

Minutes of the Regular Meeting of the  
Board of Trustees of the Village of  
Larchmont, New York, held on **MONDAY,**  
**JULY 26, 2010**

**PRESENT:** Mayor Joshua L. Mandell  
Trustees Marlene Kolbert  
Anne H. McAndrews  
Richard Ward  
Jaine Elkind Eney

Also Present: Clerk Finn, Treasurer Brucciani, Attorney Staudt

Mayor Mandell called the meeting to order at 7:10 PM and welcomed those present.

Mayor Mandell commended the Fire and Police Department personnel for coming to the aid of passengers stranded on an Amtrak train in Larchmont on July 5, 2010. They provided bottles of water, etc., to the passengers on that oppressively hot day, and made them comfortable until repairs were made to the train. He thanked them for their caring spirit, and announced that one of the passengers also wrote in to commend them on their service.

Police & Fire Dept.  
Commendation for  
aid of stranded  
Amtrak passengers

Mayor Mandell next administered the Oath of Office to newly promoted Lieutenant Anthony Martyn. Lieutenant Martyn joined the force in 1989 as a career firefighter. Prior to that, he was a member of the Village of Larchmont's Explorer Post. The Mayor and Board congratulated Lieutenant Martyn on his promotion.

Oath of Office  
Martyn, A.  
Fire Dept.  
Lieutenant

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

**RESOLVED**, to approve the appointment of Ryan Karel as a volunteer member of the Larchmont Fire Department.

**RESOLUTION**  
Karel, R.  
Volunteer – Fire  
Dept.

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

**RESOLVED**, to approve the appointment of Cathy Fugazy as a member of the Business District Improvement Committee.

**RESOLUTION**  
Fugazy, C.  
Business District  
Improvement  
Committee

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

**RESOLVED**, to approve the reappointment of Mauri Tamarin as a member of the Board of Architectural Review, for a term to expire in April, 2013.

**RESOLUTION**  
Tamarin, M.  
Board of  
Architectural  
Review

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

**RESOLVED**, to approve the reappointment of Rita Murray as a member of the Coastal Zone Management Commission, for a term to expire in September, 2012.

**RESOLUTION**  
Murray, R.  
Coastal Zone  
Mgmt. Comm.

Mayor Mandell made the following announcements:

Mayor's  
Announcements

1. The Westchester County Food Drive on June 22 and June 23 was successful. The Larchmont Fire Department collected three recycling tubs of food, which were delivered to the Larchmont/Mamaroneck Hunger Task Force.

2. He extended the Board's congratulations to the Committee on the Environment for being recognized by ICLEI – Local Governments for Sustainability, on completing Milestone 2 of ICLEI's Five Milestones for Climate Mitigation.

3. He extended the Board's appreciation to the Recreation Committee for organizing the July 4 races and July 16 camp-out in Flint Park. He also thanked them for ordering the camp-out and "Vive Larchmont" t-shirts, the latter of which were sold at the Bastille Day event on July 14. Additionally, he thanked Alex Eney for generously donating his time to design both t-shirts for these events. A limited number of t-shirts are still for sale, at a cost of \$15/shirt, or \$10 each if two or more shirts are purchased.

4. He extended the Board's appreciation to Committee on the Arts for their efforts on this year's concert series, and reminded the audience that the last concert will be on July 29. The performers will be Trevor McKay and Friends.

5. The Larchmont Arts Festival will be held on October 2 in Constitution Park from 1:00 PM to 5:00 PM. Information and registration forms are on Village website, [www.villageoflarchmont.org](http://www.villageoflarchmont.org).

6. The Library will be hosting "Big Trucks Day" on October 2 at 10:00 AM.

7. On Sunday, October 10 the Village will sponsor the "Tour de Larchmont" Bike Tour, a four mile bike ride through Manor. The event begins with bike decorating at 12:30 in Flint Park.

8. LMC-TV still has openings for its Broadcast News Workshop for Teens (12yrs-17yrs), which will take place from August 2 through August 20, 10am – 3pm. Participants will learn broadcast news production by creating a show about community news, and features about their lives and the lives of their neighbors. For more information or to sign up, e-mail [elewis@lmc-tv.org](mailto:elewis@lmc-tv.org), or call him at 914-381-2002, x. 201.

9. The Village has been awarded the designation of 2009 Tree City USA for the 29<sup>th</sup> year. He extended the Board's appreciation to Jan Feinman and the Parks and Trees Committee, as well as the Public Works Department, for their efforts on the Village's tree program.

## Trustee Reports

Trustee McAndrews reported on the following:

1. She recently attended a LISWIC (Long Island Sound Watershed Intermunicipal Council) meeting at which it was announced that the Stormwater Management Plan they had submitted to Albany was not considered. It will now be considered at the County level.

2. Regarding the Palmer Avenue Streetscape Project, the Board has ordered a survey for the proposed expanded area of this project. Once the survey is received, they will be able to start work on the construction plans and bid documents.

3. The Village has participated in the pre-application stage of a Department of Transportation and HUD Grant for sustainability. The pre-application addressed LED traffic lights, street lighting, and window improvements to Village Hall. It also addressed bicycle lanes and covered bicycle facilities for the Railroad Station.

4. The Police and Fire Departments are considering submitting another grant proposal for hazard mitigation.

5. She has been advised that the Rye YMCA is submitting a grant application to analyze cross-jurisdictional needs for mainly recreation, pedestrian and bicycling opportunities.

Trustee Kolbert made the following announcements:

1. The Friends of the Library's first program for the fall will be a lecture by Alan Schwarz. It will take place on September 30 at 7:30 PM.

2. The Library will be installing a new Century System for checking out books.

3. Community Markets has now opened a new Farmer's Market at Harbor Island in Mamaroneck on Tuesdays from 1:30 PM to 6:30 PM.

4. Environmental Committee member Jennifer Jensen is working with the people at Cornell Cooperative Extension to try and organize an informational meeting on the coyote issue.

5. The path where the Paine-to-Paine half marathon takes place in New Rochelle has been designated as one of the most beautiful half-marathon routes in the country. She congratulated Town of Mamaroneck Councilwoman Nancy Seligson, who played a major part in this path's development. This path is part of the Colonial Greenway, which is a recreational pathway that spans through several different communities.

6. She advised that benches in Constitution Park were recently destroyed by vandalism. Both she and Mayor Mandell stated that they did not condone actions of this type and asked for people to report any malicious acts they observe to the Police Department.

Trustee Ward reported on the following:

1. The Coastal Zone Management Commission has membership vacancies. If anyone is interested in volunteering their services on this Commission, he asked them to contact the Village Clerk's Office.

2. The new bicycle racks have been installed around the business district, generally in high traffic locations, and seem to be well used.

Trustee Eney reported on the following:

1. Recreation Director Joyce Callahan has informed her that the Flint Park Camp is going extremely well this summer. She has also been speaking with a tennis pro to try and revive tennis clinics for next year.

On motion of Trustee Kolbert, seconded by Trustee Ward, and unanimously carried, the public hearing to consider an increase to the Village of Larchmont water rates was opened.

Treasurer Brucciani began the discussion by stating that water rates were last increased by 20.9% in 2007-08. Also at that time, the billing rate structure was changed from a single-rate system of \$2.70 per hundred cubic feet, to a two-tiered rate structure, at rates of \$2.95 per unit during the off-peak season and \$3.45 per unit during the peak season. This action yielded an "all in," blended rate of \$3.265 per unit, which was equivalent to an annualized increase of 20.9%.

He added that, based on current pricing, the revenue to be generated within the Village's Water Fund is estimated to equal roughly \$1,361,000, while expenses are budgeted to exceed \$1,822,000 this fiscal year due to substantial increases in water costs by New York City and new debt service caused by needed repairs to the Chatsworth Avenue Water Main.

Since Fiscal Year 2006-07, fund balance within the Village's Water Fund has experienced a decline from \$562,028 to \$226,902 as of the close of Fiscal Year 2009-10. This represents a reduction in fund balance of \$335,126. It is projected that the fund balance will be fully depleted or that a deficit fund balance will result without a water rate increase.

Treasurer Brucciani recommended the introduction of an administrative service fee, effective immediately, along with a blended rate increase of 35% that would take effect in the next billing cycle.

The service fee would be introduced on each semi-annual invoice at a rate that is determined by meter size, and would likely create a fixed source of revenue in the aggregate amount of \$126,990, which would be used to offset some of the Water Fund's fixed costs.

The new water rates of \$3.95 per unit for off-peak periods and \$4.65 per unit for peak periods, if approved, would result in a blended rate of \$4.41 per unit. This increase would produce additional revenue of approximately \$476,425 annually.

Mayor Mandell explained that, basically, the Water Department is a service the Village provides and is a zero-profit enterprise. The Village has been able to operate at a small loss because of its reserve fund. However, with New York City water rates increasing 64% over the past three years, and other unexpected infrastructure projects that had to be completed, the Water Department's surplus fund has been reduced significantly.

Trustee McAndrews questioned the status of the new electronic water metering system being considered for the Village. Treasurer Brucciani stated that he delivered a packet of information to the Mayor on this subject earlier today.

Treasurer Brucciani spoke about water leaks that were found after a leak detection study was done. He noted that the Water Department and Public Works Department now have procedures in place to detect the leaks and promptly correct them.

Trustee Ward questioned how the administrative rate scale was determined. Treasurer Brucciani said that he compared the Village's fees with those of Westchester Joint Water Works and increased them slightly so they could be in effect for more than one year. Trustee Ward suggested that these fees be revisited semi-annually.

On motion of Trustee Kolbert, seconded by Trustee McAndrews, and unanimously carried, the public hearing was closed.

**RESOLUTION**

**Water Rates** – increase rates 35% and begin implementation of administrative service fee

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

**RESOLVED**, that the Board hereby approves a 35% water rate increase for the Village of Larchmont, with the blended unit price per cubic foot of water to increase to \$4.41, as well as the implementation of an administrative service fee that will be determined by the size of the water meter servicing the property.

Mayor Mandell noted that these charges will be reflected in future bills, beginning with the October, 2010, water billing.

The vote on the above resolution was as follows:

Ayes: Mayor Mandell, Trustee McAndrews, Trustee Kolbert, Trustee Eney  
Nays: Trustee Ward

**Trustee Ward stated that he voted in opposition to the above resolution because he believes the Village should have a billing system that allocates costs fairly to users, without small-volume users subsidizing large-volume users, and stated that he did not believe it would take an inordinate amount of work to modify the billing procedures with a manual override for high water users.** Mayor Mandell stated that the Board cannot overlook the immediate issue of the depleting fund balance, and said that Trustee Ward’s suggestion of a manual override process can be studied in the future. Trustee McAndrews added that the point of installing new water meters is to be able to perform the types of analyses that Trustee Ward is suggesting.

Hydrofracking

Trustee Kolbert spoke about hydrofracking (hydraulic fracturing) in the Marcellus Shale, which is now being addressed by the Department of Environmental Conservation (DEC). Hydrofracking is a system to extract natural gas from shale. Known carcinogens are pumped into the ground and a great amount of pure water is needed in this process. She urged residents to contact their State Legislators and the head of the DEC to express their concerns about this issue.

She said that we, and millions of others in the area, get our water from upstate; and we have to do everything possible to protect the source of our water. She noted that she believed the availability of clean water would be the next issue people would have to deal with.

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

**RESOLUTION**  
**Bond Resolution**  
**Library Renovation**  
**Additional Funding**

**RESOLVED**, that the Board hereby authorizes the issuance of an additional \$300,000 bonds of the Village of Larchmont, Westchester County, New York, to pay part of the cost of the construction of additions to and reconstruction of the Larchmont Public Library Building in and for said Village.

The vote on the above resolution was as follows:

**AYES:** Mayor Mandell, Trustee Kolbert, Trustee Eney, Trustee Ward, Trustee McAndrews

**Nays:** None

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

**RESOLUTION**  
**Chamber of**  
**Commerce –**  
**Sidewalk Sales**  
**9/9/10-9/11/10**

**RESOLVED**, to approve the request of the Larchmont Chamber of Commerce to hold sidewalk sales on September 9-11, 2010, with a rain date of September 13, 2010.

**RESOLUTION**  
**Establish standard**  
**work days for**  
**elected and**  
**appointed officials**  
**(Table appears on**  
**last page of mins.)**

On motion of Trustee Ward, seconded by Trustee Kolbert, and unanimously carried, the following resolution was adopted, to wit:

BE IT RESOLVED, that the Village of Larchmont hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities

maintained and submitted by these officials to the Clerk of this body, as shown on the last page of these minutes.

Mayor Mandell advised that the Town of Mamaroneck has graciously accepted the Village's request for a tax exemption on the Byron Place property that houses the Village of Larchmont's water tanks. He thanked the Town Council, Town of Mamaroneck, for their consideration of this request.

He also thanked Trustee Eney, Attorney Staudt, and Budget and Finance Committee member Michael Gottfried for reviewing this matter, and for their efforts which allowed the Village Board to again present this request to the Town Council. He noted that previous Boards have been trying to obtain this exemption for over thirty years.

Mayor Mandell explained that this agreement provides for complete exemption for ten years, and renews automatically every ten years unless it no longer qualifies.

Trustee Eney expressed her appreciation to the Town Council, as well, for considering and approving this tax exemption.

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

**RESOLUTION**

Auth. Mayor to sign agreement with Town of **M**amaroneck for tax exemption on **B**yron Place property

New **B**usinesses

**P**arking permit rates for 2011 to be considered at August, 2010 meeting

**RESOLVED**, to authorize Mayor Mandell to enter into an agreement with the Town of Mamaroneck, which will provide for a tax exemption on the property designated as Section 1, Block 32, Parcel 405 and located on Byron Place in the Unincorporated Town of Mamaroneck.

Mayor Mandell announced new businesses that have opened in the Village, and wished them well:

1. Burn Fitness, 13 Addison Street
2. Jones Furniture Refinishing, 2382 Boston Post Road
3. Keystone Realty, 72 Wendt Avenue
4. Hiawatha Martial Arts and Fitness, Depot Way, on business expansion

Mayor Mandell announced that the Board will consider rates for 2011 Parking Permits at their August 16, 2010, meeting.

On motion of Trustee McAndrews, seconded by Trustee Ward, and unanimously carried, the minutes of the meetings of May 10, May 17, May 26, June 7, June 14, July 6, and July 13, 2010, were approved, as amended, and adopted.

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

**RESOLVED**, that Abstract Audited Voucher No. 3, dated July 26, 2010, in the amount of \$394,058.45, per copies filed with the Clerk, be paid, subject to confirmation and approval by Trustee Eney.

On motion of Trustee Eney, seconded by Trustee Ward, and unanimously carried, the meeting was adjourned at 8:40 PM.

Continuation of Resolution – End of Page 5  
 Standard work days for elected and appointed officials

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (Based on Record of Activities)
<b>ELECTED OFFICIALS</b>							
None							
<b>APPOINTED OFFICIALS</b>							
Village Clerk	Eileen A. Finn	0435	3073162-4	7	04/05/2010-04/2012	Y	
Village Treasurer	Denis J. Brucciani	3341	4034976-3	7	04/05/2010-04/2012	Y	
Village Attorney	James Staudt	3649	3246473-7	6	04/05/2010-04/2011	N	14.2
Dep. Village Clerk	Brian E. Rilley	1318	4155595-4	7	04/05/2010-04/2011	Y	
Sen. Account Clerk/Dep. Village Treasurer	Joanne J. Lanza	8969	1466038-5	7	04/05/2010-04/2011	Y	