

Minutes of the Reorganization Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
Held on Monday, April 4, 2016

PRESENT: Mayor Lorraine Walsh
Trustees John Komar
Peter Fanelli
Carol Miller

ABSENT: None

Also present: Dep. Clerk Riley, Attorney Staudt, Administrator Datino

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:08 PM. The Mayor noted that the Board is minus one member and that is because there is still one year left on her term as trustee. She will appoint someone before the end of the month to fulfill the term.

Mayor Walsh then asked the audience to rise and say the Pledge of Allegiance.

Justice Thea Beaver then administered the oath of office to Mayor Walsh. The Mayor thanked everyone in attendance and those who voted. She then read a prepared statement.

Oaths of Office
Walsh, L.
Fanelli, P.
Miller, C.

Justice Jerry Bernstein then administered the oath of office to Trustee Fanelli. He thanked the voters and encouraged everyone to volunteer.

Justice Beaver then administered the oath of office to Trustee Miller. She stated that she is looking forward to working with the rest of the Board and thanked the voters.

Certificate of 2016
Election

Mayor Walsh then read the Certificate of Election which the Board then signed.

Also in attendance to wish the Board well were former Mayor, Miriam Curnin, former Trustee, Marlene Kolbert, State Senator George Latimer, Town Supervisor, Nancy Seligson, Town Board members, Ernie Odierna and Jaine Elkind Eney.

Mayor's
Announcements

Mayor Walsh made the following announcements.

1. On Sunday April 10th at the Larchmont Temple there will be the Grow it Green Expo.
2. Former Chief of Police, Albert Lowman passed away on March 30th. Chief Lowman served the Village from 1948 to 1986.

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

RESOLUTION
Rubin, J.
Co-Chair
Traffic Comm.

RESOLVED, to appoint Jay Rubin as Co-Chair of the Traffic Commission.

RESOLUTION

**Kimball, A.
Member
Traffic Comm.**

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

RESOLVED, to appoint Anne Kimball as a member of the Traffic Commission.

Trustee Reports

Trustee Fanelli gave the following report.

1. Congratulations to Mayor Walsh and Trustee Miller on their elections. Thanks to former Mayor, Anne McAndrews and Trustee Marlene Kolbert for their service to the Village.

Trustee Komar made the following report.

1. Congratulations to Mayor Walsh who he has served on the Board with for five years. Thanks to former Mayor Anne McAndrews and Trustee Marlene Kolbert for their dedication to Larchmont.

Trustee Miller gave the following report.

1. Thanks to the Board and is looking forward to working with them.

Mayor's Appointments

Mayor Walsh made the following appointments:

1. Deputy Mayor- Trustee Carol Miller
2. Licensing Officer- Deputy Clerk Brian Riley

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

RESOLUTION

**Staudt, J.
Village Attorney**

RESOLVED, to approve the reappointment of James Staudt as Village Attorney for the coming year.

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

RESOLUTION

**Brucciani, D.
Village Treasurer**

RESOLVED, to approve the reappointment of Denis Brucciani as Village Treasurer for a term of two years that will expire in April, 2018.

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

RESOLUTION

**Datino, J.
Village Clerk &
Registrar**

RESOLVED, to approve the reappointment of Justin Datino as Village Clerk and Registrar for a term of two years that will expire in April, 2018.

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

RESOLUTION

**Lanza, J.
Dep. Village Treasurer**

RESOLVED, to approve the reappointment of Joanne Lanza as Deputy Village Treasurer for the coming year.

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

RESOLUTION

**Dep. Village Clerk &
Registrar**

RESOLVED, to approve the reappointment of Brian Riley as Deputy Village Clerk and Registrar for the coming year.

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

RESOLVED, to approve the reappointment of Daniel Whittmore as Village Assessor for the coming year.

RESOLUTION
Whittmore
Village **A**ssessor

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

RESOLVED, to approve the reappointment of Dee Van Eyck as Village Historian.

RESOLUTION
Van Eyck, D.
Village **H**istorian

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

RESOLVED, to approve the reappointments of James Cinque and Richard Levy as Village Prosecutors for the coming year.

RESOLUTION
Cinque, J.
Levy, R.
Village **P**rosecutors

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

RESOLVED, that the Board will meet once a month at 7:30 PM unless otherwise needed, all at the Municipal Building, and further, it was:

RESOLUTION
Village **B**oard
Meetings

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

RESOLVED, that the tentative dates for upcoming meetings are as listed below and these dates can be changed at the pleasure of the Board.

RESOLUTION
Village **B**oard
Meeting **D**ates

- Monday, April 18, 2016
- Monday, May 16, 2016
- Monday, June 20, 2016
- Monday, July 18, 2016

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

RESOLVED, that all employees of the Village who are required to provide Surety Bonds according to law shall, before entering upon the duties of their respective offices, be covered by blanket Surety Bond now in force, or renewal thereof, and the expense shall be a charge on the Village.

RESOLUTION
Surety Bonds
Employees

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

RESOLVED, that JP Morgan Chase, TD Bank and Wells Fargo, are hereby designated as depositories for Village funds for the ensuing year.

RESOLUTION
JP Morgan **C**hase
TD Bank
Wells Fargo
Village **D**epositories

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

RESOLVED, that Treasurer Brucciani and Deputy Treasurer Lanza are authorized signatures on all Village bank accounts.

RESOLUTION
Brucciani, D.
Lanza, J.
Auth. **s**ignatures
Village **b**ank accounts

RESOLUTION

**Memorial Day Parade
5/26/2016**

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

RESOLVED, to set the date of the Memorial Day Parade for Thursday, May 26, 2016 at 7:00 PM.

RESOLUTION

Official tree Larch

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

RESOLVED, that the Board declares Larchmont's official tree to be the Larch.

RESOLUTION

**Poleway, J.
Emergency Coordinator**

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

RESOLVED, to reappoint John Poleway as Emergency Coordinator

Administrator Datino said the Village needed to create a centralized fees list that can be reviewed from year to year. Before the Board this evening is a list for their approval.

RESOLUTION

**Approve Fees &
Charges Schedule
2016-17**

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

WHEREAS, in an effort to centralize information, identify sources of non-property tax revenue and manage the cost of providing services to Village residents and the general public, the Village Board has developed a Village wide-fees and charges schedule; and

WHEREAS, on an annual basis, the Village shall review its schedule of Village-Wide Fees and Charges relative to current operating costs, chronology of previous increases and the completion of comparative municipal surveys; and

WHEREAS, the Village Board has reviewed and discussed the proposed Fiscal Year 2016-17 Village-Wide Fees & Charges Schedule at their March 7, 2016 work session and supported the proposed fee changes; now therefore be it

RESOLVED, that the Fiscal Year 2016-17 Village-Wide Fees & Charges Schedule, dated April 1, 2016, attached hereto and made a part hereof, is herein adopted; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish notice of the changes to the Village-Wide Fees and Charges Schedule.

RESOLUTION

**Open PH.
Tentative Budget
2016-17**

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

RESOLVED, to open the Public Hearing to review the 2016-2017 Tentative Budget.

Administrator Datino said that at the March 15th meeting he presented the tentative budget with a tax levy increase of 3.05%, or an average increase of \$175 per home owner. He added the budget process began in December of 2015.

**P. H. Budget
Con't.**

Mayor Walsh said the Board, Administrator Datino, Treasurer Brucciani and the Budget Committee have had many meetings to develop the tentative budget. The Mayor then asked the Board to comment on the tentative budget.

Trustee Komar said the Village has a healthy fund balance and the Board should use a portion of it to move the tax levy under 3%.

Trustee Fanelli agreed with Trustee Komar that the Board should try to get under the 3% mark.

Mayor Walsh asked what was the fund balance. Administrator Datino replied 3.3 million.

Trustee Miller said it makes sense to use money from the fund balance to get the rate down.

Mayor Walsh said it is a responsible budget and maintenance problems have been addressed through the capital projects portions of the budget. She added it is the consensus of the Board to instruct Administrator Datino to transfer \$25,000 from the Fund Balance to lower the tax levy under 3%.

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

RESOLUTION
Adjourn **P.H.** to
4/18/16 at 8:00 PM

RESOLVED, to adjourn the Public Hearing to April 18, 2016 at 8:00 PM.

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

RESOLUTION
Open **P. H.**
Appeal
L. L. No. 1-2016
15 Thompson Pl.

RESOLVED, that the Public Hearing for an appeal from the Application of the Moratorium on Certain Land Use Applications (L.L. No. 1-2016) re: 15 Thompson Place was opened.

Attorney Staudt said the Public Hearing on this matter was held on March 28, 2016 and was adjourned till this evening. Documents have arrived since that last meeting and they were sent on to the interested parties and posted on the Village's website. The documents were a memo from the Planning Board Chair, John Parkinson, Jr., letters from neighbors Joel Weinberg and Kathy Hall. Attorney Staudt confirmed with the representative of the applicant they have received those documents. Once the comments are completed the public hearing will be closed then the Board will direct either the Attorney's office or the Administrator to draft a decision.

P. H. Appeal
15 Thompson Pl.
Con't.

Next to address the Board was Paul Noto, 650 Halstead Avenue, Mamaroneck, representing the applicant. At the last meeting Mr. Noto said he gave litany of problems with the process. The memo from John Parkinson said he sought out an engineer to address hydrology issues. Also in the memo Mr. Parkinson stated at the December 7th meeting that he was surprised the planning consultant and the applicant haven't made contact. They had been in contact and the engineer, Mr. Lent, had no scope of work.

Mr. Noto read an e-mail dated January 5th from David Lent sent to Francine Brill, secretary to the Planning Board, in which Mr. Lent said he had been asked to give a proposal for environmental consulting services on the gas station near 15 Thompson Place. To date he had not been given any reports, history data related to the gas station. He stated some strategies that could be employed such as FOIL's. It would be helpful if he knew what the Planning Board was looking for and the objectives of his involvement.

Mr. Noto said that as of January 5th, Mr. Lent actually had not been retained and the e-mail contradicts Mr. Parkinson's memo. Mr. Noto added that he doesn't know if the Planning Board has the authority to hire but that the whole process was handled sloppy by the Planning Board.

Joel Weinberg of 9 Thompson Place spoke to the Board on this matter. Mr. Weinberg stated he sent a letter to the Board today by way of the Clerk's office. As a longtime resident, he believes the moratorium is important and commended the Board for taking action. If you read the moratorium this is exactly the situation the moratorium was enacted. If the Board exempted this property there would be no reason not to exempt all others. He understands the frustration of builder and that is to be expected when you deal with an over 4,000 sq. ft. property so close to a gas station. He said he thought the Planning Board was careful and judicious in what they asked for.

Karen Hall, 10 Bronson Avenue was next to address the Board. Ms. Hall said she sent a letter to the Board today. Ms. Hall's house is on the same block but on the other side. Her property and the one next to her are two lowest houses on the block. The concern for her is water management. The size of the house and the pervious surface it will take up will allow water run off to her property. At a Planning Board meeting one of the things they were looking at was infrastructure. Every time there is a heavy rain the drain in front of her house gets all the water on her block. This house will not be absorbing water. Another matter will be the trees being removed at this house. An average old growth tree can hold over 100 gallons of water during a rain storm.

Frank Owens, 10 Thompson Place, spoke on this matter to the Board. Mr. Owens said he listened to Mr. Noto’s comments a month ago that the applicant had the expectation to get through the process which he thought was unreasonable. Mr. Owens who has a civil and environmental engineering degree has appeared in front of several planning boards in Westchester County. Looking at site it is not an easy site. It is next to a gas station, there is a lot of rock and the proposed house would double or triple the size, this would not be an easy process to go through. With those issues the applicant could not expect an easy process.

P. H. Appeal
15 Thompson Pl.
Con’t.

Mr. Owens said for the twenty years he has lived in the Village, the house in question has been rented and could have remained rented while the applicant went through the process thus minimalizing the hardship. He added Mr. Noto’s comments on the planning process are unfair and untrue.

Sarah Bauer of Preserve Larchmont said this house hits all the check boxes, issues with old growth trees, water runoff, infrastructure and bulk replacing a smaller house with a much bigger one, everything the planning consultant is reviewing. Also in Mr. Parkinson’s letter back in December, he did tell the property owner to engage the consultant the Planning Board had selected. If there was confusion what the consultant was supposed to do, was because the property owner did not engage the consultant.

Mayor Walsh asked if anyone else would like to speak. There was no one else.

Attorney Staudt said if there were no other speakers there can be a motion to close the public hearing.

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

RESOLUTION

P. H. Appeal
15 Thompson Pl.
Closed

RESOLVED, that the Public Hearing for an appeal from the Application of the Moratorium on Certain Land Use Applications (L.L. No. 1-2016) re: 15 Thompson Place was closed.

Mayor Walsh said this proposed development does go against the reason for the moratorium and the zoning review that will look at many issues most of which are brought up by the proposed development. A slow planning process is not out of the ordinary for a project with such issues and does not rise to the level of hardship.

Board comments
Appeal
15 Thompson Pl.

Trustee Miller said she is in agreement with Mayor Walsh’s conclusions and is not without sympathy for the applicant and the frustrating process. The moratorium is doing what it was enacted to do, delay the process further. Allowing the project to go forward would completely frustrate the aim of the moratorium. Also the delay and the extra expense is nothing unique to this applicant. To protect the aim of the moratorium, we cannot grant an exemption.

Board comments
Appeal
15 **T**hompson Pl.
Con't.

Trustee Komar said the proposed development for this site goes to the heart of the moratorium. This house issues are what the moratorium is in place for. Coverage, bulk size, height, stormwater management, how many trees are cut down and the impact on infrastructure in the neighborhood. These same issues have been seen in other developments the past couple of years the Board needed to address. It is prudent of this Board not to grant the variance because what is proposed here is what is being reviewed and analyzed by the zoning expert. The review needs be completed and take no action till that is done.

Trustee Fanelli said the house is an old house that has been rented for twenty years. The house is tired, I have walked the property and seen the home. It is not an asset to the neighborhood and he would be in favor of something there. Not the 4300 square foot home proposed but something needs to take place. He is in agreement with the rest of the Board and hold on this project.

Trustee Miller stated that though she was not a member of the Board when the first meeting took place on March 28th, she was in attendance at the meeting and has read all the background documents.

Mayor Walsh said there is a consensus of the Board that this appeal does not have merits for approval and we will direct Attorney Staudt to draft a document reflecting the consensus and the comments made this evening.

Attorney Staudt said the Board needs to set a meeting session on this matter.

Mayor Walsh polled the Board for a date to meet and that would Friday April 8th at 10:30 AM to deliver the decision.

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

RESOLVED, to set the meeting date for April 8, 2016 at 10:30 AM, in the Courtroom, Village Hall to render a decision of the appeal from the Application of the Moratorium on Certain Land Use Applications (L.L. No. 1-2016) re: 15 Thompson Place.

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

RESOLVED, to approve the minutes of the work session held on March 28, 2016.

On motion of Trustee Miller, seconded by Trustee Komar, and unanimously carried, the meeting was adjourned at 8:25 PM.

RESOLUTION

Set **m**eeting for **d**ecision for
Appeal **L**. L No. 1-2016
15 **T**hompson Pl.
4/8/2016

RESOLUTION

Approve **w**ork session
Minutes
3/28/2016