

MINUTES OF THE REGULAR MEETING AND WORK SESSION OF THE TOWN BOARD OF THE TOWN OF MAMARONECK HELD ON JULY 22, 2015, BEGINNING AT 5:00PM IN CONFERENCE ROOM A AND CONTINUING AT 8:00 PM IN THE COURT ROOM OF THE TOWN CENTER, 740 W. BOSTON POST ROAD, MAMARONECK, NEW YORK

PRESENT: Supervisor Nancy Seligson
Councilman Ernest C. Odierna
Councilwoman Abby Katz
Councilwoman Jaine Elkind Eney
Councilman Thomas A. Murphy

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

CALL TO ORDER - WORK SESSION

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Work Session was unanimously opened at 5:00PM.

Distribution of Town Board Computer Tablets

Additionally Present: Roz Cimino

Ms. Cimino distributed the tablets and demonstrated some initial functions. Town Board Members will meet individually with Ms. Cimino to receive training.

2015 Financial Report – January – June

Deferred

Review of 2015 Goals & Objectives

The Town Board reviewed the *Town of Mamaroneck 2015 Goals/Priorities Revised 1/26/15, Status as of 6/22/15, Status as of 7/21/15 Report.*

The Town Board stated they would like #4 - Parking on Baldwin, moved forward as soon as possible. Mr. Altieri stated that he will bring previously discussed plans to work session. The Board Member also emphasized that the Sewer Lateral legislation needed to be addressed as soon as possible. Councilwoman Elkind Eney stated that she would like a review of the Discharge Compliance Law while the Board is reviewing the new legislation for the lateral sewer lines. The Town Board would like a more thorough discussion of the insurance option prior to a discussion with the insurance company in September. Regarding the ESCO (item #12) Mr. Altieri stated that a meeting with Honeywell is scheduled for next week to begin discussion of closing out the Contract. Supervisor Seligson asked Mr. Altieri to keep the Board apprised of the close out dates.

As for the New York State Grant for the Weaver Street Sidewalk Extension, Mr. Altieri Stated that bidding is scheduled for March 2016.

Update – LMC-TV

Mr. Altieri suggested hiring an accountant, one that all three parties are involved with, to do a financial analysis. Mr. Altieri also reported that he met with Eric Lewis and Matt Sullivan to discuss a scenario should LMC-TV no longer have funds to pay for a new building (Mamaroneck Ave Fire House). Mr. Altieri stated that franchise fees end in seven years, adding the proposed lease is for ten years, noting that there is a three year gap. If LMC-TV spends their surplus on renovating the Fire House, there would not be funds for the three

years if franchise fees ended. Supervisor Seligson would like to move forward with a draft of questions for the Cable Advisory Board as well as notifying them of the suggestion for an accountant analysis. Mr. Altieri will discuss with O'Connor Davies their ability to expedite a financial analysis.

Review – Request of Pryer Manor Association

The Town Board discussed their reaction to the request of Pryer Manor Association, now that all the Board members have visited the area. Supervisor Seligson noted that the only piece for approval by the Town Board is for the new signage in the Town portion. Mr. Maker emphasized that a formal resolution should be drafted approving the actual model of a sign, who will pay for them initially and upon replacement. Mr. Altieri will ask Ms. Pardiwala for a final submission of the exact signage requested.

Update – Washington Square Parking

Deferred

Land Use Regulation Training Policy

Supervisor Seligson would like the Town to create a policy so as to be clear for Land Use Board Members' to know exactly what training is required. Mr. Altieri suggested that each Board or Commission hold one extra meeting a year as a training meeting. Supervisor Seligson added that this could also address new members, to bring them up to speed, and Councilwoman Elkind Eney suggested a training manual. Supervisor Seligson asked Mr. Maker to work on a draft policy/manual.

NEW ITEMS

(ADDED) Green Fleet Policy

The Town Board received a draft Green Fleet Policy to review. The introduction states “that the Town of Mamaroneck has embarked on a program to develop a more sustainable and more environmentally friendly government.....The Town’s Green Fleet Policy is intended to establish a means of continuing the effective delivery of municipal services while at the same time consider the goals of sustainability, reduction of greenhouse gases and economies of operations.” Approval of the Policy was added to the Regular Agenda for this evening.

(ADDED) Discussion of Authorization – IMA Town of Rye Re: Assessment Grievance Review

The Town Board was issued a draft resolution for discussion. One item of concern was the lack of specifics for reimbursement of costs. The Board discussed a Board Member recusing themselves versus having another municipality review the grievance.

(ADDED) Discussion of Authorization – Consulting Agreement – Technology

The Town Board reviewed a memo from Mr. Altieri explaining his recommendation for a study of the feasibility and implications of creating a separate technology department. This authorization is on the Regular Agenda for this evening.

(ADDED)

Supervisor Seligson stated that at the last Supervisor’s Meeting there was discussion of drafting a letter to New York State objecting to the States proposal to increase the pension contribution. Supervisor Seligson told her colleagues that she would need to discuss this with her Town Board before agreeing to a letter. The Board had no objection.

Councilwoman Elkind Eney asked for confirmation that the Cambium Developer had submitted amended plans reflecting the combined units. Mr. Altieri stated that Mr. Maker will check on this.

Mr. Altieri informed the Town Board that the Police Renovation is on track.

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the Board unanimously agreed to enter into an Executive Session to discuss the Employment History of a particular employee within the Administrative Offices and a proposed settlement.

EXECUTIVE SESSION

Employment History of a particular employee within the Administrative Offices and a proposed settlement.

On motion of Councilwoman Katz, seconded by Councilman Murphy, the Board unanimously agreed to resume the Regular Meeting.

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the written agreement between the Town of Mamaroneck and Employee # 007128, and

BE IT, FURTHER

RESOLVED, that the Town Administrator is hereby authorized to execute the agreement on behalf of the Town and to fulfil those provisions required in said agreement.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

Community Choice Aggregation

Additionally Present: Glenn Weinberg, Sustainable Westchester

Mr. Weinberg was present to answer any additional questions of the Town Board. The Town Board reviewed FAQ's and discussed draft legislation for tonight's Public Hearing. Mr. Weinberg stated that it is still unclear as to whether the final program will be a fixed rate, adding that we will know more after the bids are received. Councilwoman Elkind Eney stated she is still concerned about having an outreach plan, adding what specifically will the Town do for outreach? Councilwoman Katz added that the Public Service Commission requires outreach, so it is clear that it's important. Supervisor Seligson reminded the board that essentially nothing will change for the residents/consumers except a lower bill. Bids are due to go out in September.

CALL TO ORDER - REGULAR MEETING

The Regular Meeting of the Town Board was called to order by Supervisor Seligson at 8:20 PM, she then pointed out the location of the exits.

Supervisor Seligson noted that the Town Board met for a worksession beginning at 5:00 o'clock this evening, adding this is an open meeting that all residents' are welcomed to attend.

SUPERVISOR’S SUMMARY REPORT

I hope everyone is enjoying summer. The summer Monday night concerts in Memorial Park are in full swing and have been well attended wonderful evenings for residents of all ages. Town camps are also in full swing and fully subscribed. We had a delicious and fun Senior Citizen BBQ on July 10 prepared by executive chef Steve Altieri. I have two summer interns in my office working on environmental and sustainability reporting and projects. Please remember gasoline powered leaf blowers are not permitted from June 1 to September 30 in all three municipalities. The Town is one of 15 municipalities statewide to receive a NY Prize grant to study the feasibility of a microgrid, an alternative energy source for a designated area in the Town. We’re looking at a microgrid to include power to the Town Center, MHS, Sarah Newman nursing home and the gas station. We’re working with consultants Booz Allen Hamilton on the feasibility study which will take about 9 months. The Town anticipates receiving a grant from NYS to purchase a new senior citizen bus. The Town road paving projects will start in August. We’ve been notified by the State DOT that they plan to pave Weaver Street in August as well. We will inform residents as soon as we know more details.

CITIZEN’S COMMENTS

Supervisor Seligson asked if anyone in the audience would like to address the Board, and there was not.

PUBLIC DISCUSSION/ PRESENTATION – 2015 Water Rate Increase

David Birdsall, Westchester Joint Water Works, gave a PowerPoint presentation of the financial overview of the Water Works and discussion of the proposed water rate increase.

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve of a 12% water rate increase for the Town of Mamaroneck, effective July 1, 2015.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

PUBLIC HEARING – “Establishment of a Community Choice Aggregation (Energy) Program in the Town of Mamaroneck” Law

The following Notice of Public Hearing is entered into the record as follows:

NOTICE OF PUBLIC HEARING

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on June 23, 2015 a Public Hearing will be held on Wednesday, July 22, 2015 at 8:00 PM or as soon thereafter as is possible at the Town Center, 740 W. Boston Post Road, Mamaroneck, New York to consider: “Establishment of a Community Choice Aggregation (Energy) Program in the Town of Mamaroneck” Law.

Section 1 – Purpose.

The Town Board declares the policy of the Town of Mamaroneck, like that of the State of New York, is to reduce, and provide a certain amount of control, over the cost of purchasing energy. In order to advance this objective the Town Board finds that it is in the best interest of safety, health and well-being of citizens of the Town of Mamaroneck to create a "Community Choice Aggregation (Energy) Program.

The full text of this Amendment is stated below and can also be examined and copies obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, In June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY

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: July 9, 2015

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the Public Hearing was unanimously opened.

Supervisor Seligson explained the Community Choice Program and then asked if anyone wished to comment on the proposed Local Law.

The Town Clerk stated that the FAQ's for the program are on the front page of the Town's web site.

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Public Hearing was unanimously closed.

On motion of Councilman Murphy, seconded by Councilwoman Katz, the following Local law was approved:

Local Law No. 8 – 2015

This local law shall be known as the "Establishment of a Community Choice Aggregation (Energy) Program in the Town of Mamaroneck" Law.

Be it enacted by the Town Board of the Town of Mamaroneck as follows:

Section 1 – Purpose:

The Town Board declares the policy of the Town of Mamaroneck, like that of the State of New York, is to reduce, and provide a certain amount of control, over the cost of purchasing energy. In order to advance this objective the Town Board finds that it is in the best interest of safety, health and well-being of citizens of the Town of Mamaroneck to create a "Community Choice Aggregation (Energy) Program".

Section 2 – Creation of a new chapter for the Code of the Town of Mamaroneck:

The Code of the Town of Mamaroneck hereby is amended by adding a new Chapter 76 thereto, entitled "COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM," to read as follows:

Chapter 76: COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM

§76-1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Town of Mamaroneck and the State of New York to reduce, and provide a certain amount of control, over the cost of purchasing energy for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources, such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of, and benefits for residential and Small Commercial (defined in section 2, below) consumers in the Town of Mamaroneck. Among the policies and models that may offer benefits in New York is community choice aggregation, which allows local governments to determine the default supplier of electricity and natural gas on behalf of its residential and Small Commercial consumers.
- B. The purpose of this Community Choice Aggregation (Energy) Program (defined in section 2, below) is to allow participating local governments, like the Town of Mamaroneck, to procure energy supply service for their residential and Small Commercial citizens, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the Distribution Utility (defined in section 2, below) that currently supplies them with natural gas or electricity. This Chapter establishes a program that will allow Sustainable Westchester (defined in section 2, below) to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and Small Commercial consumers. Bundled Customers (defined in section 2, below) will have the opportunity to have more control over their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment, thereby fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Town of Mamaroneck is authorized to implement this Community Choice Aggregation (Energy) Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law, and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the "Order"). Order shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2014) to the extent that orders related to Case No. 14-M-0224 enable actions by the Town of Mamaroneck not otherwise permitted pursuant to orders related to Case 14-M-0564; provided, however, that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No 14-M-0224, orders from Case No 14-M-0564 shall govern this Community Choice Aggregation(Energy) Program.
- D. This Chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program Law of the Town of Mamaroneck".

§76-2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission's Uniform Business Practices or, if not so defined there, as indicated below:

Bundled Customers means residential and Small Commercial consumers of electricity or natural gas ("fuels") who are purchasing fuels from the Distribution Utility that currently supplies natural gas or electricity within the Town of Mamaroneck.

Small Commercial means non-residential customers as permitted by the Order.

Community Choice Aggregation (Energy) Program or CCA Program means a municipal energy procurement program, which replaces the Distribution Utility that currently supplies natural gas or electricity within the Town of Mamaroneck as the default Supplier for all Bundled Customers within the Town of Mamaroneck.

Distribution Utility means the owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Public Service Commission means the New York State Public Service Commission.

Suppliers mean energy service companies (ESCOs) that procure electric power and natural gas for Bundled Customers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

Sustainable Westchester means the not-for-profit organization comprised of member municipalities in Westchester County, New York that utilize that name.

§76-3. Establishment of a Community Choice Aggregation (Energy) Program.

- A. A Community Choice Aggregation (Energy) Program hereby is established by the Town of Mamaroneck, whereby it intends to work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the Order, as set forth more fully herein. The role of the Town of Mamaroneck under the CCA Program involves the aggregating of the electric and/or natural gas supply of its residents and the entering into a contract with one or more Suppliers for supply and services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Town of Mamaroneck's purchase of energy supply through a CCA Program is not intended to constitute either the purchase of a public utility system, or the furnishing of utility service. The Town of Mamaroneck will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but instead will limit its activities to negotiating with Suppliers on behalf of participating residential and Small Commercial customers.
- C. In order to implement the CCA Program, the Town Board of the Town of Mamaroneck will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more Suppliers, all as consistent with this Chapter and the Order.
- D. The Town of Mamaroneck recognizes that the Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs. It will conduct the CCA Program in a manner that conforms to those rules and acknowledges the Public Service Commission's role in this area.

§76-4. Procedures for Eligibility; Customer Data Sharing.

- A. As permitted by the Order, the Town of Mamaroneck may request from the Distribution Utilities aggregated customer information by fuel type and service classification on a rolling basis.
- B. Sustainable Westchester, on behalf of the Town of Mamaroneck, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program.
- C. Sustainable Westchester, or the Town of Mamaroneck if it so chooses, will then request individual customer data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester, or the Town of Mamaroneck if it so chooses, and the selected Supplier will then notify Bundled Customers of the contract terms and their opportunity to opt out of the CCA Program.
- E. In accordance with and for purposes of the Order, the Distribution Utility operating within the Town of Mamaroneck will provide to Sustainable Westchester, and to the Town of Mamaroneck if it so chooses, aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Bundled Customers in the Town of Mamaroneck not enrolled with an ESCO.
- F. Sustainable Westchester and the Town of Mamaroneck will protect customer information as required by law, subject to the Order and the limitations of the law, including but not limited to the New York State Freedom of Information Law.

§76-5. Choice of Energy Supplier; Opt-Out Notice and Procedure.

- A. The Town of Mamaroneck independently or in conjunction with the Supplier chosen under the CCA Program will notify the residential and Small Commercial consumers of fuels in the Town of Mamaroneck, by letter, and other means of communication decided upon by the Town Board of the Town of Mamaroneck, of the decision to establish the CCA Program, of the contract terms with an ESCO, and of the opportunity to opt out of the CCA Program.
- B. The letter notice will be sent to each customer at the address provided by the Distribution Utility and will explain the CCA Program and the material provisions of the ESCO contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program. The Supplier chosen under the CCA Program will present a draft of the letter notice to the Town of Mamaroneck for its review and approval before sending it to the residential and Small Commercial customers of fuels in the Town of Mamaroneck.
- C. The residential and Small Commercial customers of fuels in the Town of Mamaroneck will have twenty (20) days from the date that the letter notice is sent to opt out of the CCA Program.
- D. CCA Program Bundled Customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or

otherwise decide to withdraw from the CCA Program in favor of another Supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated Three (3) Day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.

§76-6. Verification and Reporting.

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another Supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.

Section 3 - Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law which may be implemented without the invalid or unconstitutional provisions.

Section 4 – Effective Date:

This local law shall take effect upon filing with the Secretary of State.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

PUBLIC HEARING – “Restriction on Parking on a Section of the West Side of Palmer Avenue and the Expansion of Overnight Parking on a Section of the West Side of Palmer Avenue” Law.

The following Notice of Public Hearing is entered into the record as follows:

NOTICE OF PUBLIC HEARING

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on June 3, 2015 a Public Hearing was adjourned on Tuesday, June 23, 2015 at 8:00 PM, until July 22, 2015, at 8:00 PM, or as soon thereafter as is possible at the Town Center, 740 W. Boston Post Road, Mamaroneck, New York to consider: “Restriction on Parking on a Section of the West Side of Palmer Avenue and the Expansion of Overnight Parking on a Section of the West Side of Palmer Avenue” Law.

Section 1 – Purpose:

Palmer Avenue between Weaver Street and Richbell Road has traffic congestion issues due to the proximity of Central School, particularly when the students are being dropped off or picked up. During those periods especially there would be a distinct advantage in having two southbound lanes of traffic so that while the left lane serves as a queue for motor vehicles making a left turn into the Central School campus, the right lane can carry traffic southbound unimpeded by motor vehicles waiting to make left turns.

There also is a need for overnight parking for both the residents of Palmer Avenue between Blossom Terrace and Richbell Road and the residents of the nearby Larchmont Acres apartments.

The full text of this Amendment is stated below and can also be examined and copies obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, In June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY

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 9, 2015

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, the Public Hearing was unanimously opened.

Councilwoman Katz explained the purpose of the legislation, noting previous discussion by the Traffic Commission.

Supervisor Seligson noted the two families present, who live on Palmer Avenue, have been in favor of this legislation for quite some time.

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the Public Hearing was unanimously closed.

On motion of Councilman Murphy, seconded by Councilwoman Katz, the following Local law was approved:

Local Law No. 9 – 2015

This local law shall be known as the “Restriction on Parking on a Section of the West Side of Palmer Avenue and the Expansion of Overnight Parking on a Section of the West Side of Palmer Avenue” Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

Palmer Avenue between Weaver Street and Richbell Road has traffic congestion issues due to the proximity of Central School, particularly when the students are being dropped off or picked up. During those periods especially there would be a distinct advantage in having two southbound lanes of traffic so that while the left lane serves as a queue for motor vehicles making a left turn into the Central School campus, the right lane can carry traffic southbound unimpeded by motor vehicles waiting to make left turns.

There also is a need for overnight parking for both the residents of Palmer Avenue between Blossom Terrace and Richbell Road and the residents of the nearby Larchmont Acres apartments.

This local law addresses both of these issues.

Section 2 – Regulation of Parking on a section of Palmer Avenue:

No motor vehicle shall be parked on that section of the west side of Palmer Avenue which lies between Blossom Terrace and Weaver Street.

Section 3– Expansion of Overnight Parking on a section of Palmer Avenue:

Motor vehicles may be parked on that section of the west side of Palmer Avenue which lies between Blossom Terrace and Richbell Road between the hours of 3:00 AM and 6:00 AM.

Section 4 – Sign(s) to be Erected and Painting to be Done:

An appropriate sign or signs shall be erected on and/or above, and/or striping shall be painted on the surface of Palmer Avenue indicating where and when parking is prohibited by this law.

Section 5 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 6 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State.
The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

BOARD OF FIRE COMMISSIONERS

The Meeting was called to order by Commissioner Seligson, and then on motion of Commissioner Elkind Eney, seconded by Commissioner Katz, the Board of Fire Commissioners was unanimously declared open. Present were the following Members of the Commission:

Commissioner:	Nancy Seligson
Commissioner:	Ernest C. Odierna
Commissioner:	Abby Katz
Commissioner:	Jaine Elkind Eney
Commissioner:	Thomas A. Murphy

1. FIRE CLAIMS

On motion of Commissioner Elkind Eney, seconded by Commissioner Katz, 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	Fire hose and Scott Test & repairs	\$431.00
AAA Emergency Supply	Recharge Hydrotest	144.00
AAA Emergency Supply	Globe/Cairns NFPA RX Fire Coat & NFPA International Harness Pants	2482.00
Amazon.Com	Garmin, Computer Screen, Led tube lights	812.25
AT & T Mobility	Wireless service for 5/12-6/11/15	370.10
Atlantic Westchester, Inc.	Semi Annual service contract	1475.00
Brewer	Rawl Bantam plug	8.00
Cablevision	Cable services for 6/23/15 - 7/22/15	127.79
Con Edison	Fire HQ gas svc 6/1-6/30/15	114.25
CIT Finances LLC.	Monthly copier charges 6/21/15	247.35
Chatsworth Cleaners	Uniform cleaning 5/30/15	31.73
Grainger	Trash bags	69.44
Goosetown Communications	Spring loaded antennas	89.30
New England Uniform	Tee shirts	400.00
OSP Fire Protection	Maintenance on Ansul hood system	175.00
Physio Control, Inc.	Lifepak CR Plus/ AED wall cabinet w/alam	1726.20
Poland Spring Direct	Rental for water coolers - June 2015	114.96
Sound Shore Pest Control	Exterminating Services on 5/27/15 and 6/23/15	130.00
Tony's Nursery Inc.	Propane exchange	23.20
Town of Mam'k PFFA	Life Ins. For the month of June 2015 - 12 firefighters	188.64
Unifirst Corporation	Towels, Purell, dispensers, laundry bags	277.69
Village Paint Supply	Paint	22.99
Villa Maria Pizza	Fast Drill meal 6/24/15	47.36
Villa Maria Pizza	New Member Drill meal 11/4/14, 1/7, 6/3/15, Fast Drill meal 12/22/14,3/25/15	343.53

Verizon	Fire HQ svc 6/10-7/9/15	223.40
Westech Elevator Services	Maintenance for month of July 2015	175.00
		0.00
		0.00
		0.00
Total:		<u>\$10250.18</u>

The above resolution was put to a roll call vote:

Commissioner Murphy	Aye
Commissioner Elkind Eney	Aye
Commissioner Katz	Aye
Commissioner Odierna	Aye
Commissioner Seligson	Aye

2. Other Fire Department Business

Commissioner Elkind Eney read the Fire Report for the Month of June as submitted by Chief Goldberg as follows:

June 2015

<u>ALARM TYPE</u>	<u>NUMBER</u>
Generals	31
Minors	25
Stills	1
Out of Town (Mutual Aid)	1
EMS	58
Drills	5
TOTAL	120

Total number of personnel responding: 804
 Total time working: 46 hours and 32 minutes

Commissioner Elkind Eney announced receipt of the Service Awards Report for the First Quarter 2015 as certified by Fire Council.

On motion of Commissioner Elkind Eney, seconded by Commissioner Murphy, it was

RESOLVED, that the Mamaroneck Town Board does hereby accept the Service Awards Report for the First Quarter 2015 as certified by the Fire Council.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

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

AFFAIRS OF THE TOWN

1. Appointment (s) – Planning Board

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

WHEREAS, with the resignation of Elizabeth Cooney, as Member A, of the Planning Board, a vacancy now exists.

NOW THEREFORE, BE IT

RESOLVED, that Eileen Weingarten be appointed as Member A of the Planning Board, 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, 2017.

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, it was unanimously

RESOLVED, that Donald Kravet be appointed as Alternate Member A of the Planning Board, 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, 2019.

On motion of Councilman Murphy, seconded by Councilwoman Katz, it was unanimously

RESOLVED, that Don Mandel be appointed as Alternate Member B of the Planning Board, 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, 2019.

2. Report of Bids – TA-15-08 –Sewer Vacuum Truck

It was noted for the record that the Town Clerk received the Report of Bids issued by Louis Martirano dated July 15, 2015.

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

WHEREAS, on July 9, 2015 the Town publicly opened and read three bids for Contract TA-15-08 – Sewer Vacuum Truck, and

WHEREAS, for reason stated in the Report of Bids issued by Mr. Martirano, dated July 15, 2015, the lowest bidder was disqualified.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-15-08 – Sewer Vacuum Truck, to the second lowest responsible bidder, Trius, Inc, of Bohemia, NY, for a total of \$274,887.00, and

BE IT FURTHER,

RESOLVED, that the Town Administrator is hereby authorized to sign said contract on behalf of the Town.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the amendment to Capital Project #2014-06, and the transfer of funds in the amount of \$3,000,00 as detailed by the Town Comptroller as follows:

AMEND 2014 CAPITAL PROJECT & BUDGET - HIGHWAY/GARAGE

VEHICLES & EQUIPMENT

7/22/2015 TOWN BOARD MEETING

CAPITAL PROJECTS FUND (FUND H):

AMEND BUDGET:

EXP	H.5110.0400.2014.06	HIGHWAY/GARAGE VEHICLES & EQUIPMENT	\$ 3,000.00	
REV	H.0000.5033.2014.06	TRANSFERS FROM HIGHWAY FUND	\$ 3,000.00	DB

(CAPITAL PROJECT #2014-06)

(Increase project budget with \$3,000 additional funding to be transferred from Highway unrestricted fund balance - \$1,056 additional \$ for bid & approx. \$1,944 for additional outfit equip.)

Original Capital Project Budget: \$500,000.00

Funding source:

SERIAL BONDS - JULY 2014	\$475,000.00
TRANSFER FROM HIGHWAY FUND - 2014 BUDGET APPROPRIATION	\$ 25,000.00
TRANSFER FR HIGHWAY FD - R.O.B. 7/22/15	\$ 3,000.00

Revised Capital Project Budget as amended on 7/22/15:	\$ 503,000.00
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HIGHWAY FUND (FUND DB):

AMEND BUDGET:

EXP	DB.9900.9950	TRANSFER TO CAPITAL PROJECT	\$ 3,000.00	DB
REV	DB.0000.5995	APPROPRIATED FUND BALANCE	\$ 3,000.00	DB

* Increase budget with \$3,000 of appropriated fund balance to be transferred to Capital Proj. #2014-06.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

3. Report of Bids – TA-15-03A – Town Center Roof

It was noted for the record that the Town Clerk received the Report of Bids issued by Calgi Construction, dated July 20, 2015.

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy,

WHEREAS, on July 17, 2015 the Town publicly opened and read three bid for Contract TA-15-03A-Town Center Roof Replacement.

NOW THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby award Contract TA-15-03A-Town Center Roof Replacement, to the lowest responsible bidder, BBR Contracting Corp., for a lump sum of \$489,000.00, and

BE IT FURTHER,

RESOLVED, that the Town Administrator is hereby authorized to sign said contract on behalf of the Town.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

4. Authorization – Consulting Agreement – Technology

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby accept the proposal from ARAS Consulting, to study the feasibility and implications of creating a separate technology department, at a cost of \$3,800.00, and

BE IT FURTHER,

RESOLVED, that the Town Administrator is hereby authorized to execute an agreement with ARAS Consulting on behalf of the Town.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

5. Salary Authorization – Police Department

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, the following was approved,

WHEREAS, with the retirement of P.O. Joseph Galbo, a vacancy now exists.

NOW, THEREFORE, BE IT

RESOLVED, that the Mamaroneck Town Board does hereby appoint William C. Brusack to the position of Probationary Officer, at an annual salary of \$40,000.00, effective July 27, 2015.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

6. Authorization – Sale of Surplus Equipment – Ambulance District

On motion of Councilwoman Katz, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby declare the following two (2) Ambulance District stretchers to be surplus equipment:

Model: Stryker MX-Pro R3
 Serial #: 090239315
 090239318

, and

BE IT, FURTHER,

RESOLVED, that the Mamaroneck Town Board does hereby authorize the sale of this equipment.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

7. Consideration of Certiorari

On motion of Councilwoman Elkind Eney, seconded by Councilman Murphy, it was

RESOLVED, that the Town Board hereby authorizes the settlement of the following tax certiorari on the following terms:

James P. Cinque and Marie-Helene Cinque
 90 Park Avenue
 Larchmont, NY 10538

Section/Block/Lot: 7-27-184
 Town of Mamaroneck/Village of Larchmont

<u>Year</u>	<u>Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2013	\$4,400,000	\$300,000	\$4,100,000
2014	\$4,400,000	\$300,000	\$4,100,000

The above resolution was put to a roll call vote:

Murphy	Aye
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Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

8. Authorization – Transfer of Funds – Tree Fund

On motion of Councilwoman Katz, seconded by Councilman Murphy, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve the transfer of Funds, for the Spring Tree Planting Program, in the amount of \$6,300, as detailed by the Town Comptroller in the following schedule:

BUDGET AMENDMENT - TRANSFER FROM TRUST FUND TO GENERAL FUND

7/22/2015 TOWN BOARD MEETING

GENERAL TOWN WIDE FUND (FUND A):

INCREASE BUDGET:

A.0000.5041	TRANSFERS FROM TRUST FUND	\$ 6,300.00
A.8510.4178	PLANTS / TREES/ MOSQUITO CONTROL	\$ 6,300.00

* (REPRESENTS USE OF TREE PLANTING FUND DONATIONS FOR PURCHASE OF STREET TREES FOR ANNUAL SPRING PLANTING)

* TRUST A/C # T.0000.0097 (TREE PLANTING FUND) \$ (6,300.00)

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

9. Authorization – IMA Town of Rye Re: Assessment Grievance Review

On motion of Councilwoman Elkind Eney, seconded by Councilwoman Katz, the following approved,

WHEREAS, Inter-municipal Agreements (IMA's) have been prepared between the Town of Mamaroneck and Town of Rye to hear and determine each other's BAR Grievances and SCAR's, for the following property owners in the Town of Rye:

Joseph Carvin	55 Hillandale Road
Hope Vespia	14 Arlington Place
Maria Rappoccio	30 Haines Boulevard
Mitchell Markowitz	26 Mohegan Lane
Eve Neuman	96 N. Chatsworth,

And for the following property owner in the Town of Mamaroneck:

Eve Neuman 96 N. Chatsworth Avenue,

and

WHEREAS, the IMA’s have been reviewed by Counsel to the Town.

BE IT FURTHER,

RESOLVED, that the Town Board of the Town of Mamaroneck hereby approves the proposed IMA’s and further authorizes the Town Administrator to sign the Agreements on behalf of the Town.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

10. Approval – Green Fleet Policy

On motion of Councilman Murphy, seconded by Councilwoman Elkind Eney, it was

RESOLVED, that the Mamaroneck Town Board does hereby approve The Green Fleet policy dated July 22, 2015.

The above resolution was put to a roll call vote:

Murphy	Aye
Elkind Eney	Aye
Katz	Aye
Odierna	Aye
Seligson	Aye

APPROVAL OF MINUTES - June 23, 2015, June 3, 2015, May 27, 2015, Special Meetings – June 30, 2015, June 16, 2015, & May 13, 2015

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

RESOLVED, that the Mamaroneck Town Board does hereby approve the Board Minutes from the meetings of June 23, 2015, June 3, 2015, May 27, 2015 and the Special Meetings of June 30, 2015, June 16, 2015, & May 13, 2015.

WRITTEN COMMUNICATIONS

None

REPORT OF COUNCIL

Councilman Odierna noted that, unfortunately, the Zoning Board seems to always meet at the same time as the Town Board, so he is unable to attend many of these meetings. He noted his attendance at the wonderful Memorial Park Concerts.

Councilwoman Katz, noted her enjoyment of the Senior Citizen BBQ, as well as the Memorial Park Concerts and the Village of Mamaroneck July 4th Fireworks.

July 22, 2015

Councilwoman Elkind Eney noted her attendance at the; June 24th Town of Mamaroneck Employees Summer BBQ; July 1st, Fireman's Parade; the July 2nd Mamaroneck Chamber of Commerce Meeting; the July 4th Village of Larchmont games in Flint Park; the July 4th Blessing of the Fleet in Mamaroneck Harbor; the July 6th Summer Concert at Memorial Park; the July 6th Fire Council Meeting; the July 8th Planning Board Meeting; the July 15th SHORE/ I CARE Midsummer Night Dinner; the July 16th Village of Mamaroneck Street Party; the July 17th Mamaroneck Swim Club (MSC) 2nd Annual Swim Meet- congratulations to MSC who won; the July 20th Summer Concert at Memorial Park; the Communication Meeting.

Councilman Murphy wished everyone a happy healthy remainder of the summer.

ADJOURNMENT

On motion of Councilman Murphy, seconded by Councilwoman Katz, the meeting was unanimously adjourned at 9:45 PM

Submitted by
Christina Battalia, Town Clerk