

Regular Meeting of the  
Board of Trustees of the  
Village of Larchmont held on  
**Monday, June 15, 2015**

**PRESENT:** Mayor Anne McAndrews  
Dep. Mayor Lorraine Walsh  
Trustees Marlene Kolbert  
John Komar

**ABSENT:** Trustee Peter Fanelli

**Also Present:** Dep. Clerk Riley, Treasurer Brucciani, Administrator Datino,  
Joanna C. Feldman, Esq., representing Village Attorney's office

Mayor McAndrews welcomed all in attendance and called the meeting to order at 7:45 PM.

The Mayor started the meeting by stating it was an important day because for the first time in the history of the Village of Larchmont, an Administrator will be sworn into office. The Board of Trustees after reviewing consultant reports from Jerry Faiella and Donald Marra, decided on the right candidate, Justin Datino.

Village **A**dministrator  
**D**atino, J.

Mr. Datino, a Westchester native, who was previously employed by the Village of Scarsdale, will be tasked with the day to day operations of the Village along with long term planning, personnel, structural procedures and other vital issues facing Larchmont.

**O**ath of Office  
**D**atino, J.  
Village **C**lerk

Mayor McAndrews then administered the oath of office to Mr. Datino as Village Clerk.

Administrator Datino thanked the Board for the opportunity and said that he will use his knowledge and experience to do his very best going forward.

Mayor McAndrews acknowledge Town of Mamaroneck Supervisor, Nancy Seligson and Town Councilwoman, Jaine Elkind Eney were in attendance. She added congratulations to Administrator Datino's family and friends who were also in attendance.

Trustee Kolbert that she and all the Trustees are very excited about this new chapter in Larchmont.

Next Trustee Kolbert next spoke about the proposed resolution supporting the county-wide effort to ban single use plastic bags and expanded polystyrene containers. It has always been the opinion of the Board that the Village's local law would be made stronger by one that was county wide.

Discussion proposed  
**C**ounty-wide ban  
**P**lastic bags &  
Polystyrene **C**ontainers  
**M**agraw, M.  
**M**artin, E.

Committee on the Environment members, Millie Magraw and Ellen Martin were next to speak on the purposed resolution. Ms. Magraw, who also works with County Legislator, Catherine Parker, the author of the resolution, urged the Board's support on this matter. She added that the Town and Village of Mamaroneck, along with Scarsdale and Bedford have adopted the resolution.

Discussion continued

Trustee Walsh asked Ms. Magraw when Legislator Parker would introduce the resolution to the County Board? When there is a majority of communities in support Ms. Magraw replied.

The Mayor and the Board thanked Ms. Magraw and Ms. Martin their efforts in this matter.

**RESOLUTION**

To support West. Cty.  
Board of Legislators  
Plastic bag &  
Polystyrene containers  
Ban

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

**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 Village of Larchmont has a proud history of environmental stewardship and in 2013 Village Code Section 219 was adopted requiring Village retailers to provide reusable cloth or recyclable paper bags only at the point of sale; 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 (Styrofoam) containers throughout the entire county and encourages the utilization of re-usable 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, a Sound Shore community such as the Village of Larchmont would significantly realize benefits of reduced debris in its stormwater conveyance system, watercourses as well as improved water quality in the Long Island Sound; and

**WHEREAS,** although legislation has not been finalized for consideration, the Village Board is desirous of expressing its support for the efforts undertaken on a County level that will have positive impacts for the County as a whole and for the Village of Larchmont individually; now therefore be it

**RESOLVED,** that the Village of Larchmont supports the efforts of the Westchester County Board of Legislatures to adopt a law which would ban the use of single-use plastic bags at the point of sale and expanded polystyrene (Styrofoam) containers; and be it further

**RESOLVED,** that the Village Board of Trustees requests the Village Administrator 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.

Chief Poleway gave the following report.

**Police Chief's Report**

1. The Westchester County Hazard Mitigation Plan is up for renewal. It is being developed by New York State, Homeland Security and FEMA. The Village's plan will not have to be renewed till 2018.
2. Parking Enforcement has been issuing tickets to vehicles that have plastic or glass covers on license plates. The Chief reminded all residents that covers on license plates are in violation of New York State Law.
3. The Palmer Avenue Streetscape Project is underway. Residents should be ready for traffic delays and changes to parking while the project is ongoing.
4. The Larchmont Run will take place this coming Friday, June 19<sup>th</sup>. Residents and motorists should be on the lookout for runners and traffic detours. The Run begins at 6:00 PM and is usually over by 8:00 PM.
5. From June 1<sup>st</sup> to September 30<sup>th</sup>, the Village's Leaf Blower Law is in effect. Residents should remind their gardeners. Summons will be issued to violators.
6. See Something, Say Something. Residents are asked if they witness suspicious activity to call, 1-866-SAFENYS or the Larchmont Police Department at 834-1000.

Trustee Kolbert asked Chief Poleway to speak about parking in the Manor during the summer.

Chief Poleway said that during the summer many like to visit Manor Beach and Park. Residents should be aware of the parking time limits by looking at the signs on the poles.

Mayor McAndrews asked the Chief about what is causing the accidents that have been occurring on Boston Post Road.

The Chief stated distracted driving has been the cause for several of them. Recently a police sergeant, while stopped at a light with his left-hand signal on, was rear ended by a driver who admittedly said he was using a cellular device.

Chief Poleway added his congratulations to Administer Datino and it was the right move by the Board.

Chief Caparelli made the following report.

**Fire Chief's Report**

Chief Caparelli requested the Board approve the applications of three new volunteer members.

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

**RESOLVED**, to approve the applications of Sidney Haas, Theresa Fanelli and Jodi Bloom-Goldstein as volunteer members of the Fire Department.

**RESOLUTION**  
**Haas, S.**  
**Fanelli, T.**  
**Bloom-Goldstein, J.**  
**Volunteer members**  
**Fire Dept.**

Fire Chief's Report  
Con't.

1. The career staff participated in the 1<sup>st</sup> annual Westchester County WMD drill at the WFTC on June 13, 2015. Participants from a multitude of agencies were in attendance including EMS, FBI, ATF, State, Military, County along with Police and Fire departments from Westchester, Putman, Dutchess, New York City and various statewide technical agencies. The drill highlighted the resources available to agencies that are a part of the County Mutual Aid Plan. Departments coordinated command and control, logistics, victim rescue and treatment chemical agent detection and victim decontamination. The drill was a huge success and demonstrated total cooperation between a large number of responding assets to a simulated mass causality incident.
2. The Volunteer staff participated in the French-American School Fair on June 6th as well as the Chatsworth School Carnival on June 13th. There was fire prevention material available to residents, coloring books and stickers for the children and displays of firefighting equipment and tours of the fire apparatus. I would like to thank all those who participated.
3. Tomorrow, June 16, 2015 the Department will be conducting a drill at a home slated to be demolished. The drill will recertify our members, both career and volunteer in areas such as personal bailout systems, search and rescue, hose stretches and roof operations. Residents in the area of Larchmont Ave and Addison St. should be aware of Fire Department activity throughout the day and evening. Once again, this is only a drill.
4. The new Rescue 1 is scheduled to be completed sometime in mid-July. Fabrication is all materials is complete and assembly is underway. A final inspection of the vehicle will take place prior to delivery.
5. I would like to remind all residents of the Village code regarding organic waste disposal. Please inform your landscaper to place the organic waste out for collection on the night before your second trash pickup day.
6. I have been visiting residents who have a basketball hoop in the roadway. There have been a number of accidents involving basketball hoops in the past month. I am asking residents who have a movable basketball hoop in the roadway or one which overhangs the roadway to remove it or move it back so it does not pose a hazard to motorists. Village code prohibits obstructions of the roadway by such items.
7. Scott Gordon, a Boy Scout who was trying to attain his Eagle Scout certification and in order to do so, had to develop a project that would benefit his community. His project was the painting of every fire hydrant within the Village. He organized fellow scouts, parents and friends to complete his project and I have to say he did a wonderful job.

Fire Inspections are ongoing and all equipment and apparatus are in service.

The Mayor asked about the Chief's efforts to have residents remove on-street basketball hoops.

Chief Caparelli said there have been several accidents caused by the basketball hoops. Most residents have complied. He will continue to monitor this issue.

Trustee Komar asked what code enforcement can do about shrubs hanging over sidewalks.

The Chief said most of the problems with shrubs are on corner properties when they block sight lines. He added he will go out and look and if necessary, speak to home owners.

Fire Chief's Report  
Con't.

Chief Caparelli added his congratulations to Administer Datino and looks forward to working with him.

Mayor McAndrews made the following announcements.

Mayor's Announcements

1. Work Session Resolutions- May 21, 2015
  - a) Christopher Belisle, member- Traffic Commission
  - b) 2015 Flint Park Day Camp Staff Salaries
  - c) Merchant Sidewalk Sales- May 28, 29 & 30, 2015
2. With the appointment of Mr. Datino as Administrator/Clerk, one of the responsibilities of the Clerk is to be the Village Registrar. Dep. Clerk Riley who has been acting Registrar will return to Deputy Registrar and will continue to oversee the day to day operations of the Clerk's office.

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

**RESOLUTION**

Datino, J.  
Registrar

**RESOLVED.** to approve the appointment of Justin Datino as Village Registrar.

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

**RESOLUTION**

Riley, B.  
Dep. Registrar

**RESOLVED.** to approve the appointment of Brian Riley as Deputy Village Registrar.

3. The Mamaroneck High School Architect Club has recently completed a full scale rendering of the Palmer Avenue Streetscape Project and will present it to the Board at the work session on June 22<sup>nd</sup>.
4. The Larchmont Run will take place this Friday, June 19<sup>th</sup>. The Fun Run starts at 6:00 PM and the 5K, Sprint to Flint at 6:45 PM.
5. The Fourth of July Races will be held in Flint Park at 10:00 AM. Hot dogs will be provided by the Fire Department.
6. Congratulations to Mamaroneck High School baseball, tennis and wrestling teams for becoming state champions. These athletes will be recognized by the Village at a future meeting.
7. The Palmer Avenue Streetscape Project is still ongoing with an end date sometime in late October.
8. Last Friday the Mayor, Trustees Walsh and Fanelli met with the owner of what use to be, the 5 & 10 on Palmer Avenue to discuss the current state of his storefront.
9. Semi-Annual Parking permit sales will begin Monday, June 22<sup>nd</sup> in the Clerk's office.
10. Upcoming meetings: Work Sessions- 6/22, 7/6, 7/13  
Regular meeting- 7/22

Trustee Reports

Trustee Kolbert gave the following report.

1. The Library has raised one million dollars. Another half million is needed.
2. As reminder starting June 1<sup>st</sup> the Library will be closed on Sundays through the summer.
3. Summer reading passport programs for children, teens and adults. Contact the Library for more information.
4. The No Idling law is in effect. No vehicle may idle longer than three minutes unless the ambient temperature is under 40 degrees.
5. Organic waste should be put out the evening before the second garbage pick-up of the week.
6. Schools will be closed soon, please drive carefully.

Administrator Datino spoke about the proposed resolution to increase the salaries of the Village Justices. It has been eight years since both Village Justices have received an increase in salary. A cost savings was developed to enable the increase. Their current salary is \$22,000 per year and with sufficient funds in the 2015-16 Budget, it is recommended both of the Village Justice's salaries be increased to \$25,000 per year.

**RESOLUTION**  
**Village Justices**  
**Salary Increase**

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

**WHEREAS**, the Village Justices are elected to serve the Village Court for a term of four (4) years; and  
**WHEREAS**, the Village Justices spend many hours providing their services to the Village in a high quality and professional manner; and  
**WHEREAS**, the Village Board last increased the annual salary for position of Village Justice eight (8) years ago on June, 1, 2007; and  
**WHEREAS**, the proposed increase is reflective of the Village Board's effort to be sincere, reasonable and cognizant of the current financial environment facing local governments; and  
**WHEREAS**, the Village board discussed the need to increase the rate of compensation for the Village Justices during the preparation of the FY 2015/16 budget, and  
**WHEREAS**, adequate funds exist in the FY 2015/16 budget to support the salary increases; now therefore be it  
**RESOLVED**, that the annual salary for each of the two (2) Village Justices be increased to \$25,000 annually effective retroactively from June 1, 2015.

Discussion  
**West. Cty Sewer Act**

Mayor McAndrews then began a discussion on an Inter-Municipal Agreement between the Village, the Town of Mamaroneck, Village of Pelham Manor, City of New Rochelle and Westchester County on the Environmental Facilities Sewer Act. There is a large increase in volume in the sewage system when it rains. The causes are illegal sump pump hook-ups. She added the Board will not vote on this matter tonight.

Discussion  
**Inter-Municipal**  
**Agreement-Village**  
**Town & Village of**  
**Mamaroneck**  
**Street resurfacing**

Next the Mayor McAndrews said that the Village will enter into an Inter-Municipal Agreement with the Town of Mamaroneck and the Village of Mamaroneck for this year's street resurfacing program. It becomes more cost effective when all three communities go out to bid for paving together.

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

**RESOLVED**, to authorize the Mayor to sign an Inter-Municipal Agreement with the Town of Mamaroneck and the Village of Mamaroneck for the 2015 Street Resurfacing Program.

Administrator Datino said the water tanks at Byron Place failed the chlorine residual test. It is a multi-day process that includes emptying, re-filling the tanks then testing. It is recommended to approve the agreement with Laser East, Inc.

On motion of Trustee Kolbert, seconded by Trustee Walsh, and unanimously carried, the following resolution was adopted subject to approval of the Village Attorney's office:

**RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT FOR CHLORINATION AND DE-CHLORINATION OF THE BYRON PLACE WATER STORAGE TANKS**

**WHEREAS**, the Village of Larchmont owns and maintains its own water distribution utility, which includes a pumping station built in 1925 and a series of water storage tanks that provide water pressure to the system; and

**WHEREAS**, the water quality is tested daily and a series of samples failed a chlorine residual test in November of 2014; and

**WHEREAS**, the tanks are currently needed during peak demand (spring and summer) to supplement the water pressure of the distribution system that is provided to the Village by Westchester Joint Water Works (WJWW); and **WHEREAS**, the Village receives treated water from WJWW and does not have the ability to introduce chlorine to the water supply; and

**WHEREAS**, since the tanks have been out of service a voluntary water restriction has been in place to preserve water pressure throughout the distribution system; and **WHEREAS**, Laser East has been referred to the Village by WJWW as being a firm who has the equipment and knowledge to safely bring the tanks into compliance with Westchester County Department of Health regulations, particularly as they pertain to the level of chlorine required in the Village's drinking water; and

**WHEREAS**, emergency work has been completed to prepare for the draining, sterilization and re-filling of the two (2) 250,000 gallon tanks which is a specialized service that Laser East is prepared to commence on Wednesday June 17, 2015; now therefore be it

**RESOLVED**, that the Village Administrator is herein authorized to execute an agreement pursuant to the attached proposal with Laser East, Inc., 499 Harriot Avenue, Harrington Park, New Jersey, in an amount not to exceed \$7,500 for the services outlined.

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

**RESOLVED**, to approve the reappointment of Lauren Gottfried as a member of the Library Board of Trustees for a term of five years.

**RESOLUTION**  
Auth. **M**ayor to sign  
Inter-**M**unicipal Agreement  
w/ Town & Village of  
**M**amaroneck for 2015  
**S**treet **R**esurfacing Program

**RESOLUTION**  
Auth. **A**dmin. to execute  
**A**greement w/  
**L**aser East for  
**B**yron Pl. **W**ater Tanks

**RESOLUTION**  
**G**ottfried, L.  
Reappoint **L**ibrary  
Board of **T**rustees

Discussion  
Dog Beach conditions  
Rosenthal, K.  
Nicholson, A.

Kim Rosenthal and Andrew Nicholson of 25 Beach Avenue spoke to the Board about Dog Beach. Mr. Nicholson read a prepared statement to the Board. In the statement it was pointed out there are problems with parking, traffic, litter (human and canine) and overcrowding of people and dogs on Dog Beach. Suggested solutions were issuing permits to residents only, a locked gate at the entrance and a re-thinking of current policies.

Trustee Walsh said that at the most recent Parks and Trees Committee meeting the topic of Dog Beach was raised and will be at future meetings. She added that Sam Lieber, whose property is adjacent to Dog Beach, had plans drawn to add steps and a new pathway to the beach.

After further discussion, Mayor McAndrews said there may be legal issues with restricting water access and Attorney Feldman added it may fall under federal control.

The Board thanked Ms. Rosenthal and Mr. Nicholson for bringing these issues to their attention.

Discussion  
Water Meter Upgrade  
Program

Next the Mayor began a discussion on the bids for the Water Meter Upgrade Project. The Village hired the environmental engineering company, Hazen and Sawyer to develop and analyze the bid documents. There were four bidders and the bids were opened on May 18, 2015. Hazen and Sawyer's recommendation to the Board is to accept the bid of Rio Supply, Inc., who was the lowest bidder at \$698,876.79. References checks on Rio Supply confirmed the company to be in standing with three communities in New York State.

Michael Gottfried of 16 Ocean Avenue and the Finance and Budget Committee addressed the Board on this matter. Mr. Gottfried has worked with the Board on the Water Meter Project for many years. Though he agreed Rio Supply was the worthy bidder, he thought the Board should take more time to review the bid. After a lengthy discussion, Mayor McAndrews said the Board will postpone the vote till the work session meeting on June 22nd. Trustee Kolbert asked Attorney Feldman hold long can the bid be kept on hold? Attorney Feldman said forty five days.

The Mayor thanked Mr. Gottfried for all his time and effort on this project.

**RESOLUTION**  
Approve minutes of  
work session  
3/23/15

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

**RESOLVED**, to approve the minutes of the work session meeting held on March 23, 2015.

**RESOLUTION**  
Approve minutes of  
work session  
3/30/15

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

**RESOLVED**, to approve the minutes of the work session meeting held on March 30, 2015.

**RESOLUTION**  
Approve minutes of  
Work session  
5/11/15

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

**RESOLVED**, to approve the minutes of the work session meeting held on May 11, 2015.

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

**RESOLVED**, that Abstract Audit Voucher #1, dated June 15, 2015, in the amount of \$379,550.17, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Walsh.

On motion of Trustee Kolbert, seconded by Trustee Walsh, and unanimously carried, the meeting was adjourned at 10:40 PM.