by Madison Avenue, Byron Place and Maxwell Avenue in the Town of Mamaroneck, as that Special Permit has been amended on April 2, 2008, November 5, 2008, April 1, 2009 and June 17, 2009 and (ii) the Contract and the Fourth Amendment.

III. **Representations and Warranties.**

A. The Seller represents to Byron and the Assignor that the Seller has the full right, power and authority to enter into and fully perform its obligations under the Fourth Amendment and the person signing the Fourth Amendment on behalf of the Seller is authorized to do so. These representations are true on the date the Seller signs the Fourth Amendment and will be true on the date of the Closing. These representations shall survive the delivery of the Deed.

B. Byron represents to the Seller and the Assignor that Byron has the full right, power and authority to enter into and fully perform its obligations under the Fourth Amendment and the person signing the Fourth Amendment on behalf of Byron is authorized to do so. These representations are true on the date Byron signs the Fourth Amendment and will be true on the date of the Closing. These representations shall survive the delivery of the Deed.

C. The Assignor represents to the Seller and Byron that the Assignor has the full right, power and authority to enter into and fully perform its obligations under the Fourth Amendment and the person signing the Fourth Amendment on behalf of the Assignor is authorized to do so. These representations are true on the date the Assignor signs the Fourth Amendment and will be true on the date of the Closing. These representations shall survive the delivery of the Deed.

III. **Counterparts.**

The Fourth Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which when taken together shall constitute one and the same contract.

IV. **Severability.**

If any one or more of the provisions contained in the Fourth Amendment shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and the Fourth Amendment shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

V. **Restatement of the Contract, the First Amendment, the Second Amendment and the Third Amendment.**

All of the provisions of the Contract that have not been deleted or amended by the Fourth Amendment shall remain in full force and effect and shall continue to be part of the Contract. In Witness Whereof, this Fourth Amendment has been duly executed by the Parties hereto the day and year first above written.

June 17, 2009

The above Resolutions were put to a roll call vote:

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

PUBLIC HEARINGS— “Towing of Illegally Parked Motor Vehicles

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Mamaroneck on June 17, 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 “Towing of Illegally Parked Motor Vehicles” Law.

Purpose

The Town Board finds that illegal parking is or has the potential of becoming a major problem in the Town of Mamaroneck. To combat this problem, the Town Board hereby exercises its power under the New York State Vehicle and Traffic Law to authorize the towing, impounding and storage of illegally parked motor vehicles.

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: June 5, 2009

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

RESOLVED, that the Mamaroneck Town Board does hereby adjourn the Public Hearing on the “Towing of Illegally Parked Motor Vehicles” Law. until July 7, 2009.

BOARD OF FIRE COMMISSIONERS

The meeting was called to order by Commissioner O’Keeffe and on motion of Commissioner Councilman Odierna, seconded by Commissioner Councilwoman Seligson, 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 Councilman Fishman presented fire claims for authorization of payment, thereafter on Commissioner Councilman 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:

1st Responder Newspaper	2009 Subscription	\$80.00
911 Wear Inc.	Shirts	444.50
911 Wear Inc.	Chief Gear-Russo	311.93
911 Wear Inc.	Uniform Hats	267.00
911 Wear Inc.	Captain's Jacket	167.97
911 Wear Inc.	Chief Shirts	140.97
911 Wear Inc.	Uniform Pants-Nishanian	79.99
911 Wear Inc.	Patches & Name Plate	50.75
AAA Emergency Supply	Safety Cones	259.00
AAA Emergency Supply	Aqualino-Gear Repair	184.50
AAA Emergency Supply	Stream Light Repair	59.00
AAA Emergency Supply	Nozzle Repair	18.00
Cleaning Systems	Garbage Bags	28.75
Embassy Cleaners	Uniform Maint. May 2009	66.45
Firemen's Association of The State of NY	J.Russo NYS codes update class	65.00
Flower Bar	Wreaths-VFW & FD Memorial	495.00
Interstate Diagnostic Inc.	3 Physical Exams-Cioffi, Gonzalez,Santoro	570.00
Larchmont Village Cleaners	Uniform Maint. May 2009	14.15
R & L Consulting	Sym Mail Sec 6.0 License Renewal	120.00
Sound Shore Contracting	Install Photocell for Flagpole Light	80.00
Verizon Wireless	Cell Service 4/27-5/26/09	292.70
Villa Maria Pizza	Food for Fast Team Drill	65.06
Westech Elev. Services Inc.	Elevator Maint. For June 2009	175.00
Winzer Corp.	Supplies	26.17
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	Total:	\$4,061.89

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

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

AFFAIRS OF THE TOWN

1. Report of Bids – TA-09-05 Resurfacing Various Roads

The following report of bids is entered into the record as Attachment A.

On June 11, 2009 the Town publicly opened and read bids for Contract TA-09-05 – Road Resurfacing. Four bids were opened with the lowest bidder being ELQ Industries of New Rochelle. Mr. Altieri explained that the largest portion of this project will be the paving of Griffen Avenue as a joint project between the Town of Mamaroneck and the Village of Scarsdale.

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

WHEREAS, on June 11, 2009 the On June 11, 2009 the Town publicly opened and read bids for Contract TA-09-05 – Road Resurfacing.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-09-05, to the lowest responsible bidder, ELQ Industries of New Rochelle, for a total of \$418,253.00, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby approve the shared expenses for this project with the Village of Scarsdale as follows:

Town of Mamaroneck	\$206,837.00
Village of Scarsdale	\$211,416.00

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	Aye
O’Keeffe	Aye

2. Authorization – Intermunicipal Agreement – Village of Scarsdale

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

WHEREAS, in connection with the award of the bid for road resurfacing of Griffen Avenue, the Town of Mamaroneck and the Village of Scarsdale agree to enter into an inter-municipal agreement, and

WHEREAS, both municipalities have approved the bid document and will jointly execute the construction contract, and the inter-municipal agreement for the joint resurfacing of Griffen Avenue, and

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said inter-municipal 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

3. Authorization - United Health Care Agreement

Mr. Altieri explained that as part of the Ambulance Districts improvement of payments, it has already negotiated contracts with POMCO Health Services and MVP Health Services. At this time it is the recommendation of the Ambulance District Director to enter into an agreement with United HealthCare.

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the contract with United HealthCare at the following rates:

	TMAD Current Rate	UHC Proposed Rate	% change
BLS - Emergency	470	350	-26%
ALS 1 -Emergency	600	400	-33%
	725	725	0%
	12.5	6	-52%

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	Aye
O’Keeffe	Aye

4. Approval of Certiorari

Larap Corporation
608 Fifth Avenue
Block: 130 Lot: 541

Town of Mamaroneck

<u>Year</u>	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2003	\$11,300	\$6,350
2004	\$11,300	\$7,350
2005	\$11,300	\$7,300
2006	\$11,300	\$6,950
2007	\$11,300	\$6,500
2008	\$11,300	\$6,700

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O’Keefe	Aye

5. Salary Authorization

Court Clerk

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the provisional appointment of Lourdes Maria Valdes as an Assistant Court Clerk, effective June 15, 2009 at an annual salary of \$38,728.00

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O’Keefe	Aye

Highway Department

On motion of Councilwoman Seligson, seconded by Supervisor O’Keefe, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the Appointment of Phillip Halliwell as a seasonal summer laborer with the Highway Department, retro- active to June 4, 2009 through August 20, 2009 at an hourly rate of \$15.00.

The above resolution was put to a roll call vote:

Fishman	Aye
Seligson	Aye
Odierna	Aye
Wittner	Aye
O’Keefe	Aye

Recreation

On motion of Councilwoman Seligson, seconded by Councilman Odierna, 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:

June 17, 2009

HOMMOCKS POOL effective retroactive to June 6, 2009

Kevin Saporito	Lifeguard	\$8.75 per hour
Cliff Shapiro	Manager	\$16.25 per hour
Caroline Spader	Lifeguard	\$10.50 per hour
	Swim Instructor	\$18.00 per hour

HOMMOCKS POOL effective June 16, 2009

Zsuzska Beswick	Lifeguard	\$9.25 per hour
Robert Coleman	Lifeguard	\$10.50 per hour
	Swim Instructor	\$12.50 per hour
Kathleen Corsetti	Lifeguard	\$10.25 per hour
Matt Eckes	Key Attendant	\$9.00 per hour
Michael Johnson	Lifeguard	\$11.00 per hour
	Swim Instructor	\$14.00 per hour
Anna Kravet	Lifeguard	\$10.25 per hour
Emma Kravet	Lifeguard	\$10.75 per hour
	Swim Instructor	\$17.75 per hour
Joanne Schroeder	CPO/Manager	\$20.00 per hour
Sarah Walsh	Lifeguard	\$10.75 per hour
Margaret Walts	Alternate Manager	\$16.50 per hour

Camp Central effective June 30 to August 14, 2009

Kathleen Faulkner	Unit Leader	\$300.00 per week
Thelma Rhodes	Unit Leader	\$350.00 per week
Peter Denysenko	Fitness Specialist	\$190.00 per week
Mary Lou Hughes	Art Specialist	\$300.00 per week
Amanda Campone	Counselor	\$110.00 per week
Judith Clark	Counselor	\$170.00 per week
Anna Hammond	Counselor	\$210.00 per week
Norma Havranek	Counselor	\$190.00 per week
Stephanie Keck	Counselor	\$175.00 per week
Carol Kienzel	Counselor	\$200.00 per week
Shelia Larkin	Counselor	\$195.00 per week
Monica Moreno	Counselor	\$180.00 per week
Irena Mullen	Counselor	\$175.00 per week
Rose Richards	Counselor	\$245.00 per week
Camille Tompkins	Counselor	\$265.00 per week
Sam Wallach	Counselor	\$110.00 per week
Joseph Barbella	Junior Counselor	\$85.00 per week
Elaine Kung	Junior Counselor	\$85.00 per week
Patricia Ybarra	Junior Counselor	\$90.00 per week

Teen Escape effective July 13 to August 7, 2009

Josephine Jurado	Bus Driver	\$800.00 per week
Erica Koehler	Counselor	\$370.00 per week

Hommocks Playground effective 6/30/2009 to 8/14/2009

Ted J. Ostruzka	Director	\$10,000.00 season
Margaret Walts	Unit Leader	\$ 4,000.00 season
Derek Lanza	Unit Leader	\$ 2,600.00 season
Annette Ballone	Art Specialist	\$325.00 per week
Connie Flay	Art Specialist	\$4,550.00 season
Charlie Rizzo	Sports Specialist	\$1,980.00 season
Zsuzska Beswick	Lifeguard	\$310.00 per week
Julia Caro	Lifeguard	\$315.00 per week
David Adler	Counselor	\$245.00 per week
Matthew Alteri	Counselor	\$235.00 per week
Jason Bilotti	Counselor	\$320.00 per week

June 17, 2009

Colete Coke	Counselor	\$225.00 per week
Amanda Curry	Counselor	\$310.00 per week
Keith Dalbon	Counselor	\$195.00per week
Jenna Danoy	Counselor	\$195.00 per week
Christopher Ford	Counselor	\$230.00 per week
Anne Giles	Counselor	\$245.00 per week
Aaron Gootzeit	Counselor	\$255.00 per week
Amanda Greeberg	Counselor	\$230.00 per week
Matthew Levinson	Counselor	\$245.00 per week
Andrew Marmon	Counselor	\$245.00 per week
Meredith Mason	Counselor	\$225.00 per week
John Muller	Counselor	\$245.00 per week
Joseph Muratore	Counselor	\$195.00 per week
Joni Newman	Counselor	\$230.00 per week
Christopher Parra	Counselor	\$195.00 per week
William Persampieri	Counselor	\$195.00 per week
James Pappas	Counselor	\$245.00 per week
Kayla Romanelli	Counselor	\$200.00 per week
Yolanda Rose	Counselor	\$265.00 per week
Daniel Smith	Counselor	\$245.00 per week
Jordan Talibon	Counselor	\$195.00 per week
John Uddo	Counselor	\$195.00 per week
Owen Walters	Counselor	\$255.00 per week
Gabrielle Westerman	Counselor	\$235.00 per week
Jayron Whitted	Counselor	\$265.00 per week
Sibel Catto	Junior Counselor	\$160.00 per week
Brittany Jackson	Junior Counselor	\$160.00 per week
Ben Koller	Junior Counselor	\$160.00 per week
Nicole Nye	Junior Counselor	\$160.00 per week

Hommocks Playground Extended Day Camp effective June 30 to August 14, 2009

Margaret Walts	Director	\$2,000.00 season
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Camp Monroe effective 6/30/2009 to 8/13/2009

Grace Russo	Unit Leader	\$300.00 per week
Jackie Baron	Counselor	\$150.00 per week
Ashwin Bhandari	Counselor	\$140.00 per week
John Chica	Counselor	\$165.00 per week
Michelle Colonia	Counselor	\$175.00 per week
Brandon Cooper	Counselor	\$145.00 per week
Diana DiMicelli	Counselor	\$190.00 per week
Dylan Hatten	Counselor	\$215.00 per week
April Havranek	Counselor	\$220.00 per week
Chris Leddy	Counselor	\$210.00 per week
Arthur Micheli	Counselor	\$210.00 per week
Andrew Miller	Counselor	\$135.00 per week
Cydney Ortiz	Counselor	\$165.00 per week
Anna Schafler	Counselor	\$220.00 per week
Justin Dahlgren	Junior Counselor	\$115.00 per week

The above resolution was put to a roll call vote:

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

6. Resolution – New York State Class AA High School Baseball Champions

On motion of Supervisor O’Keeffe, seconded by Councilwoman Wittner, the following was approved:

June 17, 2009

WHEARAS, on June 13, 2009 The Mamaroneck High School Tigers Varsity Baseball Team, New York State Section 1 champions defeated the Clarence High School Red Devils 12 to 2 in the final game of the New York State Class AA Championship Game in Binghamton, NY to earn the title of 2009 New York State High School Baseball Champions.

WHEARAS, one year earlier, on June 14, 2008 the Tigers baseball team defeated the Massapequa High School Chiefs in the final game of the New York State Class AA Championship Game in Binghamton, NY to earn the title of 2008 New York State High School Baseball Champions and thereby now becoming two-time defending State Champs.

WHEARAS, the core of this incredibly talented baseball squad has trained and played together since they were nine years old and like so many others in our community meticulously developed their skills beginning with play on the Town's diamonds beginning with Kickball, T-Ball, Coach-Pitch divisions, and moving on to distinguished and highly competitive play in all of the Larchmont Mamaroneck Little League's divisions.

WHEREAS, the Town of Mamaroneck was fortunate to be endowed with an energetic resident with a college baseball pedigree and a deep passion for coaching, a keen eye for the development of talent, and who had his afternoon hours free given his vocation as a wholesale florist. That assistant varsity coach Joe Glaser worked tirelessly with the core of this championship team as the coach of their special travel team through hundreds of games, accumulating victory after victory, tournament title after tournament title, preparing them for the grueling battles to come at the state championship level.

WHEREAS, the Mamaroneck Schools system has been blessed with 30 years of the dedication, aggressive third-base coaching, and the "bionic" batting practice pitching arm of Coach Mike Chiapparelli, who just a few months ago also coached the Tigers Varsity Hockey team to a State Championship final game. That Coach "Chiap" diligent training and conditioning program, beginning with 6:00 am running practices each December both clearly benefited the performance of his team as they vanquished opponent after opponent and outlasted Massapequa in an grueling 11-inning semi-final game earlier on the same day they were crowned as champions.

WHEREAS, the Town has been bestowed with the talent and strong leadership of High School Athletic Director Bari Suman, who has brought home three state championships and gained enormous of respect from students, parents, fans, and coaches alike during her short five-year tenure at Mamaroneck High School.

WHEREAS, the Town of Mamaroneck hereby expresses its heartfelt thanks, sincere appreciation, and awe to the repeating New York State Champions:

Players: #2, Eric Strumwasser, #3, Dean Chiapparelli, #4 Stephen Van Eyck, #5 Mikey Ron, #6 Chris Tofalli, #7 Ryan Gerspach, #10 Sean Hagan, #12 Rob Fine, #13 Max Holiber, #14 Richard MacDonald, #15, Michael Rosenfeld, #16 Robert Gross, #17, Matt Levinson, #18 Jordan Zelin, #19 Greg Denyssenko, #20 Dan Luzzi, #21 Matt McGovern, #22 Eric Windsor, #23 Sam Gruppo, #24 Gabe Klein, #25 Richard Dropkin, #26 Max Frankel, #27, Christian Glaser, #28, Justin Quinn, #29, Andrew Benkwitt, #34 Nick Mezansky, #40, Andrew Sickles, #41, Luke Glaser, #47, Scott Hagan, #49, Jason Weitzman, #51, Jake Saporito, #55, Taylor Mondshein

Coaches: Head Coach Michael Chiapparelli, Assistant Coaches Joe Glaser, Don Novick, Billy Byron, Billy Collins, Lou Arias, Craig Santangelo. Mangers Kurt Jachner and Dick Kittle.

For bringing home the highly coveted state championship to the Town of Mamaroneck.

June 17, 2009

APPROVAL OF MINUTES - May 20, 2009

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board minutes from the meeting of, May 20, 2009.

ORAL COMMUNICATIONS

Abby Katz, Larchmont Gardens' Civic Association, addressed the Board. She was pleased to hear of the good news with respect to the Gardens' Lake.

Supervisor O'Keefe reported that Westchester County voted 4 to 1 to fully fund the Grants for Flood Mitigation – the Town should be receiving the anticipated \$800,000.00.

Ms. Katz asked if the Town was aware of the sidewalk cracking caused by the home construction on East Garden and Ellsworth; is the homeowner responsible for this repair?

Supervisor O'Keefe and Mr. Altieri responded, yes.

WRITTEN COMMUNICATIONS

Supervisor O'Keefe read the written comments of Brian Lobel.

Supervisor O'Keefe noted that the agenda will no longer contain an item for Written Communication, adding the Supervisor and Town Board receive a number of correspondences and publically reading each one is deemed inappropriate.

SUPERVISOR'S REPORT

Supervisor O'Keefe noted the Housing Authority BBQ was a great success, many former Supervisors were in attendance. She thanked everyone involved for supporting the Co-Op Camp. So many residents rose to the occasion and did their part for social justice. Supervisor O'Keefe also commended Arthur Wexler, the Chair of the Zoning Board on being honored by the Westchester Municipal Planning Federation. The Town held a dinner at the VFW Building's Senior Center celebrating the agreement between the Veterans' of Foreign War and the Town. Finally, she reported that the Town has been awarded \$150,000.00 in grant funds to be used for renovations to the VFW – Senior Center.

REPORT OF COUNCIL

Councilman Odierna attended the Mamaroneck Chamber of Commerce on June 4th, discussions involving the fall Harbor Fest. He attended the Housing Authority BBQ. The Board met with the Village of Larchmont regarding the Larchmont Library Construction. The League of Women Voters' met, the main topic was shared services and consolidation. Recreation met on June 9th, they discussed proposed rates for the fall/winter programs. Councilman Odierna reminded residents of the upcoming Concert Series in Memorial Park – the grass looks great! On June 11th, R.A.D.A.R. had their annual summation – they are still actively looking for a venue to hold teen events. Finally, Councilman Odierna attended the Summit meeting in June 16th, Janet Buchbinder of R.A.D.A.R. spoke.

Councilwoman Wittner noted that Councilwoman Seligson was honored at the Westchester County Federation of Conservationists. She also noted that Doug Bloom was honored by the Audubon Society. Councilwoman Wittner congratulated those involved on the recent agreement between the Veterans' of Foreign War and the Town with respect to the VFW Building. Councilwoman Wittner as a liaison to the Board of Assessment, was present at

June 17, 2009

Grievance Day, noting although only a number of residents actually attended, the Assessor has received almost 700 grievances.

Councilman Fishman, further commented on the number of grievances, stating the Town is slowly and painfully doing revaluation.

Councilwoman Seligson noted she attended many of the events already mentioned by her colleagues. She also attended the Planning Board meeting - discussion did involve the proposed Local Law for Off Street Parking in Residential Districts.

Councilman Fishman noted his attendance as well at the above meeting and events, adding he attended the Traffic Committee Meeting.

ADJOURNMENT

On motion of Supervisor O'Keeffe, seconded by Wittner the meeting was unanimously adjourned at 10:00 PM.

Submitted by
Christina Battalia, Town Clerk