

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON OCTOBER 7, 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

Call to Order

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

WORK SESSION

Proposed Easement – 41 Dillon Road

Mr. Altieri explained the request by the homeowner to create a circular driveway. The home is located on a blind curve causing a dangerous situation when exiting the driveway. In order to proceed the resident would need approval to encroach on the Town’s right-of-way. The Board stressed that if approved the resident would have to install a gravel driveway. There would also need to be a provision for revoking the encroachment should the Town want or need to use that portion of the road.

Resolution – New York State Grant

The Board reviewed a resolution by the Town of Yorktown being distributed to other communities in Westchester for consideration. The Board would not be taking any action with respect to this resolution.

Comptroller – NYS Reporting Requirement for Appointed and Elected Officials

The Board reviewed the requirements. Mr. Altieri will have more documents as well as a resolution for the next Work Session.

Added Item

Martin Luther King, Jr. Celebration

Supervisor O’Keeffe asked Councilman Odierna to make contact with The Summit to see if they are willing to help coordinate this event.

Televising Work Sessions

Councilman Odierna encouraged the Board to consider televising Work Sessions, but emphasized a place to begin might be to televise the upcoming all day Budget Sessions. The Board discussed how this could be facilitated. The Board also discussed having the Town Board ‘Packet’ items that will be discussed at the Town Board Meeting available on the web for residents to review prior to the meeting. Using surplus from LMC-TV as a possible funding source was discussed.

Section 8 Housing Voucher Program – Administrative Plan

Mr. Altieri explained that Ms. Danoy, Director of Housing and Community Services will present the Administrative Plan during this evening’s Public Hearing. She does however, have an amendment which she would like the Board to review. The Amendment has to do with succession of the Housing Voucher should the voucher holder pass away. Ms. Danoy will fully explain during the Public Hearing.

Added Item

Revaluation

The Board discussed the renewed interest by Westchester County for a County wide revaluation, adding the County mapping project could be an initial step toward a County revaluation. The Board will be discussing the preparation of a Request for Proposal during its November meetings.

Boards and Commissions

The Board noted member openings on the Recreation Commission, Housing Authority and the Coastal Zone Management Commission. The sense of the Board was to address these openings in the beginning of 2010.

Parking

The Board discussed the continued need by the residents of Lester Place for a special parking district. The Board noted Lot # 3, the Parking Deck, seemed to be under capacity.

On motion of Councilwoman Wittner, seconded by Councilman Fishman, the Board unanimously entered into Executive Session to discuss Employment History of a particular person, potential purchase of land as well as Certiorari.

EXECUTIVE SESSION

Employment History of a Particular Person
Potential Purchase of Land
Certiorari

On motion of Councilman Odierna, seconded by Councilman Fishman, the Board unanimously agreed to reenter Work Session.

Town Assessor

The Board discussed the continued issue of resolving the Larchmont Village Assessment with respect to either adopting the Town roll or reimbursing the Town for the service of creating a separate Village Tax roll.

On motion of Supervisor O’Keeffe, seconded by Councilwoman Wittner the Board unanimously agreed to enter into Executive Session to discuss Employment History of Non Union and Management Employees.

EXECUTIVE SESSION

Employment History of Non Union and Management Employees

CALL TO ORDER

The regular meeting of the Town Board was called to order by Supervisor O’Keeffe at 8:40 PM, she then pointed out the location of exits.

PROCLAMATION

Supervisor O’Keeffe presented Lee Bloom with the following Proclamation, followed with comments by Lee Bloom. Mr. Bloom gave residents a challenge to go onto the United Nations web site at www.un.org and see what the United Nations does.

PROCLAMATION - UNITED NATIONS WEEK

WHEREAS, The United Nations was founded in 1945, and the 64th anniversary of the day on which the UN Charter came into effect will be observed on October 24, 2009; and

WHEREAS, The United Nations continues to act to promote peace and security, economic development and human rights around the world; and

WHEREAS, In September of 2000, 189 nations including the United States agreed upon 8 Millennium Development Goals to meet the needs of the world’s poorest; and

WHEREAS, The eighth Millennium Development Goal seeks to develop a Global Partnership for Sustainable Economic Development; and

WHEREAS, The United States has demonstrated its commitment to sustainable development partnership efforts with other countries and must continue to work with the United Nations and other UN agencies to achieve further progress towards global sustainable development; and

WHEREAS, The United Nations Association of the United States of America (UNA-USA), in cooperation with other organizations has declared Global Partnership for Sustainable Economic Development as its theme for the 2009 United Nations Day commemorations; and

WHEREAS, Residents of the Town of Mamaroneck are encouraged to participate in all activities related to UN Day.

NOW, THEREFORE, BE IT RESOLVED, that I, Valerie Moore O’Keeffe, Supervisor of the Town of Mamaroneck, and the Town Board members, hereby officially proclaim October 24, 2009 as

UNITED NATIONS DAY IN THE TOWN OF MAMARONECK

**PUBLIC HEARINGS – Public Housing Agency Annual PHA Plan for Fiscal Year 2010
Repeal of the Off Street Parking in Residential Districts**

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 Wednesday, October 7, 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 review the Town of Mamaroneck Public Housing Agency Annual PHA Plan for Fiscal Year 2010.

The full text of this Plan may be examined at the Town Clerk’s Office or the Public Housing Authority Office beginning August 17, 2009 during regular business 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 said Public Hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments prior thereto.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF MAMARONECK
CHRISTINA BATTALIA
TOWN CLERK

To be published: September 4, 2009

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

Anna Danoy addressed the Board with her overview of the Public Housing Agency Administrative Plan for the years 2010 thru 2014. She noted the only substantive changes have to do with the criteria for which a voucher held by a deceased family member can be pass to a family member; referred to in this plan as Succession Rights. There are also changes in the plan having to do with repayment agreements.

PUBLIC HEARINGS – 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
Adjourned to August 12, 2009
Adjourned to October 7, 2009

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Town Board of the Town of Mamaroneck on Wednesday, October 7, 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

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, 2009

Mr. Maker explained that the Planning Board would like additional information. Therefore, the Public Hearing should be adjourned.

On motion of Councilman Seligson, seconded by Councilwoman Wittner, the Public Hearing was unanimously adjourned until November 18, 2009.

BOARD OF FIRE COMMISSIONERS

The meeting was called to order by Commissioner O’Keeffe and on motion of Commissioner Odierna, 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 Odierna presented fire claims for authorization of payment, thereafter on Commissioner Odierna’s motion, seconded by Commissioner Wittner, it was

RESOLVED that this Commission hereby authorizes payment of the following Fire Department claims as approved by the Fire Chief and audited by the Comptroller’s Office:

2434 CW CORP.	Car Washes (2)	15.50
Cablevision	Cable Service 9123-10/22/09	83.39
Cleaning Systems	Supplies	232.10
Con Edison	Adjusted Gas Bill from 11/08-6/09	9,589.42
Costco	Annual Membership	150.33
DTM Parts Supply	Pump Rescue 6	276.92
G & 1K Services	Cleaning Service	65.65
Gabrielli Truck Sales	Camera for Ladder 19	205.59
G.C. Reliable Service Inc.	AC Repair 7-8-09	755.00
G.C. Reliable Service Inc.	AC Repair 7-23-09	360.00
IKON	Copier Service Contract-6/30- ⁹ /2 ⁹ /O ⁹	212.13
Knox Company	Keysecure (2)	1,063.00
Motorola CIO ESS Inc.	Minitor Pagers	3,843.20
Motorola	Service Contract	78.00
Oakland Beach Deli	Food for Collation Monthly Drill-Sept.	216.50
Pitt Stop Auto Parts	Vehicle Repair for Ford Explorer	83.70
Poland Springs	Drinking Water-Aug.09	68.00
Proftech	Office Supplies, Toner	170.35
R & L Consulting	Hardware For Accountability Tags	147.50
Rye-Ford Subaru	Repairs to Fleet 302	115.40
Sound Shore Pest Control	Exterminating Services 7/13 & 8/13/09	130.00
Town of Mamaroneck P.F.FA	Life Insurance Premium Sept.09	330.12
Verizon	Telephone Service 9/10-10/9/09	264.60
Villa Maria Pizza	Food for Driver Training-9/6/09	<u>66.32</u>
	Total:	\$ 18,544.72

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. Fire Report September 2009.

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

September 2009

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	21
Minors	19
Stills	0
Out of Town (Mutual Aid)	0
EMS	19
Drills	2
TOTAL	61

Total number of personnel responding:	820
Total time working:	22 hours and 51 minutes

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

AFFAIRS OF THE TOWN

1. Authorization – Police Department Grant

Mr. Altieri explained that the Police Department has been approved to receive a grant in the amount of \$30,000.00 from the Federal Community Oriented Policing Service Program (COPS). The Department will be using this grant to improve the processing of arrests and the storage of associated data. The Town’s contribution to this grant is \$223.00. The Board commended Officer Martinez for his help in writing and facilitating this grant.

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

RESOLVED, that the Mamaroneck Town Board does hereby accept the U.S. Department of Justice’s Community Oriented Policing Services (COPS) Grant in the amount of \$30,000.00, and

BE IT, FURTHER

RESOLVED, that the Mamaroneck Town Board does hereby authorize the Town Administrator to execute said grant 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. Approval of Certiorari

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

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

J&R Spadaro
 921 and 929 Boston Post Road
 Mamaroneck, NY 10543
 Block: 921 Lot: 114

Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Assessment</u>	<u>Reduced Assessment</u>
2006	\$18,000	\$10,000
2007	\$18,000	\$10,000
2008	\$18,000	\$10,000

Block: 921

Lot: 129

<u>Year</u>	<u>Assessment</u>	<u>Reduced Assessment</u>
2006	\$17,000	\$10,000
2007	\$17,000	\$10,000
2008	\$17,000	\$10,000

The above resolution was put to a roll call vote:

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

On motion of Councilwoman 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:

Juan Ayaso
 517 Center Avenue
 Mamaroneck, NY 10543
 Block: 830 Lot: 22

Town of Mamaroneck/Village of Mamaroneck

<u>Year</u>	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2008	\$18,000	\$10,500

The above resolution was put to a roll call vote:

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

On motion of Councilman Odierna, seconded by Supervisor O'Keeffe, it was

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

950 Realty Co., LLC
 950 Mamaroneck Avenue
 Mamaroneck, NY 10543
 Block: 817 Lot: 551

Town of Mamaroneck/Village of Mamaroneck

Year	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2008	\$27,200	\$21,000

The above resolution was put to a roll call vote:

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

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

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

Soundview Service Corp.
 600 West Boston Post Road
 Mamaroneck, NY 10543
 Block: 916 Lot: 177

Town of Mamaroneck/Village of Mamaroneck

Year	<u>Current Assessment</u>	<u>Reduced Assessment</u>
2004	\$31,000	\$29,960
2005	\$31,000	\$27,580
2006	\$31,000	\$23,270
2007	\$31,000	\$21,060
2008	\$31,000	\$21,060

The above resolution was put to a roll call vote:

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

3. Salary Authorizations

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

Jon Pomeranz	Lifeguard	\$1 8.50/hr.	effective 9/21/09.
Chris Heiss	EMS Lifeguard	\$25.00/Ses.	effective 9/21/09.
	Lifeguard	\$ 8.75/hr.	effective 9/21/09.

Hommocks Skating School

Aimee Mcgowan	Instructor	\$18.00/hr.	effective 10/1/09.
Jenna Bisignano	Instructor	\$15.00/hr.	effective 10/1/09.
Sandra Duarte	Instructor	\$18.00/hr.	effective 10/1/09.

Hommocks Ice Rink

John Nagle	Skate Guard	\$ 9.00/hr.	effective 9/27/09.
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The above resolution was put to a roll call vote:

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

Non Union and Management

On motion of Supervisor O'Keefe, seconded by Councilwoman Wittner, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the salary increase for Non Union and Management personnel of 2.75%, retroactive to January 1, 2009 as follows:

Title	2008 Salaries	2009 Salaries
Town Admin	\$145,740	\$149,748
Sec Town Adm	\$47,500	\$51,000
Admin Ambul	\$81,350	\$83,587
Assessor	\$95,755	\$98,388
Dir. Bldg	\$93,215	\$95,778
Bldg. Supt	\$62,430	\$64,147
Comptroller	\$130,000	\$133,575
Env. Coord	\$53,540	\$55,012
Genl Foreman	\$67,555	\$69,413
Supt Highways	\$93,000	\$95,558
G'age Foreman	\$67,555	\$69,413
Asst Town Ad	\$74,910	\$76,970
Police Chief	\$130,040	\$136,575
PD Records	\$66,530	\$68,360
Supt of Rec	\$99,875	\$102,621
Asst Supt Rec	\$75,160	\$75,160
Ice Rink Mgr	\$62,790	\$64,517
Dir Com Serv	\$91,000	\$91,000
Supv Secy	\$57,175	\$58,747

The above resolution was put to a roll call vote:

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

APPROVAL OF MINUTES – August 12, 2009 and September 16, 2009

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meeting of August 12, 2009 and September 16, 2009.

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

REPORT OF COUNCIL

Councilman Fishman attended the Shared Services/Consolidation Committee. Councilman Fishman commended Chairman Bill Denzer for his work, adding he has the perfect sensibilities for this task.

Councilwoman Seligson attended the Board of Architectural Review on September 17th and Zoning Board of Appeals on September 23rd. Councilwoman Seligson stated the Town was fortunate to have such dedicated volunteers.

Councilwoman Wittner attended the Coastal Zone Management Commission Meeting on September 22nd. Councilwoman Wittner and Steve Altieri met with the County regarding Gardens’ Lake. On October 2nd Councilwoman Wittner met with the Long Island Sound Watershed Inter municipal Council (LISWIC), adding the County is proposing County wide storm water management. Councilwoman Wittner commended the Fire Department for a wonderful Inspection Dinner.

Councilman Odierna attended the Recreation Commission Meeting; proposed budget was a large part of the discussion, adding an ice sharpening service is being proposed as an addition to the Ice Rink

SUPERVISOR’S REPORT

Supervisor O’Keeffe spoke of the passing of Yonkers Fire Fighter Patrick Joyce, who she knew personally. This was a tragic loss. She spoke compassionately of his family, specifically his twin brother Tim, also a fire fighter. She and the entire Town send their sympathy to the Joyce family.

ADJOURNMENT

On motion of Supervisor O’Keeffe, seconded by Councilwoman Wittner the meeting was unanimously adjourned in memory of Patrick Joyce at 10:05 PM.

Submitted by
Christina Battalia, Town Clerk