

Minutes of Regular Meeting of the
Board of Trustees of the Village of
Larchmont, held on **TUESDAY,**
MARCH 19, 2013

PRESENT: Mayor Anne H. McAndrews
Deputy Mayor John Komar
Trustees Marlene Kolbert
Lorraine Walsh
Peter Fanelli

Also Present: Dep. Clerk Riley, Attorney Staudt, Treasurer Brucciani

Mayor McAndrews welcomed all in attendance and called the meeting to order at 7:18 PM.

The Mayor then introduced Police Chief John Poleway. The Chief announced the promotion of Officer Joseph Paprota to the rank of Sergeant, replacing Sergeant Richard Sarcone who recently retired. Chief Poleway also announced that Officer Jonathan Dispenza has now joined the Department. Officer Dispenza previously served with New York State Park Police.

Oaths of Office
Paprota, J., Sergeant
Dispenza, J., Officer
Police Department

Mayor McAndrews then administered the Oaths of Office to Sergeant Paprota and Officer Dispenza and congratulated them on their new positions.

Chief Poleway added that Officer Dipenza, along with Officer Scott Schnall and Firefighters Tony Martyn and Chris DiGilio aided a New Rochelle resident who had a heart attack on March 12 at the Post Office. The Chief congratulated them on a job well done.

Commendations to
Dispenza, J.
Schnall, S.
Martyn, T.
DiGilio, C
Aided case at Post
Office

Mayor McAndrews added the Board's thanks for the efforts of the Police and Fire Departments.

Fire Captain John Caparelli next addressed the Board on the following matters:

Fire Captain's Report

1. The Fire Department has answered 186 alarms to date.
2. He gave an update on the condition of the individual who had a heart attack at the Post Office last week, saying that this person has improved enough to be released from the hospital. He owes his life to the quick response and excellent care he received from both the Larchmont Fire Department and Police Department. He commended Lt. Martyn, Firefighter DiGilio, Officer Schnall and Officer Dispenza for their exceptional care, quick actions, and teamwork.
3. The Fire Department will be hiring three new firefighters under the New York State SAFER Grant recently received by the Department. The new firefighters will be:

Michael Etere, Yorktown, New York
Michael Wetzel, South Salem, New York
Richard Valentine, Esopus, New York

All three candidates have passed the Candidate Physical Agility Test (CPAT) and are currently undergoing their required medical, background, and personal evaluations. Upon employment, these candidates will attend the Utica Fire Training Academy in Utica, New York beginning April 1, 2013, with graduation on July 3, 2013. The Utica Academy is one of the hardest academies in the State, and those who graduate come back to their departments with a wealth of knowledge and skills. Captain Caparelli then recommended to the Board they hire these individuals, pending the successful outcome of the previously mentioned evaluations.

4. Last Sunday the Volunteer Firefighters and Rescue 1 participated in the Sound Shore St. Patrick’s Day parade in Mamaroneck Village.

5. Upcoming Drills: April 6, 2012 - Personal Rescue Rope Training

6. Upcoming Events: Fire Inspections have begun and annual hose testing will begin next month.

Captain Caparelli reminded everyone to check their smoke and carbon monoxide detector batteries now that we have returned to Daylight Savings Time.

Mayor McAndrews thanked Captain Caparelli for his report. She noted that all of the Village’s career firefighters are EMT’s and Lt. Martyn is an emergency room nurse. Lt. Martyn’s training was a valuable asset in saving the individual’s life at the Post Office. The Mayor expressed her pride and confidence in the Village of Larchmont’s Fire and Police Departments.

RESOLUTION

Ettere, M.
Wetzel, M.
Valentine, R.
Career Firefighters
In accordance with
SAFER Grant

On motion of Trustee Komar, seconded by Trustee Fanelli, and unanimously carried, it was;

RESOLVED, to approve the hiring of Michael J. Ettore, Michael T. Wetzel, Jr. and Richard W. Valentine as career firefighters for the Larchmont Fire Department in accordance with the conditions of the SAFER Grant.

On motion of Trustee Kolbert, seconded by Trustee Komar, and unanimously carried, it was;

RESOLUTION

Auth. Mayor to sign
Small Claims Assessment
Review Petition Filing
Agreement with
Westchester County

RESOLVED, to authorize the Mayor to enter into agreement with Westchester County for Small Claims Assessment Review Petition Filing so these documents may be filed online with the County Clerk’s Office.

Mayor McAndrews made the following announcements:

Mayor’s Announcements

1. She congratulated Collins Brothers Moving Corp. on being named “2013 Moving and Storage Agent of the Year” by the Moving and Storage Association.
2. The FEMA filing date for Hurricane Sandy victims has been extended to March 29, 2013. Anyone interested should call the Helpline at 1-800-621-3362 or visit www.disasterassistance.org.

3. Condolences were extended to:
 - Police Lieutenant Ken Olsen on the passing of his father
 - Paula DelGuercio and family on the passing of her husband, Dr. Louis DelGuercio.
4. A new business, My Essentials, at 11 Addison Street, will have their Grand Opening on April 11, 2013, with a ribbon cutting ceremony taking place between 6 & 8 PM.
5. LMC-TV Announcements:
 - a) A class titled: "Final Cut Pro 7: Basic Editing Class" will be offered on Thursdays from 4/25-5/30 from 7:00 to 9:00 PM at their studios at 145 Library Lane. The fee is \$190. Contact Christina Carino-Forrest at ccarino@lmc-tv.org for information.
 - b) LMC-TV Teen Summer Filmmaking Workshops, for ages 12 and up. Workshops will be held Monday-Friday from 10 AM to 3 PM. First session is July 1-19; second session is July 22-Aug. 9. Visit www.lmc-tv.org or call Matt Sullivan at 381-2002, ext. 202 to sign up.
 - c) A new mini-series called "Word of Mouth", produced by the Village of Mamaroneck Arts Council and Friends of the Mamaroneck Library. It is a mini-series to celebrate Mamaroneck residents. Premiere screening, March 20 at 6:15 PM in the Mamaroneck Library Community Room. It will be re-aired on March 22 at 8 PM and throughout that weekend as well.
6. Work Sessions
 - a) Under the regulations of FEMA, the Village is required to have a Hazard Mitigation Plan. FEMA has provided a grant that will cover seventy five percent of the cost to assemble the plan. The Board approved the hiring of Woodard and Curran Engineering at a cost of \$58, 500 to put together the plan. The Village's expense will be \$14,625.
 - b) FEMA has also provided another grant, in the amount of \$125,000, for replacing the generator at Village Hall. In order for it to be completed, an Engineering Assessment of the building will have to be done, at a cost to the Village of \$6,442.00. The Village Board has decided to enter into a contract with Woodard & Curran to complete this assessment, as well.
 - c) The Board approved a proposal from Woodard and Curran for engineering improvements required by the New York State Department of Environmental Conservation for the Village Yard. The cost will be \$5,000.
 - d) The Village Center will now be made available for rent by local not-for-profit organizations. Rules, fees and applications will be on the Village's website. The Mayor thanked Trustees Kolbert and Walsh for their efforts in this matter.

- e) The Board approved an increase in local tax rates. All points within the Village will now be \$5.25, up from \$4.25. After 11:00 PM, the rate will be \$7.00, up from \$6.00.
- 7. Donations are now being accepted for the refurbishment of Willow-Woodbine Park.
- 8. On April 2nd at the Senior Center there will be a dedication of the “Valerie O’Keeffe Bocce Court” to honor the former Town of Mamaroneck Supervisor for all of the work she has done for local seniors. Funds for the court have been donated by Home on the Sound.

RESOLUTION

Set P.H. – 4/1/13
Palmer Avenue
Streetscape Project –
Assessment and
Apportionment of Costs

On motion of Trustee Walsh, seconded by Trustee Kolbert, and unanimously carried, it was;

RESOLVED, to schedule a Public Hearing on Monday April 1, 2013 at 7:45 PM, to consider and take public comment on assessment and apportionment of costs to adjacent property owners for new sidewalks and curbs in connection with the Palmer Avenue Streetscape Project.

Shen Yen Promotions
Classical Chinese Dance

A representative from Shen Yen Promotions International next addressed the Board. He said Shen Yen Performing Art is a non-profit organization, which began in the United States and is dedicated to reviving ancient, classical Chinese dance. He said it is created in New York and extended the Board an invitation to see a performance at Lincoln Center in April.

Mayor McAndrews suggested he contact the Mamaroneck School System about this subject because students begin studying Chinese at the 7th grade level.

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

RESOLVED, to open the Public Hearing to consider a local law to encourage the use of reusable checkout bags and prohibit the use of plastic bags for retail checkout of purchased goods.

Mayor McAndrews invited Elizabeth Poyet from the Village’s Committee on the Environment to address the Board.

Ms. Poyet stated that two years ago, Trustee Kolbert and Millie Magraw attended a meeting of the Rye Environmental Committee. They were working to implement limitations on single-use disposable bags. A year after, with the Rye ordinance proving to be successful, the Village’s Committee on the Environment decided to begin work on its own law.

The Committee invited Sara Goddard, who was influential in the Rye ordinance, to a meeting. The Committee learned that single-use disposable bags are used on an average of 12 minutes and are not biodegradable. Ms. Goddard also informed the Committee that communities near water should use paper instead of plastic since the wind will carry them into the sea where they will end up in one of the five gigantic ocean garbage patches.

Ms. Poyet said the Committee contacted other communities like the Village of Mamaroneck and Southhampton who have passed similar legislation. The response they got was positive from both residents and merchants. A September meeting between the Committee and the Chamber of Commerce was held to inform the business owners of their goals, along with what bags would not be affected under this proposed law. Working with the ordinances from Rye, Mamaroneck Village, and Westport, Connecticut as guidelines, the Committee developed its own law and submitted it to the Village Attorney for review.

The Environmental Committee went door-to-door to speak with local merchants. Many merchants were enthusiastic and signed pledges of support. Ms. Poyet then handed the signed pledges to Mayor McAndrews.

The Mayor thanked Ms. Poyet for her work, and the Committee's work, on this matter.

Mayor McAndrews displayed the kinds of bags that will be excluded from this law. They include dry cleaning bags, newspaper bags, produce bags, and Ziplock-type storage bags.

Jonathan Cunitz, a member of the Town Council of Westport and co-author of that community's ordinance in 2008, next addressed the Board.

Mr. Cunitz said Westport's ordinance and language has become the model from which the laws adopted in Rye, Mamaroneck Village, Southhampton, East Hampton and Chester Town, Maryland, were written. The ordinance is similar to the one being considered this evening. Since the initiation of the ordinance, Westport has not had any merchant or enforcement issues and there have not been any expenses to the Town. The ordinance has become a non-issue.

Mr. Cunitz then showed a decal that is currently displayed in the front windows of stores in Westport to remind shoppers to bring reusable bags.

Trustee Komar asked Mr. Cunitz if Westport merchants have moved to paper bags to replace plastic. Mr. Cunitz replied that some merchants are using paper bags but the idea is to encourage people to use reusable bags.

The following read statements and spoke in favor of the proposed local law:

Jordan Christenson, Citizens Campaign for the Environment
Jessica Morganstein, MHS Eco Club
Mirelle Bejjani, French-American School
Sara Goddard, City of Rye
Bill Homer, owner of East Coast Surf, Skate, and Snow
Andrea Karamitos, Village Resident
Monica Barach, Village of Mamaroneck Committee on the Environment

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

RESOLVED, to close the Public Hearing to consider a local law to encourage the use of reusable checkout bags and prohibit the use of plastic bags for retail checkout of purchased goods.

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

RESOLUTION

Adopt L.L. #1-2013
Prohibit Plastic Bag Use
at Retail Checkouts

RESOLVED, to adopt Local Law #1-2013 to encourage the use of reusable checkout bags and prohibit the use of plastic bags for retail checkout of purchased goods.

Trustee Kolbert thanked everyone who was instrumental in getting this law adopted, those from other communities and especially the members of the Village’s Committee on the Environment.

Treasurer to file
Tentative Budget on
March 20, 2013

Mayor McAndrews said that the Treasurer will file the 2013-2014 Tentative Budget in the Village Clerk’s Office tomorrow, March 20, 2013, by 4:30 PM.

On the motion of Trustee Komar, seconded by Trustee Fanelli, and unanimously carried, it was:

RESOLUTION

Set P.H. – 4/1/13
Property Tax Levy in
excess of limit
established in General
Municipal Law

RESOLVED, to hold a Public Hearing on Monday, April 1, 2013 at 7:30 PM, to consider a local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c.

On motion of Trustee Kolbert, seconded by Trustee Walsh, and unanimously carried, it was;

RESOLUTION

Palmer Associates
Accept Tax Certiorari
settlement for 2008-2012

RESOLVED, to accept the tax certiorari settlement with Palmer Associates for the property located at 1961-69 Palmer Avenue (6-602-401) for the tax years 2008-2012, totaling \$4,678.13. The reduced assessment rates for this property are now:

- 2008- \$35,000.00
- 2009- \$31,980.00
- 2010- \$29,830.00
- 2011- \$30,960.00
- 2012- \$31,680.00

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

RESOLUTION

Woodard & Curran –
Engineering Study -
Improvements to Byron
Place Water Tank and
Pumping Station

RESOLVED, to accept the proposal from Woodard and Curran Engineering, for improvements to the Byron Place Water Tank and Pumping Station, in the amount of \$98,150.

On motion of Trustee Komar, seconded by Trustee Fanelli, and unanimously carried, with Trustee Kolbert abstaining, the minutes of the meeting of February 11, 2013 were approved.

On motion of Trustee Fanelli, seconded by Trustee Komar, and unanimously carried, the minutes of the work sessions held on January 14, January 22, and March 4, 2013, were approved.

Trustee Kolbert gave the following report:

Trustee Reports

1. On April 11, 2013, at 4:00 PM, there will be the "1st Annual Larchmont Spelling Bee" at the Larchmont Temple. A fee of \$50.00 per team is required. Mayor McAndrews will be a judge. The event is being organized by the Friends of the Library.

Trustee Walsh made the following report:

1. For the 32nd year the Village has been named "Tree City, USA" by the Arbor Day Foundation. She extended the Board's thanks to the Parks and Trees Committee Co-Chairs, Ann Mangone and Toni Porter, for their efforts.

Trustee Fanelli gave the following report:

1. DPW

- a) Replacement of the Playground surface at Flint Park has been completed.
- b) The Tennis Building and Playhouse have been painted at Flint Park
- c) Repairs on five Water main breaks have been made around the Village.
- d) Six dangerous trees have been removed and 36 stumps were ground down and replaced with top-soil and seed.
- e) Catch basin cleaning continues.
- f) Two recessed manholes caps have been raised.
- g) Eight street lights and two traffic light have been repaired
- h) Four inches of snow this past Monday night was cleared by DPW.
- i) The Village and Westchester Joint Water Works are working to restore vegetation at the Reservoir from the recent water leak.

2. Recreation

- a) Tennis Permits are on sale in the Village Clerk's Office. Courts open on April 1st.
- b) Flint Park Day Camp Registration will be held on March 20th and 21st at 7:00 PM in the Flint Park Playhouse.
- c) Chatsworth Avenue School Carnival will be on Saturday May 4th.
- d) The Memorial Day Parade will be held on May 23rd at 7:00 PM.

On motion of Trustee Walsh, seconded by Trustee Komar, and unanimously carried, it was:

RESOLVED, that Abstract Audited Voucher No. 10, dated March 19, 2013, in the amount of \$170,688.41, per copies filed with the Clerk, be paid, subject to confirmation and approval by Trustee Walsh.

On motion of Trustee Komar, seconded by Trustee Kolbert the meeting recessed at 9:13 PM to await the results of the Village Election held on this day.

At 9:28 PM, Mayor McAndrews reconvened the meeting and welcomed State Senator, George Latimer, Town of Mamaroneck Supervisor, Nancy Seligson, and Town Councilwoman, Jaine Elkind-Eney who arrived during the recess.

Election Results

Mayor McAndrews announced the results of the election as follows:

Trustee

John Komar	42 Votes
Lorraine Walsh	41 Votes

Village Justice

Thea Beaver	47 Votes
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Trustee Walsh thanked the voters her re-election, and thanked her family and the Board for their support.

Trustee Komar also thanked the voters and the Board, and said he looks forward to continuing to serve the Village.

Judge Beaver addressed the Board and the audience, additionally thanking the Democratic Party, the Mayor, the Board, and her family for their support.

State Senator Latimer, Town Supervisor Seligson and Town Councilwoman Elkind-Eney spoke and congratulated Trustees Komar, Walsh and Judge Beaver on their re-election, and said they look forward to working with them during their terms.

Mayor McAndrews thanked Trustees Komar and Walsh and Judge Beaver for their service. The Mayor then thanked Village Clerk, Eileen Finn, and Dep. Clerk, Brian Riley, for their efforts on Election Day.

On motion of Trustee Komar, seconded by Trustee Kolbert, and unanimously carried, the meeting was adjourned at 9: 35 PM.