

Minutes of the Regular Meeting
Board of Trustees of the
Village of Larchmont held on
Monday, December 14, 2015

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

ABSENT: None

Also Present: Dep. Clerk Riley, Attorney Staudt, Treasurer Brucciani,
Administrator Datino, Joanna C. Feldman, Esq.

Prior to Mayor McAndrews welcoming all in attendance and calling the meeting to order at 7:38 PM, Police Chief Poleway and Fire Chief Caparelli moved the excess members of the audience into the lobby due to overcrowding of the courtroom.

Trustee Kolbert announced to the audience that today was Mayor McAndrews birthday and asked everyone to sing "Happy Birthday" to her. The Mayor thanked everybody for their birthday wishes.

Happy Birthday
Mayor McAndrews

The Mayor stated that before the Board this evening is a proposed local law to impose a moratorium on certain land use applications. In order for the Board to review the proposed legislation there are procedures that will need to be followed that will include a public hearing.

The public hearing will take place on January 11, 2016 at a site to be determined. Anyone who would like to comment on the proposed legislation will not be on the record till the public hearing is held.

Administrator Datino said the Board recently met with Planning Consultant, Richard Preiss of Phillips, Preiss & Grygeil, LLC. Mr. Preiss's firm has a particular experience and historical information as it pertains to the Village's zoning, land use regulations, and procedures due to its prior work with the Village.

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

WHEREAS, the Village of Larchmont previously engaged the services of Phillips Preiss Grygiel LLC, formerly known as Phillips Preiss Shapiro Associates, Inc., (Preiss) in years 2002 through 2005 to advise the Village on various issues pertaining to its zoning code; and

RESOLUTION

Auth. Administrator
To execute agreement
w/ Preiss Grygiel, LLC
Planning Consultant

WHEREAS, since the time the zoning amendments were adopted at Preiss’s recommendation, the Village of Larchmont has experienced an increase in applications to apportion or subdivide existing lots in residential zoning districts and to develop additional single-family homes on the newly created lots, as well as to tear down existing homes to make room for additional and/or larger houses; and

WHEREAS, the Village Board is desirous of engaging the services of a professional planner to continue the analysis of the zoning code in order to identify and address present and future development impacts and needs, especially with respect to the appropriate degree to which property divisions should be permitted in certain zoning districts; and

WHEREAS, Preiss is a professional planning firm that has particular experience and historical information as it pertains to the Village’s zoning, land use regulations, and procedures due to its prior work with the Village; and

WHEREAS, the Village is in receipt of a detailed proposal from Preiss dated December 10, 2015, attached hereto, which provides an hourly rate and an estimated fee of \$10,000 for the first phase of the analysis, which is contemplated to take two to three months; now therefore be it

RESOLVED, that the Village Administrator is authorized to execute the professional services agreement with Phillips Preiss Grygiel LLC, 33-41 Newark Street, Hoboken, NJ 07030, in substantially the form as attached hereto.

Administrator Datino stated that on January 11, 2016 at 7:30 PM there will be a public hearing to consider the proposed local law imposing a moratorium on certain land use applications. He then read the draft resolution.

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

RESOLVED, that a Public Hearing is hereby scheduled by the Village Board of the Village of Larchmont to be held in the Court Room in Village Hall on Monday, January 11, 2016, at 7:30 PM to review a proposed local law authorizing the Board of Trustees to establish a temporary moratorium on certain types of land use applications, such as subdivision, demolition permits, site plan approval, building permits, variances and special permits; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish and disseminate a notice of this Public Hearing

RESOLUTION
Set Public Hearing
Temporary Moratorium
1/11/2016

RESOLUTION
Direct Village Clerk
To publish Public
Hearing Notice

Attorney Staudt said the proposed local law and an application will be sent to the Westchester County Planning Board for approval and public hearing notices to neighboring communities.

Mayor McAndrews said the meeting agenda for the meeting was long and she would allow a few speakers to comment. They were:

- Brad Schiller, 94 Larchmont Avenue
- Theresa Fick, 30 Concord Avenue
- Sara Bauer, 9 Walnut Avenue
- Stacey Caffrey, 50 Ocean Avenue
- Aaron Welsh, 39 Ocean Avenue
- Carla Porter, 8 Woodbine Avenue

The Mayor thanked the speakers for their comments and wished everyone in attendance Happy Holidays.

The Board adjourned for five minutes while the audience exited.

When the Board reconvened Administrator Datino gave an update on recent projects.

AAdministrator’s announcements

The Water Meter Replacement Program is proceeding well. Some residents have met to make an appointment with the Village’s contractor, National Metering Service.

The Palmer Avenue Streetscape Project is near completion. The close out meeting with the NYS Department of Transportation is still on scheduled for December 21, 2015.

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

RESOLUTION
Continue P. H.
Noise

RESOLVED, to continue the Public Hearing from November 16, 2015 to amend the Village Code, Chapter 195-4 entitled “Noise”.

Trustee Komar said this is a good amendment and after many complaints, became necessary with all the construction taking place in the Village over the last couple of years.

Trustee Walsh read a statement by Michael Gottfried of 16 Ocean Avenue on the fines in the proposed amendment.

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

RESOLUTION
Close P. H.

RESOLVED, that the public hearing was closed.

RESOLUTION

Adopt L.L. No. 5-2015
to add a amendment
Village Code,
Chapter 195-4

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

RESOLVED, adopt the amendment to the Village Code,
Chapter 195-4, "Motor vehicles, power tools and
construction equipment" to prohibit the operation of
power tools and construction on Sundays and the
following holidays, New Year's Day, Memorial Day,
Independence Day, Labor Day, Thanksgiving and Christmas
Day.

Police Chief's Report

Chief Poleway made the following report.

The Chief started by saying Happy Birthday to the Mayor.

1. There have been reports of fraud by residents who have received phone calls from someone claiming to be from the IRS seeking payment for unpaid taxes. There have been similar reports from communities throughout Westchester County. Residents should be aware the IRS will not call or e-mail.
2. During the holidays residents should be aware of their surroundings. Some tips are:
 - a) Do not leave valuables in your car.
 - b) Do not carry large amounts of cash.
 - c) Use common senseThe Police Department will have foot patrols in the shopping districts and merchants may request Police escorts when making bank deposits.
3. Don't Drink and Drive. Holidays are a time for many parties and if you drink, choose a sober designated driver or call a taxi.
4. See Something, Send Something. A mobile app is now available for free, to residents who wish to report criminal activity with anonymity.
5. See Something, Say Something. Call the 24 hour NYS Terrorism Tips Line, 866-SAFE-NYS or dial 911 or the Larchmont Police Department at 834-1000.

Chief Poleway wished everyone a Happy Holidays.

Fire Chief's Report

Chief Caparelli gave the following report.

Chief Caparelli began by also wishing Mayor McAndrews a Happy Birthday.

1. After 29 years of service fire fighter, Jack Yannuzzi is retiring. FF Yannuzzi was the first always to offer assistance for anyone who needed help. He will be missed.
2. The Santa Run will take place Christmas Eve starting with mass at St. Augustine's. If any resident would like Santa to come by the home, call 834-0016 to get your address put on the list.
3. All residents should put their fireplace ashes in a metal can and leave them away from the house.

Chief Caparelli extended a Happy Holiday's to all.

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

RESOLUTION

Approve Stipulation Agreement w/ Yannuzzi, J. Fire Dept.

WHEREAS, the Village of Larchmont (Village) and the Larchmont Professional Fire Fighters Association (LPFFA) are parties to a Collective Bargaining Agreement (CBA) expiring on May 31, 2018; and

WHEREAS, the LPFFA filed a request on behalf of Firefighter Jack Yannuzzi, for the Village to accept his resignation from the Fire Department, reinstatement to a position in the Department of Public Works for a week or less and subsequent retirement from the Village; and

WHEREAS, the resignation and reinstatement would allow Mr. Yannuzzi to take advantage of provisions of Chapter 390 of New York State Law and transfer his New York State Retirement System membership from the “PFRS”, back to the “ERS” of which he was previously a member before joining the fire department in 1987; and

WHEREAS, there is no cost to the Village for this transfer, and any costs associated with the transfer identified by New York State Retirement System are the sole responsibility of Mr. Yannuzzi; and

WHEREAS, the Village’s Labor Counsel and the LPFFA have negotiated the attached stipulation of agreement that would effectuate Mr. Yannuzzi’s request; and

WHEREAS, Mr. Yannuzzi has agreed to the terms and conditions contained in the Stipulation; now therefore be it

RESOLVED, that the attached Stipulation of Agreement between the Village of Larchmont and the LPFFA regarding the retirement of Firefighter Jack Yannuzzi through the provisions established under Chapter 390 of the Laws of 2009 is hereby approved; and be it further

RESOLVED, that the Village Administrator is herein authorized to execute the Stipulation of Agreement, in substantially the same form as attached hereto, and undertake administrative acts as may be required pursuant to the terms of the Agreement.

Trustees Reports

Trustee Fanelli made the following report:

1. The previous report was submitted on October 16th, 2015. DPW crews continue to maintain parks, traffic islands and parking lots. The DPW removed an old water service at Pine Brook Park to make way for a new swing set to be added to the existing play area. The Village accepted 15 benches from the Iona College campus that were placed throughout Village Parks. All Village irrigation systems have been winterized. Holiday decorations have been hung along with many of the “Larchmont 125” celebration banners.

Trustees Reports
Con't.

2. DPW and Water Department personnel responded to 3 water leaks this period. The Public Works and Water departments are assisting contractors in a Village-wide effort to upgrade all residential and commercial water meters. To that end we excavated 8 curb-valves to accommodate shut-offs. Additionally, all 4 interconnection meters were replaced with meters that will allow wireless meter reading capabilities in the future.
3. Paving was completed along Palmer Ave and on Wendt Ave that totaled 150 tons of asphalt. In addition, 110 linear feet of curb was replaced and 160 linear feet of sidewalk was repaired.
4. There were 9 streetlights and 9 traffic signals repaired. 11 Village trees have been removed at the direction of the village arborist and 75 new trees have been planted this period.
5. There were 2 sanitary sewer backup events that the DPW responded to; no overflow to storm drains occurred. A project to install a new sanitary sewer manhole near Pine Brook Park is underway which is being completed by Wilder/Balter Associates. The new manhole will allow access to the existing system for cleaning, maintenance, and inspection.
6. Maintenance of the two dams at the Larchmont Reservoir, James G. Johnston Conservancy is ongoing as is trail maintenance in coordination with the Town of Mamaroneck. A teak bench was donated and installed adjacent to the Bird Blind at the Goodliffe Pond. Lastly, the dislodged capstones along the right abutment wall of the Larchmont Dam have been removed and reset in fresh mortar.

Congratulation to fire fighter, John Adams on being elected president of the Professional Fire Fighters Association. Thanks to the outgoing president Bryan Doherty for all his efforts.

Trustee Kolbert gave the following report.

1. The Library will be closed till late spring during the renovation. Books will still be available by ordering on-line. Staff will still be on duty.

Trustee Kolbert wished everybody a Happy Holidays.

Trustee Walsh made the following report.

1. The toddler swing set has been installed in Pine Brook Park. It has two bays and four seats.

Trustee Walsh extended best of Holidays to everyone.

Mayor McAndrews thanked Trustee Walsh and Trustee Fanelli for all their efforts in getting the lighted garland wrapped around the light poles. Trustee Kolbert added there has been a positive response to the look of the light poles this year.

Next Treasurer Brucciani gave an update on the current budget process.

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

RESOLUTION

To hire a Police Dept. candidate upon completion of training

WHEREAS, the retirement of a police officer in the summer of 2015 has created a vacancy which is fully funded in the 2015/16 Budget; and

WHEREAS, a selection committee comprised of the Police Chief, Captain and Lieutenant have screened numerous candidates and have recommended a potential candidate to enlist in the Westchester County Police Academy which begins on January 11, 2016; and

WHEREAS, the candidate under consideration must first undergo physical and psychological evaluations before receiving approval for admission to the Police Academy, said evaluations may only take place upon an offer of employment; now therefore be it

RESOLVED, that the Village Board authorizes the Village Administrator to provide a conditional offer of employment to the candidate; and be it further

RESOLVED, that contingent upon positive results from both the physical and physiological evaluations the candidate shall be appointed to the Larchmont Police Department effective January 4, 2016, at a starting annual salary of \$45,737 and said permanent appointment is subject to Civil Service Rules, successful completion of the Westchester County Police Academy and a probationary period of 52 weeks.

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

RESOLUTION

To hold a Village Election 3/15/2016

WHEREAS, pursuant to Section 15-104.1(a) of New York State Village Election Law, the General Village Election shall be held annually on the third Tuesday in March; now therefore be it

RESOLVED, that pursuant to Section 15-104.1(b) of the NYS Election Law, the Village Election shall be held on Tuesday, March 15, 2016 between the hours of 7:00 a.m. and 9:00 p.m.; and be it further

RESOLVED, pursuant to Section 15-104.3 (c) (1), the polling place for the Village Election District 1 (Town Districts 6, 7, 8, 9, 10 & 26) which comprises the Village of Larchmont, shall be at Larchmont Village Center, 119 Larchmont Avenue; and be it further

RESOLVED, pursuant to Section 15-116.1, qualified registered voters who reside within Westchester County may be inspectors of election for Village elections held in Larchmont.

RESOLUTION

Auth. A Administrator to
Execute Agreement w/
Woodard & Curran
Byron Pl.

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

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 antiquated system has been previously identified by the Village Board in need of a significant investment which includes the replacement of the pumps, controllers and water storage tanks; and

WHEREAS, the extensive work will require the Village come in compliance with current Federal, State and County standards and regulations as they pertain to the distribution of drinking water; and

WHEREAS, a bond authorization was previously approved by the Village Board at its January 14, 2013 meeting to provide funding for the water storage tanks and other components of the water distribution system including the Byron Place Pumping Station; and

WHEREAS, the Village Board previously approved a professional services agreement with Woodard & Curran on March 19, 2013 for design services and bid document preparation for the upgrade of the Byron Place pumping station and replacement of the water storage tanks; and

WHEREAS, the Village Board awarded the construction contract for the upgrade and rehabilitation of the Byron Place Pumping station at a meeting on November 30, 2015, said construction is scheduled to commence on or about January 4, 2016; and

WHEREAS, Woodard & Curran have provided the Village with a proposal for the engineering consulting and construction administration work, which has been reviewed by staff and agree to the terms of the agreement; now therefore be it

RESOLVED, that the Village Administrator is herein authorized to execute the attached professional services proposal with Woodard & Curran 709 Westchester Avenue, White Plains, New York, in substantially the same form as attached hereto, in an amount not to exceed \$119,980 for the services outlined in the Project Schedule and Fee Proposal; and be it further

RESOLVED, that the \$119,980 cost of the engineering consulting and construction administration be charged to the appropriate Capital Budget Account associated with this project to be determined by the Village Treasurer.

Administrator Datino said the Board will meet in a work session on Monday, December 21, 2015 at 11:00 AM to discuss Village bills.

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

RESOLVED, that Abstract Audit Voucher #8, dated December 14, 2015, in the amount of \$1,947,929.14, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Walsh.

On motion of Trustee Komar, seconded by Trustee Fanelli, and unanimously carried the meeting adjourned at 9:05 PM.