

**TOWN OF MAMARONECK  
TOWN BOARD AGENDA  
WEDNESDAY, MAY 27, 2015**

**THE TOWN BOARD WILL CONVENE – at 5:00 PM, at the Veterans of Foreign War (VFW) –  
1288 Boston Post Road (Next to Trader Joe's) to discuss:**

1. Update – Police Department Renovation Project
2. Tablet Distribution & Update on eCode360
3. Discussion – Cambium Apartments
4. Micro Grid Project Grant
5. Housing Authority Lease
6. Countywide Ban on Plastic Bags and Styrofoam
7. New Business

**8:00 PM CALL TO ORDER - Veterans of Foreign War**

**SUPERVISOR'S SUMMARY REPORT**

**CITIZEN COMMENTS**

**PUBLIC DISCUSSION** – Proposed Parking Improvements – New Jefferson Street

- PUBLIC HEARINGS**
1. "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.
  2. "Stop Sign on Durham Road where Durham Road terminates at Fenimore Road" Law
  3. Improvement - Town of Mamaroneck Water District No. 1

**BOARD OF FIRE COMMISSIONERS**

1. Fire Claims
2. Other Fire Department Business

**AFFAIRS OF THE TOWN OF MAMARONECK**

1. Reappointment – Larchmont Library Board
2. Amendment – Ice Rink/Pool Concession Agreement
3. Set Public Hearing – Amendment – Parking Regulations – Sheldrake Avenue
4. Set Public Hearing – Amendment – Parking Regulations – Howell Avenue, Carleon Avenue, Hawthorne Lane & Palmer Avenue (Between Weaver Street & Larchmont Border)
5. Salary Authorization – Highway Department  
Building Department
6. Consideration of Certiorari

**APPROVAL OF MINUTES – May 6, 2015**

**REPORTS OF THE COUNCIL**

**TOWN CLERK'S REPORT**

**NEXT REGULARLY SCHEDULED MEETINGS – JUNE 3, 2015 & TUESDAY, JUNE 23, 2015**

Any physically handicapped person needing special assistance in order to attend the meeting should call the Town Administrator's office at 381-7810.

**WORK SESSION**

**ITEM #1**

**No Attachment**

**WORK SESSION**  
**ITEM #2**

**No Attachment**

8

# WORK SESSION ITEM #3

**No Attachment**

**WORK SESSION**  
**ITEM #4**





# Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

## Memorandum

**To: Supervisor and Town Board**

**Re: NYPRIZE Program-Micro-grids**

**Date: May 16, 2015**

The New York State Energy Research Development Agency (NYSERDA) offers grants under the NYPRIZE Program to study the development of micro-grids which are independent small electric grids that can provide resilience for the local electric system and insure electric service during storms and other outages. Micro-grids are particularly important for critical municipal facilities, schools and certain retail outlets such as grocery stores, gas stations and pharmacies. The maximum grants offered are \$100,000 to prepare a feasibility analysis for creating a micro-grid and there is no local share. The grant covers all costs. We learned just yesterday that the Town has been awarded a feasibility grant for this project.

The Town enlisted the assistance of Booz, Allen and Hamilton to assist with the preparation of the grant application. There was no charge for their services however the understanding was that if the grant was successful Booz Allen would prepare the feasibility study. Booz Allen has prepared a number of these feasibility studies. They include in their team Siemens USA and Power Analytics which are both experienced in this field. Members of the Town's Sustainability Collaborative were also involved in the preparation of the grant application.

I have attached for your review select pages from the grant application that describe in more detail the project and what will be accomplished in the feasibility study.



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Stephen V. Altieri  
Town Administrator

### 1.0 Proposal Checklist: Appendix A

The Proposal Checklist (Appendix A of this RFP) is included as the front cover of the proposal. Exceptions to Terms and Conditions are attached as well.

### 2.0 Procurement Lobbying Requirements – State Finance Law sections 139-j and 139-k

- (1) Signed copy of the Proposal Checklist including required certifications under the State Finance Law is provided on the front cover of the proposal
- (2) Appendix B includes a completed Disclosure of Prior Findings of Non-Responsibility form.

### 3.0 Executive Summary

*(Two page maximum) – State the title of the proposed project and briefly summarize the team members, the community microgrid systems-related problem or opportunity, the proposed solution and its innovative characteristics, and potential energy, environmental, and economic benefits to New York State.*

microgrid concept meets NY Prize program requirements:

Comment [HO2]: I will complete this for the second draft of this and the subsequent sections are likely to final

#### The Sound Shore/Mamaroneck Microgrid

We are excited to propose a feasibility study for the Sound Shore/Mamaroneck Microgrid (SS/MMG), a community microgrid in the Town of Mamaroneck.

The Town of Mamaroneck is located on Long Island Sound just north of New Rochelle, NY, and has a population of about 30,000. As a shore community, Mamaroneck was hit hard by hurricanes Irene and Lee and by Super-storm Sandy. Residents and businesses were without electrical power for days or even weeks, and lost millions of dollars due to flooding and the loss of goods and services. In addition to the economic losses, the environment was degraded and the social fabric of the community was disrupted.

In light of this, the Town of Mamaroneck is committed to improving sustainability and resiliency for the greater Mamaroneck area in a number of ways. The Town has been working to promote sustainability and resiliency by becoming a NY State Climate Smart Community, forming The Town of Mamaroneck Sustainability Collaborative, approving a Sustainability/Resiliency Plan, coordinating sustainability and resiliency efforts and events with the Villages of Mamaroneck and Larchmont, and working with Con Edison to harden and enhance the existing grid.

The SS/MMG will be a combination of a hard-wired grid of four critical facilities, and a virtual grid which will link additional critical facilities, our Senior Center and two shopping centers to the core grid. The hardwired grid will include the Town Center and Police Station Complex, The Mamaroneck High School Complex (also our major evacuation center), the Sarah Neuman Nursing Home Complex, and The Boston Road Strip Mall containing the MDexpress Medical Center and the Starbucks Coffee Shop.

Comment [HO3]: I agree 100% that Starbucks is critical but for the purposes of obtaining resources from NYSEED we may want to remove the Starbucks reference

The virtual grid will link the VFW Senior Center, the Ferndale Shopping Center containing Stop and Shop Supermarket and CVS Drugstore and The Village Square Shopping Center containing Trader Joes and Village Square Bagels to the SS/MMG. We will install a small combined heat and power (CHP) system at the Senior Center to provide backup generation and an auxiliary supply of heat for cold weather operations. The Senior Center is strategically located between Central School and the two shopping centers.

Comment [HO4]: Other critical elements in the mall are gas stations, etc.

Comment [HO5]: We should have some information on what type of fuel and how much storage capacity to carry through long-term outages.

Both parts of the grid are easily expandable without crossing streets. The hardwired grid can pick up the Bank of America and approximately 200 units of multifamily housing while the virtual portion can pick up the Central School Complex and about 400 units of multifamily housing, again without crossing streets.

Comment [HO6]: Let's get some more information on this for the section below. What's the capacity could it serve other loads in emergencies has this been in the plans for a long time or is this a microturbine on an actual plan?

**Innovative, Scalable, Educational and Market Transformative:** The SS/MMG is innovative, expandable, educational, and a game-changer for the local community energy scene.

**Innovative and Scalable:** We believe our approach of linking the new core hard-wired grid to a new virtual grid will be a win, win, win, economically, environmentally and socially. The hardwired grid will connect four critical facilities, three without crossing a public street to new generation both fossil fueled and renewable. As a "smart grid", it will reduce demand, increase efficiency and enhance the work Consolidated Edison is performing to harden their infrastructure. Consolidated Edison's addition of a dual-feed transformer and switchgear between the Town Center and The Mamaroneck High School could not be either timelier or more strategically located.

The hardwired grid can be expanded without crossing any public streets to The Bank of America building on the corner of Boston and Richbell Roads and the Mamaroneck Gardens Apartments. The Gardens contain approximately 200 units of housing. The virtual grid can be expanded and converted to a hardwired grid without crossing public streets to include two local shopping centers, The Village Square Mall (Trader Joes) and the Ferndale Shopping Center (Stop and Shop and CVS Pharmacy, Central School and the Larchmont Ares Housing with about 400 units of housing. The cornerstone of this expansion will be the Senior Center, which is operated by the Town and sits in the middle of the two malls, the Central School and the 400 housing units and will be upgraded with CHP in the initial virtual grid.

Over the long-term, there may be options to integrate the SS/MMG with other smart grids in Westchester County.

**Educational:** The Town of Mamaroneck through its Sustainability Collaborative, now operating for almost 3 years, has made outreach and education a priority initiative in The Town of Mamaroneck Sustainability/Resiliency Plan and in the completed Hazardous Mitigation Plan. Outreach and educational events occur regularly and in the past year we have partnered with Middle and High Schools environmental and science teachers and clubs on projects and events. The Environmental Club participated in our study on how to make Mamaroneck a near zero waste community, The Town presented an exhibit of Green Infrastructure at the STEM-tastic Fair at the Middle School. We are currently working with the Environmental Club on the academic and educational component of the SS/MMG both from the physical perspective, location of generation equipment and electronic displays, to curriculum development at the High School.

**Market Transformative:** We believe our approach to this community microgrid will be a game changer to the way power is generated and consumed in Mamaroneck. Currently electrical and thermal energy is imported in the form of electricity, oil and natural gas. Electrical demand peaks in the summers and thermal demand in the winters. We expect our community microgrid to begin to change this. Summer and winter peaks will be reduced, energy efficiency will be increased reducing overall imports and greenhouse gasses. Renewables such as solar and wind will be augmented as well as local labor for installations and operations. We also expect our SS/MMG to enhance our current Solarize Larchmont Mamaroneck program, which is designed to aggregate homeowners to purchase rooftop solar systems.

**Win, Win, Win:** The approach we are presenting with the SS/MMG will maximize community benefits from economic, environmental and social perspectives. Economically we will maximize existing equipment, minimize street crossings and provide local employment during construction and operations of the SS/MMG. We will also be setting the stage for more resilient heat and power via a business model that combines private and public funding versus sole government or utility funding. Environmentally we will be able to reduce peak loads through demand reduction at existing facilities and peak shaving via generation, reduce fossil fuel and greenhouse gasses by increasing efficiency and harvesting solar PV, solar thermal and wind. Socially we will be able to provide more reliable electrical power during both periods of normal grid operations, and during grid outages. The ability to continue the operation of social and emergency services, provide public access to necessities such as food shopping and pharmacies, and other community necessities uninterrupted will ensure the resilience of the Town of Moreau through future storm events.

## 4.0 Proposer Information

### 4.1 Contact Information

The proposal is prepared by Booz Allen Hamilton, Inc. located at 8283 Greensboro Drive, McLean, VA 22102. For technical aspects of the engagement please contact Gary Leatherman, PhD at leatherman\_gary@bah.com or by phone at 301-825-

7016. For contractual aspects of the engagement, please reach to Cecilia Gerstner at gerstner\_cecilia@bah.com or by phone at 703-984-0556.

**4.2 NYSERDA Funding Eligibility**

Booz Allen Hamilton is 100 year old publicly owned strategy and management consulting firm with annual revenues of \$5.5 billion. For more details on Booz Allen financials, please refer to 2014 Annual Report: <http://www.boozallen.com/content/dam/boozallen/documents/about/Booz-Allen-FY14-Annual-Report.pdf>

**4.3 Project Team**

**Exhibit 1: Project Team**

No.	Name	Category	Description of Role	Letter of Support
1	Town of Mamaroneck	Local Government		
2	Consolidated Edison	Local electric utility provider		
			TO BE ADDED AS WE GET LETTERS OF SUPPORT	
	Booz Allen Hamilton	Project Lead	Booz Allen Hamilton will be responsible for the overall project management and execution of the feasibility study.	N/A
	Power Analytics	Technical Experts	As the partner for energy software solutions, Power Analytics will lead Information Technology (IT) telecommunications infrastructure assessment for the project.	MOU with BAH on file
	Siemens USA	Technical Experts / Project Developers	As the engineering and technology partner of this project, Siemens will be responsible for the engineering and infrastructure assessment of the technical design and system configuration	MOU with BAH on file
	Pace Energy and Climate Center	Public Advocacy/Legal Support	More than a think tank, the Pace Energy & Climate Center is made up of lawyers, economists, scientists and energy analysts that bring together decades of experience in the latest strategies in energy efficiency, cogeneration of electricity and thermal energy for heating and cooling, distributed renewable energy, smart grid and demand response through multi-building applications and microgrids at the community level. The center conducts research and analysis on legal, regulatory and policy matters to provide objective analyses that are used in community engagement of government and key stakeholders to achieve real-world progress. The center has agreed to provide community outreach support and their legal expertise to the project.	MOU with BAH on file
	Sustainable Westchester	Public Advocacy/	Sustainable Westchester is a 501(c)(3) consortium of Westchester County local governments that facilitates effective sustainability initiatives, engages community stakeholders, and shares tools, resources, and incentives. The consortium has a strong track record of providing energy services valued by their municipalities. The consortium has agreed to provide community outreach support and assess aspects of commercial project viability,	MOU with BAH on file

Comment (HOZ): Identify public interests/organizations/customers involved in the project team and describe their respective roles and relationship to the project.

- Local electric distribution company (required)
- Local government (required)
- Local fuel (e.g. gas) distribution company (required for non-renewable fuel-based generation)
- Regional Economic Development Council
- Low to moderate income tenants associations
- Local/regional emergency management
- Retail/institutional customers
- Non-profit organizations
- Third party implementers/project developers
- Vendors
- Others

### 5.0 Project Description and Benefits

(2-3 Pages) Please describe the proposed project configuration, the project's purpose/need, the intended use and description of the public benefits expected to result from the project.

- Please include the name, street address(es), and the municipality for each facility and new generation sources being considered in any community microgrid plans. Describe the preferred mix of fossil-fueled and renewable power generation sources as a percent of total community microgrid requirements. Identify innovative technologies and systems that are under consideration. Identify any existing generating assets that are being considered as part of the community microgrid plan. Please provide a description of and directions to the site. Include a copy of any maps or other documentation that well defines the geographical area/scale of the project including descriptions of customers/properties and electric generation options under consideration. Include a copy of the map and lot number(s) of the site as identified by the Tax Assessor's Office for the municipality in which the site is located.
- Describe the mix of properties, public and private interests, and critical functions that are expected to benefit from the project (e.g., diversity in mix of residential, critical public facilities and private commercial facilities).
- Describe utility system benefits (e.g., deferred capital expenses, reduced losses) that are anticipated to result from the operation of the project and under what operating conditions are such benefits expected to be realized. Describe who will benefit from the operation of the project (e.g., ratepayer, community microgrid customer).
- Provide any evidence demonstrating historic power quality/reliability issues that are not storm-related? If yes, describe the underlying cause. Describe power quality or reliability issues the project is expect to address.
- Describe how likely will the proposed community grid project build competitive markets, support new product and service options and demonstrate/incorporate new business models.
- To what extent will the operation of the project increase community resiliency or otherwise support community functioning during and after electric service disruption caused by severe weather (e.g., Irene, Lee, Sandy and October 2011 Winter Storm) or address other problems or opportunity and provide value to microgrid participants and others. What critical loads will be supported and for how long? Describe how this could be assured. To what extent is the project dependent on other community plans/projects/commitments being satisfied?
- Describe who is expected to own, maintain and control generating and other assets of the community microgrid project.
- Please provide/describe the population of the community including census tract income data, whether the affected community/project area has been storm impacted (Irene, Lee, Sandy and October 2011 Winter Storm), the geographic area impacted and the expected beneficiaries of the project/share of populace impacted by project plans. Describe how the interests of the affected population are to be served by the proposed project.
- Provide a description of any energy efficiency projects that have been or will be implemented by the affected facilities in the anticipated microgrid. If the community has considered/accounted for existing efficiency programs in its plans, please describe. If not, explain why.
- Please describe barriers to project success and plans to overcome them.
- Please describe scalability or replication expected with this project.
- Describe major tasks to be accomplished under the proposed project and the timing if known.

Comment [HO 8]: Can we have some more  
descriptors of the town? Have the population  
figures and can get income information. But it  
may also be helpful to have some demographic  
information - it may be beneficial to emphasize  
the fact that there is a significant percentage of  
population (if that is the case) and the need to  
meet the challenges of particular needs during  
weather and other types of emergencies.  
Also, more information on the nature and length  
of the outages during the storms. Besides  
hurricanes, are you affected by winter storms (if  
so, how)?

The goal of the proposed project is to study the feasibility of building and operating a community microgrid for the purpose of maintaining electric services for the participating customers/facilities and the community at large in Mamaroneck at times when weather events or other emergencies severely disrupt the capacity of the local distribution and transmission system to serve essential customer needs. The SS/MMG will be a combination hardwired grid coupled with a virtual grid. Both parts of the SS/MMG, the hard wired and the virtual will be scalable. The hardwired grid will initially be composed of four critical facilities, The Mamaroneck Town Center and Police Station, The Mamaroneck High School, The Boston Road strip Mall containing MDXpress and a Starbucks and the Sarah Neuman Nursing Facility. The virtual portion will initially be comprised of the Senior Center, and two shopping centers. The hard wired grid could be easily expanded to add the Bank of America and The Mamaroneck Gardens Apartments.

The virtual grid can be expanded to include the Central School and about 400 units of multifamily housing.

**Operational Characteristics:** The SS/MMG will operate in two fundamental modes, parallel with Consolidated Edison and island mode. The hard wired grid will include additional generation capacity in the form of natural gas driven prime movers capable of and coupled with heat recovery. We expect to locate the generation of the equipment near the heat sinks. We see the Sarah Neuman Nursing Home and the Mamaroneck High School as the two largest thermal users. In addition we will investigate solar PV and thermal at both the High School and the Town Center. The virtual portion of the SS/MMG will act primarily as demand reduction with the exception of the Senior Center which will have a small CHP plant and operate both in parallel and in island mode.

**Benefits:** The benefits of the SS/MMG can be categorized as economic, environmental and social. The benefits will accrue to residents, businesses and local governments. We call this the double play/triple bottom line.

**Economic Benefits:** Economic benefits which will be confirmed during the study will result from demand side load reduction and the resulting decrease in peak electrical costs, participation in demand side management and curtailment programs offered by the utilities and NYSERDA, increased efficiency via the capture of waste heat for space heating, domestic hot water and process loads and the reduction in greenhouse gasses. Another benefit will be the availability of backup power which will serve to decrease losses during times of grid outages.

**Environmental Benefits -** Environmental benefits will accrue both locally and regionally. Peak demand, particularly for electrical power, forces the grid to run older less efficient equipment which generates excess greenhouse gasses contributing to global warming and climate change. Because the SS/MMG will be a smart grid, it will be able to monitor the electrical load in real time, communicate with and aggregate large demands, and coordinate demand response to decrease peak loads and help flatten local and regional demand curves.

The nuclear facility at Indian Point, often criticized, provides many megawatts of power. The SS/MMG will reduce peak loads and assist in providing alternate sources of generation. Higher efficiencies will reduce the production of greenhouse gasses which cause global warming, resulting in climate change.

**Renewables -** Our community is committed to obtaining more electricity from renewable energy, and is supporting the Solarize Larchmont Mamaroneck program. However, incorporating renewable power into the grid can be problematic due to the risks associated with blending power from the grid with power from alternate and/or intermittent sources. As part of the SS/MMG feasibility study we will identify how solar and other renewable systems could be optimally and safely integrated into the microgrid.

**Social Benefits-** Social benefits will accrue to residents/ businesses and local and regional government in five categories - increase in preparedness for power outages, stabilization of the community during times of stress due to storms, reduction in

Comment [HO9]: What is the nature of this generation?

Comment [HO10]: Some of this repeats somewhat the paragraph above but if you're feeling you are trying to say something more, help me out.

costs and importation of fossil fuels and the reduction in global warming causing greenhouse gasses which contribute to storms and power outages, and will provide local employment during the design, construction operation of the SS/MMG

**Exhibit 3: Critical Services and Other Facilities**

Property	Address	Classification	Critical service	Back-up generation
Mamaroneck Town Center and Police Station Complex		Town administration and emergency services	Y	
Sarah Neuman Nursing Facility		Medical and social services	Y	
Mamaroneck High School Complex		Evacuation center	Y	
MDXpress Medical Center		Medical	Y	
VFW Senior Center		Medical and social services	Y	
Central Schools		?		
Stop and Shop? CVS? Trader Joe's?				
Other				

Comment [H011]: Please provide addresses and hold fill in the blanks for any other potential critical services including fire, fire medical, etc.

**Exhibit 4: Generation Sources**

Description	Fuel Source	Status	Capacity (MW)	Address	Municipality
Prime Movers referred to above					
CHP at Sarah Neuman					
Emergency Generation at the Town Hall?					
OTHER?					

Comment [H012]: In particular, the burning of natural gas, if it has any history of natural gas delivery problems, we should describe both them and how to deal with that in the challenges section below.

**Exhibit 5: Microgrid Benefits**

Beneficiary	Description of Benefits
Consolidated Edison	<ul style="list-style-type: none"> <li>- Supports and consistent with Consolidated Edison's efforts to provide more storm resilient electrical power to Mamaroneck.</li> <li>- Microgrid's resilience will allow Consolidated Edison to devote resources for repair and restoration of services elsewhere during storm-related outages and other events.</li> </ul>
Town of Mamaroneck	<ul style="list-style-type: none"> <li>- The SS/MMG will provide backup power to five critical facilities in Mamaroneck helping the Town all weather future storms and power outages with minimal impact to Town services and emergency operations.</li> </ul>
Community	<ul style="list-style-type: none"> <li>- Financial: long-term costs for emergency preparedness will be reduced as backup power will be installed that will also serve as peak power.</li> <li>- Social and economic: the availability of backup power for critical facilities will help reduce disaster costs, accelerate recovery efforts, and lessen the distress caused to the community</li> </ul>

**WORK SESSION**  
**ITEM #5**





# Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

## Memorandum

To: Supervisor and Town Board

Re: Authorization-Memorandum of Understanding

Amendments to Lease Agreement- Town of Mamaroneck Housing Authority

Date: May 20, 2015

Attached for your review is a memorandum of understanding to amend the lease agreement between the Town and the Town's Housing Authority. The decision to review the lease for possible amendments came as a result of the Housing Authority's recommendation to re-finance their outstanding debt and borrow additional funds for needed capital building improvements.

The proposed amendments include the following:

- I. Extending the term of the lease to 2035 to accommodate the new debt issue. The original lease was set to expire in 2023.
- II. Under the amended lease the number of Section 8 Voucher Units will increase from 11 to 13 to accommodate more of our voucher clients
- III. The annual pilot payment which was originally \$40,000 will be reduced to \$15,000 however the Authority will assume the expense of maintaining the roadway within the complex. The pilot payment will increase by 3% each year.
- IV. The lease will also be amended to consolidate into one section the requirements for a capital reserve fund and operating reserve fund. The capital reserve fund shall be \$180,000. The operating reserve fund will equal to 20% of the authority's operating budget exclusive of bond and debt expenses. Also under this section we are amending the engineering inspection requirement from an annual event to every three years.

These changes as proposed reflect the experience of the Authority operating the Hommocks Park Apartments since 1994. They maintain the requirements of financial discipline that the Town originally sought but provide some flexibility for the future.

**ACTION REQUESTED: THE TOWN BOARD APPROVE THE PROPOSED MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE TOWN ADMINISTRATOR TO EXECUTE THE DOCUMENT.**



**Memorandum of Understanding** made and entered into this \_\_\_\_\_ of June \_\_\_\_\_ by and between the **Town of Mamaroneck** and the **Town of Mamaroneck Housing Authority**

**Whereas**, the parties have engaged in negotiations in good faith to re-negotiate certain terms and conditions of the current lease agreement between the parties;

**Whereas**, the parties have arrived at an understanding;

**Now, therefore**, in consideration of the mutual covenants contained herein, the parties hereby stipulate and agree as follows:

- I. The provisions of the memorandum of understanding are subject to ratification by the respective parties to the lease.
- II. The provisions of the current lease agreement shall be carried forward except as modified in this memorandum.
- III. Unless otherwise noted, all dates involving the duration of the agreement shall be confirmed to the duration of the negotiated agreement.

**Section 1: Term**

B: Amend to read: The term of this lease shall be extended from December 31, 2023 to December 31, 2035.

**Section 5: Use and Occupancy**

A: Amend the third sentence to read: In addition, notwithstanding the selection criteria set forth in Schedule "A", Tenant agrees that it will cooperate with the Town of Mamaroneck Public Housing Agency, which administers Title VII Section 8 Housing Certificates, in providing for occupancy of and will cause to be rented no less than *Twenty-Five (25%) percent* of the units to individuals and families eligible for Title VII Section 8 Certificates. The Landlord and Tenant shall agree upon a protocol for the Town's Section 8 Certificate holders to have preference for these units.

**Section 6 Contingency Fund**

B: Delete this section and consolidate terms of this section into Section 36.

E: Additional Rent: This section shall be amended to provide for an annual payment of \$15,000 to be increased by 3% in each subsequent year. In connection with this amendment Section 12 B will be amended to provide that the Tenant shall assume responsibility for repairs to the internal roadway within the apartment complex.

**Section 12 Maintenance of Easements, Utilities and Sidewalks**

B: Amend to read: *The Tenant agrees to maintain and repair all roadways and sidewalks constructed on the premises at their expense. The Landlord agrees to maintain all sewer lines and drain lines located under the roadway. All other water, sanitary sewer and storm pipes, lines and drains shall be maintained by the Tenant. The Landlord agrees to provide technical and contractual assistance where necessary to the Tenant to arrange and complete any repairs*

**Section 36 Operating Reserve, Contingencies and Audit**

A: The Tenant shall be required to maintain a *capital reserve* which shall be no less than one hundred eighty (\$180,000) which is to be used for emergency or similar extraordinary repairs or replacement, or if income is insufficient to cover normal operating expenses. *The Landlord and Tenant shall in conjunction develop a plan to establish the capital reserve.*

B: In addition the Tenant shall *establish an operating reserve fund* for the purpose of anticipated repairs, replacements and maintenance. *The amount of the reserve fund shall be equal to 20% of the Tenant's operating budget exclusive of any and all debt and bond payments.*

C: The Tenant shall be required to cause a study of the premises by a professional engineer who shall review, who shall review the condition of all structures, fixtures and equipment, the amount of sufficient operating reserve which should be set aside, in addition to the existing operating reserve so as to insure that when maintenance is required to preserve the structure, or to repair or replace fixtures and/or equipment. Such study shall be conducted at least *every three years* unless circumstances or conditions require additional study of the premises. The operating reserve fund shall be used solely for the purposes set forth in this subparagraph and in no event shall it be accumulated for any expense anticipated to occur more than five (5) years into the future, unless specifically itemized.

**Town of Mamaroneck**

**Town of Mamaroneck Housing Authority**

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Stephen V. Altieri  
Town Administrator

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Richard Cherry  
Chairman

**WORK SESSION**  
**ITEM #6**



# Town of Mamaroneck

Office of the Supervisor

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

TEL: 914/381-7805

FAX: 914/381-7804

supervisor@townofmamaroneck.org

NANCY SELIGSON  
Supervisor

## MEMORANDUM

**TO:** TOWN BOARD  
**FROM:** NANCY SELIGSON  
**RE:** Request for Resolution in Support of Countywide Ban on Plastic Bags and Styrofoam  
**DATE:** May 20, 2015

County Legislator Catherine Parker has introduced potential legislation banning the use of plastic bags (such as those used in CVS and Stop & Shop) and Styrofoam on a countywide basis. She is requesting a Town resolution supporting her legislation. She noted that the Village of Mamaroneck passed one.

The Town worked to ban plastic bags in the past, but deferred the decision after being threatened with legal action from grocery stores. Having the County enact legislation would cover the Town and allow the Town to move forward. I would think the Town would view this favorably. Please review the accompanying information and consider her request.

Thank you.



RES. 2015

**SUPPORT OF COUNTY-WIDE EFFORT TO BAN SINGLE USE PLASTIC BAGS AND EXPANDED POLYSTYRENE CONTAINERS**

**WHEREAS**, plastic bags often are discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine life and causing unsightly litter that last hundreds of years and are a potential source of harmful chemicals when they do break down; and

**WHEREAS**, the [City/Town or Village of \_\_\_\_\_] has a proud history of environmental stewardship, [insert relevant environmental legislative action]; and

**WHEREAS**, the Westchester County Board of Legislators is considering an ordinance prohibiting the use of single-use plastic bags at the point of sale as well as expanded polystyrene containers throughout the entire county and encourages the utilization of reusable bags and other recyclable and bio-degradable products; and

**WHEREAS**, it will be most effective to have a county wide policy regulating plastic bag distribution at the point of sale and expanded polystyrene containers rather than a piecemeal approach that would be different in each municipality. This will be less costly to local governments and less confusing for residents; and

**WHEREAS**, while all county residents would realize the environmental benefits of such a program, [downstream/coastal/riverine] communities such as the [City/Town or Village of \_\_\_\_\_] would realize benefits of reduced debris in its streams and rivers as well as improved water quality in [insert relevant body of water: Long Island Sound, Hudson River, etc]; and

**WHEREAS**, that efforts undertaken on a regional level that will have positive impacts for the region as a whole and for the [City/Town or Village of \_\_\_\_\_] individually;

**THEREFORE, BE IT RESOLVED**, that the [City/Town or Village of \_\_\_\_\_] urges Westchester County to adopt a law which would ban the use of single-use plastic bags at the point of sale and expanded polystyrene containers.

**BE IT FURTHER RESOLVED**, that the [City/Town or Village of \_\_\_\_\_] requests that the [City/Town or Village Manager or Clerk] forward a certified copy of this resolution to the Clerk of the Westchester County Board of Legislators and the Westchester County Executive Robert P. Astorino.

**LOCAL LAW INTRO. NO. -2014**

A LOCAL LAW amending Chapter 863 of the Laws of Westchester County by adding a new Article XXIX, regulating the use of checkout bags by persons and entities engaged in retail sales, and a new Article XXX, regulating the use of expanded polystyrene containers at food service establishments and the sale of polystyrene loose fill packaging.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Chapter 863 of the Laws of Westchester County is hereby amended by the addition of a new Article XXIX, regulating the use of checkout bags by persons and entities engaged in retail sales, to read as follows:

**ARTICLE XXIX**

**RETAIL CHECKOUT BAGS**

**Sec. 863.1601. Purpose.**

**Sec. 863.1602. Definitions.**

**Sec. 863.1603. Restrictions on checkout bags.**

**Sec. 863.1604. Enforcement and penalties.**

**Sec. 863.1605. Severability.**

**Sec. 863.1601. Purpose.**

Non-biodegradable plastic bags often are discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine life and causing unsightly litter. These bags last hundreds of years in landfills and are a potential source of harmful chemicals when they do break down. The intent of this Article is to improve the environment in the County of Westchester by encouraging the use of reusable checkout bags and banning the use of plastic bags for retail checkout of purchased goods.

**Sec. 863.1602. Definitions.**

For purposes of this article, the terms used herein are defined as follows:

“Check out bag” shall mean a carry out bag that is provided to a customer at the point of sale. The term “checkout bag” does not include plastic produce bags, garment bags or plastic bags measuring 28" by 36" or larger in size;

“Garment bag” shall mean a large plastic bag with two openings that is used to transport clothing from a dry cleaner;

“Plastic produce bag” shall mean a flexible container made of very thin plastic material with a single opening that is used to transport produce, meats or other items selected by customers at the point of sale;

“Recyclable paper bag” shall mean a paper bag that: (1) contains no old growth fiber, (2) is 100% recyclable overall and contains a minimum of 40% post-consumer recycled content, and (3) displays the words “Reusable” or “Recyclable” on the outside of the bag;

“Retail sales” shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers’ markets, flea markets and restaurants. The term “retail sales” does not include sales of goods at yard sales, tag sales, other sales by residents at their home, and sales by non-profit organizations; and

“Reusable bag” shall mean a bag with handles that is specifically designed and manufactured for multiple reuse and is (1) made of cloth or other fabric, and/or (2) made of durable plastic that is at least 2.25 mils thick.



**Sec. 863.1603. Restrictions on checkout bags.**

1. Any person engaged in retail sales shall provide only reusable bags and/or recyclable paper bags as checkout bags to customers.

2. Nothing in this Article shall preclude persons engaged in retail sales from making reusable bags available for sale to customers.

**Sec. 863.1604. Enforcement and penalties.**

For the first violation of the provisions of this Article or any rule or regulation adopted pursuant to this Article, a civil penalty not exceeding two hundred fifty dollars (\$250.00) shall be imposed. For the second and succeeding violations, a civil penalty not exceeding five hundred dollars (\$500.00) shall be imposed for each single violation. No civil penalty shall be imposed as provided for herein unless the alleged violator has received notice of the charge against him or her and has had an opportunity to be heard.

**Sec. 863.1605. Severability.**

If any section, subsection, sentence, clause, phrase or other portion of this Article is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Article, which remaining portions shall continue in full force and effect.

§2. Chapter 863 of the Laws of Westchester County is hereby amended by the addition of a new Article XXX, regulating the use of expanded polystyrene containers at food service establishments and the sale of polystyrene loose fill packaging, to read as follows:

## ARTICLE XXX

### EXPANDED POLYSTYRENE CONTAINERS AND POLYSTYRENE LOOSE FILL PACKAGING

Sec. 863.1701. Purpose.

Sec. 863.1702. Definitions.

Sec. 863.1703. Restrictions on expanded  
polystyrene containers and polystyrene  
loose fill packaging.

Sec. 863.1704. Enforcement and penalties.

Sec. 863.1705. Severability.

#### Sec. 863.1701. Purpose.

Expanded polystyrene is difficult to recycle, does not decompose and makes up a significant portion of the trash polluting local waterways. There are also potential health risks; styrene, which is used to make polystyrene, is listed as a possible carcinogen by the International Agency for Research on Cancer. The intent of this Article is to improve the environment in the County of Westchester, as well as the health of its residents, by restricting the use of expanded polystyrene containers and the sale of polystyrene loose fill packaging.

#### Sec. 863.1702. Definitions.

For purposes of this article, the terms used herein are defined as follows:

“Expanded polystyrene” shall mean blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene);

"Food service establishment" shall mean a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle. Food service establishment shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias;

"Polystyrene loose fill packaging" shall mean a void filled packaging product made of expanded polystyrene that is used as a packaging fill (commonly known as packing peanuts);

"Single service articles" shall mean cups, containers, lids, closures, trays, plates, knives, spoons, stoppers, paddles, straws, place mats, napkins, doilies, wrapping materials, toothpicks and all similar articles that are intended by the manufacturer to be used once for eating or drinking and generally recognized by the public as items to be discarded after one use; and

"Store" shall mean a retail or wholesale establishment, other than a food service establishment.

**Sec. 863.1703. Restrictions on expanded polystyrene containers and polystyrene loose fill packaging.**

1. No food service establishment or store shall sell or provide single service articles that consist of expanded polystyrene including but not limited to providing food in single service articles that consist of expanded polystyrene.

2. This section shall not apply to (1) expanded polystyrene containers used for prepackaged food that have been filled and sealed prior to receipt by the food service establishment or store; (2) single service articles consisting of expanded polystyrene sold

in grocery stores off the shelf that do not contain any food or beverages in them; or (3) expanded polystyrene containers used to store raw meat, pork, fish, seafood or poultry sold from a butcher case or similar retail appliance.

3. No store shall sell or offer for sale polystyrene loose fill packaging.

**Sec. 863.1704. Enforcement and penalties.**

For the first violation of the provisions of this Article or any rule or regulation adopted pursuant to this Article, a civil penalty not exceeding two hundred fifty dollars (\$250.00) shall be imposed. For the second and succeeding violations, a civil penalty not exceeding five hundred dollars (\$500.00) shall be imposed for each single violation. No civil penalty shall be imposed as provided for herein unless the alleged violator has received notice of the charge against him or her and has had an opportunity to be heard.

**Sec. 863.1705. Severability.**

If any section, subsection, sentence, clause, phrase or other portion of this Article is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Article, which remaining portions shall continue in full force and effect.

§3. This Local Law shall take effect in sixty (60) days.

**WORK SESSION**

**ITEM #7**

# NEW BUSINESS

# PUBLIC HEARING #1

## 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 May 6, 2015, a Public Hearing will be held on Wednesday, May 27, 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.

### 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.

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: May 13, 2015**



**Local Law No. – 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 Richbell Road and Weaver Street Terrace.

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

Motor vehicles may be parked

**Section 3 – 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 4 – 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 5 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State.

# PUBLIC HEARING #2

# PUBLIC DISCUSSION

**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 May 6, 2015 a Public Hearing will be held on Wednesday, May 27, 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: "Stop Sign on Durham Road where Durham Road terminates at Fenimore Road" Law.

**Purpose:**

For safety reasons, the Town Board finds that there should be a stop sign on Durham Road at the point where that road terminates at Fenimore Road.

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: May 13, 2015**

**Local Law No. - 2015**

This local law shall be known as the "Stop Sign on Durham Road where Durham Road terminates at Fenimore Road" Law.

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

**Section 1 – Purpose:**

For safety reasons, the Town Board finds that there should be a stop sign on Durham Road at the point where that road terminates at Fenimore Road.

**Section 2 – Regulation of Traffic on Durham Road:**

Vehicles traveling northeasterly on Durham Road shall be required to come to a full stop on Durham Road at the point where Durham Road terminates at Fenimore Road.

**Section 3 – 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 Durham Road indicating where a full stop is required by this law.

**Section 4 – 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 5 – Effective Date:**

This Local Law shall become effective upon filing with the Secretary of State.

# PUBLIC HEARING #3

**NOTICE OF PUBLIC HEARING**

**Town of Mamaroneck Water District No. 1  
Westchester County, New York**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Mamaroneck, Westchester County, New York, will meet at the Town Hall, in Mamaroneck, New York, in said Town, on the 27<sup>th</sup> day of May, 2015, at 8:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1 of said Town, being said Water District's share of the cost of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck ("WJWW"), being the installation of modular standby generators that will initially be located at the Rye Lake Plant to replace the current non-functioning propane standby generator, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$125,000 to the Water District at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

The capital project described above is a "Type II Action" pursuant to the regulations promulgated under the State Environmental Quality Review Act ("SEQRA") which will not result in a significant environmental effect and SEQRA compliance materials are available for inspection at the Office of the WJWW where they may be inspected during normal business hours.

**Dated:** Mamaroneck, New York,  
May 14, 2015.

**BY ORDER OF THE TOWN BOARD OF THE TOWN  
OF MAMARONECK WESTCHESTER COUNTY,  
NEW YORK**

**Christina Battalia  
Town Clerk**



At a regular meeting of the Town Board of the Town of Mamaroneck, Westchester County, New York, held at the Town Hall, in Mamaroneck, New York on May 27, 2015, at 8:00 o'clock P.M., Prevailing Time.

PRESENT:

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

<p style="text-align: center;">In the Matter of The Increase and Improvement of the Facilities of the Town of Mamaroneck Water District No. 1 of the Town of Mamaroneck, Westchester County, New York</p>	<p style="text-align: center;">PUBLIC INTEREST ORDER</p>
---	--

WHEREAS, the Town Board of the Town of Mamaroneck, Westchester County, New York, has under consideration the increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the installation of modular standby

generators that will initially be located at the Rye Lake Plant to replace the current non-functioning propane standby generator, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$125,000; and

WHEREAS, at a meeting of said Town Board duly called and held on May 6, 2015, an Order was adopted by it and entered in the minutes specifying the said Town Board would meet to consider said increase and improvement of the Water District, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mamaroneck, New York, in said Town, on May 27, 2015 at 8:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make improvements to the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the installation of modular standby generators that will initially be located at the Rye Lake Plant to replace the current non-functioning propane standby generator, including original furnishings, equipment, machinery,

apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$125,000.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The order was thereupon declared duly adopted.

\* \* \* \* \*

**BOND RESOLUTION**

At a regular meeting of the Town Board of the Town of Mamaroneck, Westchester County, New York, held at the Town Hall, in Mamaroneck, New York, in said Town, on the 27<sup>th</sup> day of May, 2015, at 8:00 o'clock P.M., Prevailing Time. The meeting was called to order by \_\_\_\_\_, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman \_\_\_\_\_ who moved its adoption, seconded by Councilman \_\_\_\_\_ to-wit:

BOND RESOLUTION DATED MAY 27, 2015.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$125,000 BONDS OF THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK, TO PAY THE TOWN'S SHARE OF THE INCREASE AND IMPROVEMENT OF THE TOWN OF MAMARONECK WATER DISTRICT NO. 1, IN THE TOWN OF MAMARONECK, WESTCHESTER COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, said regulations provide will not result in a significant environmental effect; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the installation of modular standby generators that will initially be located at the Rye Lake Plant to replace the current non-functioning propane standby generator, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$125,000; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Mamaroneck, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Town of Mamaroneck Water District No. 1, in the Town of Mamaroneck, Westchester County, New York (the "Water District"), being its share of the improvement of facilities of the Westchester Joint Water Works of the Town/Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck (together, the "WJWW"), consisting of the installation of modular standby generators that will initially be located at the Rye Lake Plant to replace the current non-functioning propane standby generator, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$125,000, there are hereby authorized to be issued \$125,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$125,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Mamaroneck, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Street Lighting

District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of

such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his or her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or



proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

**FIRE COMMISSION**  
**ITEM #1**



**FIRE COMMISSION**  
**ITEM #2**

**No Attachment**

# Affairs of the Town #1

**No Attachment**

# Affairs of the Town #2





# Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

## Memorandum

**To: Supervisor and Town Board**

**Re: Authorization-Amendment to Ice Rink/Hommocks Pool Concession**


**Date: May 16, 2015**

In 2012 the Town signed a new concession agreement with Slapshot Café to operate the concession for the ice rink and pool. At that time our pool rules prohibited pool patrons from bringing in outside food or coolers to the pool facility. A number of patrons expressed displeasure with the rule and began requesting that the rule be changed. Therefore in 2013 the Recreation Commission agreed that the Town would try to accommodate the residents on this issue. Since the summer of 2013 residents have been allowed to bring small personal size coolers to the pool.

The decision to allow the small coolers was in reaction to a decline in pool membership and therefore wanting to make changes in the operation that would encourage better attendance. However the change has caused a financial loss to the concessionaire. Even with the limitation of personal size coolers, residents are still able to bring in sandwiches and beverages which are a mainstay for the concessionaire.

We have had a terrific experience with Slapshot Café and he has been very responsive to our needs for the both the rink and the pool. So we are proposing that the concessionaire's rent payment for the pool season be reduced by \$500 for each month of the pool season. The monthly payment would be reduced from \$2,333 to \$1,833 in July and August and effectively a \$250 reduction for June. The overall impact to the Town is a reduction of \$1,250 in the annual rental income. The amendment would remain in effect until the end of the concession agreement term which is 2017.

**ACTION REQUESTED: THAT THE TOWN BOARD APPROVE THE PROPOSAL TO REDUCE THE RENTAL RATE IN THE HOMMOCKS ICE RINK AGREEMENT AS DESCRIBED ABOVE AND THAT THE TOWN ADMINISTRATOR BE AUTHORIZED TO EXECUTE THE CONCESSION AGREEMENT AMENDMENT**



---

Stephen V. Altieri  
Town Administrator

# Affairs of the Town #3

## **AFFAIRS OF THE TOWN OF MAMARONECK**

3. Set Public Hearing – Amendment –

Parking Regulations – Shel Drake Avenue

Is located in your Worksession Packet

# Affairs of the Town #4

## **AFFAIRS OF THE TOWN OF MAMARONECK**

**4. Set Public Hearing – Amendment – Parking  
Regulations – Howell Avenue, Carleon Avenue,  
Hawthorne Lane & Palmer Avenue (Between Weaver  
Street & Larchmont Border)**

You will receive this document from the Town Attorney prior to the  
meeting

# Affairs of the Town #5





# Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

**TO:** Stephen Altieri, Town Administrator  
Nancy Seligson, Town Supervisor  
Town Board Members

**FROM:** Connie Green O'Donnell, Assistant Town Administrator

**DATE:** May 18, 2015

**SUBJECT:** Authorization to Appoint a Laborer – Highway Department

Authorization is requested to appoint Michael Sullivan as the full-time Laborer in the Highway Department effective May 28, 2015 at an annual salary of \$43,152. This position is vacant due to a recent promotion. Since the 2015 budget reflects this position being paid at a higher step there will be a savings.

Mr. Sullivan has worked as a part-time Laborer in the Highway Department since October 2013. As a Laborer he performs routine cleaning, maintenance and repair assignments and operates motor equipment. He is a dedicated and conscientious employee who works well with his co-workers.

Based on his overall performance Lou Martirano is recommending that Mr. Sullivan be appointed to the full-time Laborer position in the Highway Department.

**ACTION REQUESTED:** That the Town Board approve the appointment of Michael Sullivan to the position of Laborer in the Highway Department effective May 28, 2015 at an annual salary of \$43,152.







# Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

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TO: Stephen Altieri, Town Administrator  
Nancy Seligson, Town Supervisor  
Town Board Members

FROM: Connie Green O'Donnell, Assistant Town Administrator

DATE: May 18, 2015

SUBJECT: Authorization to Appoint an Office Assistant - Building Department

Authorization is requested to appoint Brittanie O'Neill as the full-time Office Assistant in the Building Department effective May 28, 2015 at an annual salary of \$38,965.

Although the salary reflected in the 2015 budget is slightly lower, there will be a savings due to the mid-year appointment. This position has been vacant due to an employee being placed on disability leave. Since this is a competitive position, the appointment is in compliance with Civil Service regulations.

Ms. O'Neill majored in English and graduated from Manhattanville College in 2012. She has been working part-time in the Building Department since April 2014 as an Intermediate Clerk. For the past year she has provided administrative support for the processing of construction (building, electrical and plumbing) and land use (subdivision, site plan, special permits and zoning variances) permits. In addition, Ms. O'Neill has been instrumental in the digitizing of documents relating to permits as they are received by the Building Department and has become proficient working with the Municipity and Laserfiche software systems.

Ron Carpaneto considers Ms. O'Neill to be an asset to the operations of the Building Department and is in full support of this appointment.

**ACTION REQUESTED:** That the Town Board approve the appointment of Brittanie O'Neill to the position of Office Assistant in the Building Department effective May 28, 2015 at an annual salary of \$38,965.



# Affairs of the Town #6

**Attachment  
Not Available**

**APPROVAL OF  
MINUTES**