

Minutes of the Regular Meeting
of the Board of Trustees of the
Village of Larchmont, New York,
held on **MONDAY, NOVEMBER 22, 2010**

PRESENT: Mayor Joshua L. Mandell
Trustees Marlene Kolbert
Anne H. McAndrews (Arrived at 7:15 PM)
Richard Ward
Jaine Elkind Eney

Also Present: Clerk Finn, Treasurer Brucciani
Joanna C. Feldman representing Village Attorney's Office

Mayor Mandell called the meeting to order at 7:00 PM and welcomed those present.

Mayor Mandell informed the audience that Miriam Curnin, Chair of the Library Board of Trustees, has announced her intention to step down from this position effective December 31, 2010. Accordingly, on motion of Trustee Kolbert, seconded by Trustee Eney, and unanimously carried, it was:

Curnin, M.
Resignation as Chair of
Library Board of
Trustees effective
12/31/11

RESOLVED, to approve the appointment of Pamela Tillinghast Dubitsky as Chair of the Library Board of Trustees, effective January 1, 2011.

RESOLUTION
Dubitsky, P.T.
Chair
Library Board of
Trustees

Mayor Mandell presented Mrs. Curnin with a proclamation honoring her years of service as Library Board Chair, and thanked her for all she has done for the Village.

On motion of Trustee Kolbert, seconded by Trustee Eney, and unanimously carried, it was:

RESOLVED, to approve the appointment of Diane Neff as a member of the Committee on the Environment.

RESOLUTION
Neff, D.
Committee on the
Environment

On motion of Trustee Ward, seconded by Trustee Eney, and unanimously carried, it was:

RESOLVED, to approve the appointment of Steven Harris as a volunteer member of the Larchmont Fire Department.

RESOLUTION
Harris, S.
Volunteer Member
Fire Department

Mayor Mandell announced that three new stores have opened in the Village. They are:

Avenue P - 2105 Boston Post Road
Clutch - 1905 Palmer Avenue
Gentiana's Hair Salon - 1901 Palmer Avenue

New Stores Opening
Avenue P
Clutch
Gentiana's Hair Salon

Police Chief Poleway next reported on the following:

Police Chief's Report

1. On November 13, the Village of Larchmont participated in the American Medicine Chest Challenge. This effort proved to be a great success, with the department collecting a significant amount of unwanted medicine. The collected medicine was turned over to the County for incineration. He thanked Janet Buchbinder of R.A.D.A.R. who organized this event, and the Board for allowing the Police Department to participate in it.

2. The Traffic Commission has lowered the speed limit on Vanderburgh Avenue to 25 m.p.h.

3. As the holiday season is approaching, he encouraged responsible revelry. He asked everyone to avail themselves of a designated driver, a taxi, or to walk.
4. He noted that the Village is seeking willing compliance from all residents in connection with the anti-idling law.

RESOLUTION

Tequila Sunrise
Restaurant – Amend
Entertainment permit
for New Year’s Eve

On motion of Trustee Eney, seconded by Trustee Ward, and unanimously carried, it was:

RESOLVED, to approve the request of Tequila Sunrise Restaurant to amend their entertainment permit to allow a D.J. to play on New Year’s Eve, December 31, 2010, from 10 PM to 1 AM.

Mayor Mandell next introduced William Balter, President of Wilder Balter Partners, who will be making a presentation on an affordable housing project he is proposing to be built at 2101-2105 Palmer Avenue.

Presentaton by **W**ilder
Balter Partners –
Potential affordable
housing site at 2101-
2105 **P**almer Avenue

Mayor Mandell noted that the Village Board does not have authority to approve such construction. This portion of the meeting is being conducted as a public information session only.

Mr. Balter began by stating that the site being proposed for this construction is the former Collins Brothers Moving site. It is approximately 1 ½ acres in size, and most recently owned by Richard Esposito.

Wilder Balter Partners are proposing to build an affordable housing facility containing ten (10) one-bedroom/one-bathroom units, and forty-one (41) two-bedroom/two-bathroom units. Mr. Balter stated that the development, when under the ownership of Mr. Esposito, was reviewed by all of the land use boards, and they are proposing to construct exactly what was approved. He displayed boards showing the elevations along with the floor plans of the units.

Mr. Balter explained that there will be two buildings, and both will be Tudor-style architecture finished with stucco and shingled roofs. Each unit will have a balcony, and there will be parking provided for 102 cars. Additionally, each building will have an exercise room and two common rooms.

Stormwater is one of their biggest concerns, and Mr. Balter explained that the building will have a very substantial stormwater system under the site.

These units will be classified as condominiums. Estimated costs for a one-bedroom unit will be \$160,000; for a two-bedroom unit, \$229,000. Five units will be for municipal employees, school employees, etc., preferably from Larchmont, who qualify for affordable housing. The qualifying income range is between \$59,000 and \$84,000.

Mr. Balter encouraged interested parties to visit their website, www.wbhomes.com. Information will be posted on their website, along with answers to questions they may receive concerning the facility. He noted that construction is expected to begin in the spring.

Mayor Mandell distributed to the audience a timeline of events that have taken place over the last five years in regard to this property, which indicated when the proposal was first received to the times it appeared before the various land use boards.

Residents who expressed comments on this proposal were:

Eileen Gerspach, 88 Stuyvesant Avenue
Laura Sprengelmeyer, 20 Coolidge Street
Michael Rosenbaum, 55 Woodbine Avenue
Richard Cherry, 5 Hall Avenue
Mary Lee Berridge, 2 Circle Avenue
Colleen Cassidy, 76 Pine Brook Drive
Seth Friedman, 4 Cliff Way
Peter Ulmer, 2024 Palmer Avenue
Russ Baldassarre, Palmer Crossings Restaurant, 1957 Palmer Avenue

While some individuals came to speak in support of this project, others expressed concern about the impact the additional families would have on the schools and the traffic. Several were additionally concerned about how the units would be marketed and financed.

Mr. Balter stated that the Planning Board hired expert consultants to study the affects on the schools and the traffic. Regarding the schools, they estimated that between 2 and 13 new children would be added to the school district under this proposal. On the subject of traffic, a study was done in 2007, and they do not envision that any further traffic problems would be brought to the area.

Rose Noonan of the Housing Action Council explained how the units would be marketed and financed, stating that the Council would be working with a company called the New York Mortgage Coalition. They will provide financing for up to 50 percent of the units. They will abide by the Affirmative Marketing requirements that Westchester County set forth in the federal lawsuit that was recently settled.

Mary Mahon, representing the Westchester County Executive's Office, responded to a question from the audience on whether these units would satisfy the requirements for affordable housing under the Westchester County Legacy Agreement that the Village entered into for grant funding to construct the Flint Park turf field. Ms. Mahon stated that the construction of these units would complete the obligation under the Intermunicipal Agreement that was executed for the grant funding.

Mayor Mandell stated that this project is not a fait accompli. This project has been approved by the Westchester County Planning Board, with a suggestion that the County approve funding of \$5.99 million for the project. The County Board of Legislators has yet to vote on the funding, which is a necessary step before any development could begin. Additionally, he noted that the plans are still tentative, and further review by Village land use boards may be required.

Mayor Mandell thanked Mr. Balter for his presentation this evening, and called a recess at 8:05 PM.

Upon reconvening at 8:20 PM, New York State Assemblyman George Latimer addressed the Board and encouraged them to consider any issues that may need Home Rule approvals when the Legislature reconvenes in January. Mayor Mandell thanked Assemblyman Latimer for his offer and for appearing at this evening's meeting.

Mayor Mandell made the following announcements:

Mayor's Announcements

1. He extended the Board's condolences to the following families:
 - The family of Rhett Mitchell on his passing.
 - The family of Joseph Vandernoot, former Town of Mamaroneck Supervisor, on his passing.
 - The family of Theresa (Jo) Gregg, former Chair of the Recreation Committee, on her passing.
 - The Orsino/O'Neill family on the passing of Gloria O'Neill. Mrs. O'Neill was the mother-in-law of Laura Jean Orsino, employee in the Treasurer's Office.
2. He also extended condolences to the Cerna family on the tragic death of their daughter, Laura. Laura Cerna was murdered in Seville, Spain, on August 30, 2010. The sentence for the person who committed the murder is only ten years under Spain's laws. The family has established a memorial fund in her name to help defray costs of legal fees to attempt to bring further legal charges against the accused. They will also be holding a tribute to Laura on January 22, 2011, at the Flint Park American Legion at 4:00 PM.
3. Vans will be traveling around the Village with the FACET Technology logo. They will be doing oblique photography for the Westchester County GIS System.
4. The Red Cross Disaster Reserve Institute will be held on December 11 from 8:30 AM to 5:00 PM at the PACE Pleasantville Campus.
5. He reminded everyone to shop and dine locally.
6. Santa Claus will be arriving in Flint Park on December 18, 2010, at 10:00 AM. A breakfast, sponsored by the Larchmont Fire Department, will be held at the Flint Park American Legion preceding Santa's arrival.
7. He reminded the audience that sidewalks must be shoveled within 24 hours of a snowstorm.
8. He congratulated the Mamaroneck High School Field Hockey Team on coming in second place in the State finals.
9. He extended best wishes to all for a Happy Thanksgiving and Happy Hanukkah.

Trustee Reports

Trustee Eney reported on the following:

1. The Chamber of Commerce has great plans for December, as outlined below:
 - December 4 – Holiday helpers will be strolling the streets from 12:00 Noon to 4:00 PM.
 - December 11 – Santa Claus will be in Plaza Park for a picture-taking event.
 - December 18 – Holiday carolers will be strolling through the Village.
 - December 23 – Stores will be open late, until 9:00 PM.
 - December 23 – The Chamber of Commerce will also be sponsoring a clothing drive on this date. Clothes can be dropped off a Tequila Sunrise Restaurant, Pink on Palmer, Bella Fiore, and Vision of Tomorrow.

2. She announced that November 27 will be Small Business Saturday. She encouraged everyone to support the Village's local businesses.

Trustee Ward reported on the following:

1. He announced that additional field space has been located so that the number of participants in the Recreational Soccer program may be increased in the future.

Trustee Kolbert reported on the following:

1. Westchester County has passed a law to add more materials to the list of required recyclables. As of June, 2011, plastics containing the numbers 1-7 will be accepted.

2. A Christmas Carol will be presented at the Library on December 9 at 7:00 PM.

3. She wished everyone a Happy Thanksgiving and a happy holiday season.

Trustee McAndrews reported on the following:

1. Signs for Flint Park have been delivered and will be installed sometime next week.

2. As part of a grant the Town of Mamaroneck and Village of Larchmont previously received for scanning information into a digital format, an additional program is now being considered which would give the ability to electricians and plumbers to do all of their permitting online, with payment being made by debit cards. Their applications can be made during non-prime working hours and processed by the respective Building Departments when offices are open.

Trustee Eney announced that a new business, HomeMade Pizza, will be opening on Palmer Avenue, at the corner of East Avenue, on December 16, 2010. In advance of their grand opening, they would like permission to use three parking spaces outside of their store on December 13-15 in which to grill pizza and distribute it free of charge.

Following a brief discussion, on motion of Trustee Eney, seconded by Trustee Ward, and unanimously carried, it was:

RESOLVED, to approve the request of HomeMade Pizza to use three parking spaces outside of their store at the corner of Palmer Avenue and East Avenue, on December 13-15, 2010, to grill and prepare pizzas for free distribution to the public.

On motion of Trustee Kolbert, seconded by Trustee McAndrews, and unanimously carried, the public hearing to consider a local law repealing the portion of Section 97-17 – Dogs, which requires the Village Clerk to issue dog licenses, was opened.

Mayor Mandell explained that as of January 1, 2011, New York State will no longer be administering the dog licensing division and, as a result, this responsibility will fall upon the local governments to administer. Many Villages in Westchester County are opting to transfer this responsibility to their local townships.

RESOLUTION

HomeMade Pizza – Authorization to use three parking spaces at corner of **P**almer Avenue & East Avenue – 12/13-12/15/10 for grand opening

Public Hearing – **D**og Licenses – Transfer responsibility to Town of **M**amaroneck – Held over to 12/13/10

It was the consensus of the Board to hold this matter over to the December 13, 2010, meeting for further consideration.

On motion of Trustee Eney, seconded by Trustee Kolbert, and unanimously carried, the minutes of the September 13, 2010, meeting were approved with changes.

On motion of Trustee McAndrews, seconded by Trustee Eney, and carried, the minutes of the November 15, 2010, worksession were approved. As Trustees Kolbert and Ward were not present at this worksession, they did not participate in the vote on these minutes.

On motion of Trustee Eney, seconded by Trustee McAndrews, and unanimously carried, the minutes of the September 27, 2010, worksession were approved.

On motion of Trustee Eney, seconded by Trustee McAndrews, and unanimously carried, the minutes of the November 1, 2010, worksession were approved.

On motion of Trustee Kolbert, seconded by Trustee Eney, and unanimously carried, the minutes of the November 8, 2010, worksession were approved.

On motion of Trustee McAndrews, seconded by Trustee Eney, and unanimously carried, the minutes of the September 2, 2010, worksession were approved.

Treasurer Brucciani advised that an anonymous donor has donated \$3,000 for improvements to Constitution Park. Therefore, he would like permission to establish a trust account for Improvements to Constitution Park.

On motion of Trustee Eney, seconded by Trustee Kolbert, and unanimously approved, it was:

RESOLUTION

Accept \$3,000 from anonymous donor for Improvements to Constitution Park and authorize Treasurer to establish Trust Account

RESOLVED, to accept the \$3,000 donation from an anonymous donor, with thanks, and to authorize Treasurer Brucciani to establish a trust account for Improvements to Constitution Park.

Mayor Mandell announced that Board meetings have tentatively been scheduled for January 24, February 28, and March 15, 2011.

On motion of Trustee Eney, seconded by Trustee Kolbert, and unanimously carried, it was:

RESOLVED, that Abstract Audited Voucher No. 8, dated November 22, 2010, in the amount of \$1,656,993.37, per copies filed with the Clerk, be paid, subject to confirmation and approval by Trustee Eney.

On motion of Trustee Kolbert, seconded by Trustee McAndrews, and unanimously carried, the Board adjourned into Executive Session at 9:00 PM.

Upon reconvening, on motion of Trustee McAndrews, seconded by Trustee Eney, and unanimously carried, the following resolution was adopted:

WHEREAS, upon the recommendation of Steven V. Altieri and Carmine A. DeLuca, Superintendent and Secretary/Treasurer of the Larchmont-Mamaroneck Joint Sanitation Commission, respectively, for the Village of Larchmont to purchase one (1) sanitation vehicle; and

WHEREAS, the Village of Larchmont, having previously declared its intention to participate in a joint bid offering that occurred on Wednesday, October 13, 2010, and was conducted by the Town of Mamaroneck for the purpose of soliciting bids for the purchase of Two (2) Refuse Collection, Tandem Axle Chassis Trucks with 25-yard rear load refuse packers, identified by the Town of Mamaroneck as “Contract TA-10-10”;

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Larchmont Board of Trustees hereby accepts the bid from Gabrielli Truck Sales LTD., Bronx, New York, in the amount of \$182,850, for the purchase of one (1) 2010-2011 Mack, Model GU813 with Load Master Body, a sanitation vehicle, and provides its authorization to Stephen V. Altieri, Town Administrator, Town of Mamaroneck, to award such bid and to enter into a purchase agreement with Gabrielli Truck Sales LTD on behalf of the Village of Larchmont, subject to an understanding by all parties that the truck contains a noise abatement package.

On motion of Trustee Eney, seconded by Trustee Kolbert, and unanimously carried, it was:

RESOLVED, that the Board hereby authorizes the voluntary transfer of Public Works Department employee sick leave to the sick leave bank for Public Works employee Craig Stofko, who is out on extended illness.

On motion of Trustee Eney, seconded by Trustee Kolbert, and unanimously carried, the meeting was adjourned at 10:00 PM.

RESOLUTION
Gabrielli Truck Sales
Accept bid for new
garbage truck

RESOLUTION
Auth. voluntary
transfer of **P**ublic
Works Employees’
sick leave time to sick
leave bank of
Stofko, C.