

Minutes of Regular Meeting of the
Board of Trustees of the
Village of Larchmont, NY
Held on Monday, June 20, 2016

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

ABSENT: None

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

Mayor Walsh welcomed all in attendance including Mayor for a Day, Sophie Dubanevich who called the meeting to order at 7:30 PM and led everyone in the Pledge of Allegiance.

**Mayor for a Day
Dubanevich, S.**

The Mayor congratulated the MHS Girls 4X800 relay team on becoming state champions. The team's winning time was the second best on an outdoor track.

Mayor's Announcements

Mayor Walsh presented certificates to Hope & Courage Crawford from MHS, for winning back to back Boys Tennis Doubles state championship.

Mayor Walsh then administered the Oath of Office to the newly elected volunteer Fire Department officers. They are as follows:

Dep. Chief Adam Piscitello
Capt. John Pomponio
Lt. Devon Foulke
Lt. Joseph Clifton
Lt. Carl Cacciola
Lt. Dylan Jewell

**Oath of Office
Piscitello, A.
Pomponio, J.
Foulke, D.
Clifton, J.
Cacciola, C.
Jewell, D
Fire Dept.**

Trustee Fanelli added that the volunteers do a great service to the Village and he's honored work alongside them.

Police Chief John Poleway presented Officer Danielle Lent to the Board. A recent graduate of the Westchester County Police Academy, Officer Lent is currently assigned to six weeks of mandatory field training after which she will begin her patrol duties with the Village. The Chief invited Officer's Lent's mother, Mercedes, a retired NYPD investigator to pin her daughter's badge on her.

Next Mayor Walsh administered the Oath of Office to Officer Lent.

**Oath of Office
Lent, D.
Police Dept.**

RESOLUTION

**Fanelli, G.
Fire Dept.**

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

RESOLVED, to approve Giana Fanelli as a volunteer member of the Fire Department.

RESOLUTION

**Caciola, N.
Giardano III, F.
Shearer, R.
Fire Dept.**

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

RESOLVED, to approve Nicholas Caciola, Frank Giordano II and Ryan Shearer as volunteer members of the Fire Department.

Fire Chief's Report

Chief Caparelli gave the following report.

1. The Larchmont Fire Department this past month has participated in events as the Chatsworth Avenue Carnival, the Sprint to Flint and at the weekly Farmers Market. The next big event is the Annual Fireman's Parade in the Village of Mamaroneck on June 29, 2016 at 7 pm. I would like to thank all those who participated and please come out and support the Larchmont Fire Department in this year's parade.
2. I am happy to report that the Fire Department's Fire Boat is in the water and available to respond to all water related emergencies. This is the first time in the history of the fire department that we will have the capability to respond on the water without outside assistance for medical and fire emergencies, lost or stranded boaters and other water related events.
3. Fire inspections and Code Enforcement efforts are ongoing. All equipment and all Apparatus are in service. With the exception of Engine 35 which is out for annual maintenance.

Finally, I am happy to present to the Board the newly elected slate of Volunteer Officers for the Larchmont Fire Department. Deputy Chief Adam Piscitello, Captain John Pomponio, Lt. Devon Foulke, Lt. Joseph Clifton, Lt. Carl Cacciola and Lt. Dylan Jewell. These officers have demonstrated outstanding service to the community by their attendance at alarms, involvement in community events, mentoring and training fellow volunteers and assisting me in the ongoing management of the department. They have all been instrumental in the successful recruitment of new volunteers, retention of existing volunteers and maintaining the high standards we pride ourselves in. I would like to congratulate all of the newly elected Officers.

Chief Poleway made the following report.

Police Chief's Report

1. After a closure that lasted several months, the area known as "dog beach" has been reopened to the public. Since it's reopening a series of complaints relating to the persons patronizing the area have been brought to the attention of the Mayor and the Village Administrator. The complaints range from parking infractions to violations of the rules relating to the use of the beach. Restrictions that are in place at dog beach include:
 - Leash Law – Dogs must be on leash
 - No Food or drink on the beach
 - No Swimming
 - No windsurfing
 - No unreasonable noise

The police department is periodically patrolling the area in and around dog beach as well as the roads in the surrounding vicinity. A summons will be issued for observed violations so if you are going to visit Manor Park or Dog Beach, please follow the rules.

2. Just a reminder that since May 15th there is no parking along the one-way portion of Park Avenue on Saturday, Sundays, and legal holidays. As people seek to use Manor Park and the surrounding areas, or for parking anywhere in the Village, it is always a good practice to take the time to read the parking signs to ensure that you are not in violation.
3. Summer has arrived and as families begin to go on vacation, it is always a good idea to have a friend or neighbor check on your house and property to make sure that everything is taken care of while you are away. If there is no one to assist you in this endeavor, the police department will perform house checks for residents while they are away if a request form is filled out prior to your departure date. The form is called a 'dark house' check and it can be obtained at police headquarters or online at larchmontpolice.org. Once the form is completed, officers will routinely perform an exterior check of the residence and property to ensure that all appears normal. If a problem is discovered, the owner of the house, or a designated contact, can be reached in order to address any problems that may have occurred. This service is free and is recommended for all homeowners who may need assistance in looking after their property while they are away.
4. There have been several bicycle thefts from the municipal parking lots over the last few weeks and I would just like to remind everyone to please lock and secure your bicycle if you are going to park it at or near the train stations.

Police Chief's Report
Con't.

5. The Federal Emergency Management Agency (FEMA) is calling on individuals and families across the nation to prepare for the 2016 Atlantic Hurricane season, which runs from June 1st through November 30th. The National Oceanic and Atmospheric Administration's (NOAA) seasonal outlook for 2016, released last week, states the season will most likely be near-normal, but uncertainty about the formation of Atlantic storms makes predicting this season especially difficult. For more information on how best to prepare for an emergency or severe weather please go to the websites fema.gov or www.noaa
6. The police department and Village would like to be able to contact you in the event of an emergency. So if you have not enrolled to receive the Village's mass callings and e-mails, please visit our website at villageoflarchmont.org and supply us with any contact information that you may have.
7. See something – Say something –I would like to remind everyone to stay vigilant in reporting any suspicious activity that may be observed. If you observe something that may be suspicious, please, do not keep it to yourself – call the 24 hour NYS Terrorism Tips Line at **866 SAFE-NYS (866-723-3697)** or simply call the Larchmont Police Department at (914) 834-1000.

Discussion

Bike Lanes Pilot Project
Lee, C.
Rubin, J.

Recreation Chair, Caroline Lee and Traffic Commission Co-Chair, Jay Rubin were next to address the Board on the Bike Lanes Pilot Project. Ms. Lee said that bike lanes would be installed on Larchmont Avenue beginning on Palmer Avenue, past Boston Post Road and end at Magnolia Avenue. This pilot program if successful would enable the Village to add more bike lanes and allow them to be joined with those in neighboring communities.

Trustee Fanelli asked about the safety of moving bike riders away from the curb. Ms. Lee replied that usually there is sand along curbs which is unsafe for cyclists.

Trustee Miller said the bike lanes can have a positive impact on local businesses and the goal of the pilot program is to expand the lanes to more streets.

Carroll Hudders of 219 Larchmont Avenue said that in Norwalk, CT., he has seen bike lanes and they work well.

Mayor Walsh said if anyone else would like to comment on the proposed bike lanes to send them to Village Hall. A vote on this matter is possible at the next meeting on July, 18th.

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

RESOLVED, to approve the Tax Certiorari settlement with 2018 BPR, LLC (7-705-328) for 2015 in the amount of \$2,033.46.

Trustee Fanelli gave the following report.

1. The Concerts in the Park will begin on the 4th of July in Manor Park with the Dixie Dandies and continue every Thursday in July at Flint Park.
2. On September 24th the Larchmont 125th yearlong celebration will end with Larchmont Day. The events scheduled for that day are, Big Trucks Day, The Committee on the Arts Festival and the Larchmont 125th Street Fair.

Trustee Komar made the following report.

1. The Planning Board has referred a proposal of a Dunkin' Donuts with a drive-thru on Palmer Avenue to the Traffic Commission. Look for more notices on this proposed project.

Trustee Miller gave the following report.

1. This past Friday was the Sprint to Flint. Over 700 participated in the 5K and the 1 Mile Fun Run. There was a DJ, pizza and Mayor Walsh and Trustee Miller gave out the medals. Thanks to Caroline Lee, the volunteers and the race sponsors.
2. With the interest in bike lanes, the Village is considering bringing back the Tour De Larchmont. Watch the website for a possible announcement.
3. The Village looking for volunteers for to fill roles on different committees. Anyone interested should contact Village Hall.
4. The Library renovation is still ongoing and the target for re-opening in September. There are still services available like summer reading games for kids, teens and adults. Also museum passes can be reserved on the Library's website.

Trustee Frouman made the following report.

1. The Committee on the Environment would like to extend its thanks to everyone for making the Grow it Green event a success. The committee is looking for new members including a chair person. If any resident is interested they should contact Village Hall.
2. The Technology Committee has begun looking how the website and social media can best serve the Village. An MHS student Lucy LeBlanc will work as an intern this summer to review the current functionality of the Village website.
3. Longtime Board of Architectural Review member, Mauri Tamarin is leaving the Board after the next meeting. THE BAR will be down a member and anyone interested should contact Village Hall.

RESOLUTION

Approve Tax Certioari Settlement w/ 2018 BPR, LLC (7-705-328)

Trustees Reports

AAdministrator
Sanitary Sewer Evaluation
Study Report

Administrator Datino next spoke about the Village’s sanitary sewer system. Larchmont is part of the New Rochelle district which includes the Village, the Town of Mamaroneck, Pelham Manor and the City of New Rochelle. During heavy rain too much water infiltrates the sewers and Westchester County cannot treat it. The Village entered into an agreement with the county and the three other communities in the district to do a comprehensive study of the system. The goal is to find the problems, fix them so the county can handle the sanitary waste. The agreement is to share the costs of legal and consulting engineering services between the four communities of the district. The cost is figured by population and the Village’s is approximately 6.7%. An RFP went out in March to find a firm to perform the (SSES) Sanitary Sewer Evaluation Study. Meetings have been held with the firms who have responded and one has been approved and next week there will be a meeting to finalize the details of the contract. The estimate share of the cost to the Village will be \$265,000 to \$275,000. The source of funding is the Sanitary Sewer Rent established in March.

Trustee Komar asked the Administrator that since this is a mandate from the EPA, the DEC and Westchester County and the Village is expected to finance the project, is there any financial help available.

Administrator Datino said the position other levels of government have taken that it is part of the community’s infrastructure and the community is responsible for the repairs. There is a possibility that when the construction phase begins for grant money to become available. The four communities met with Westchester County who agreed to participate in a study about the County taking over the sewer systems.

Trustee Komar asked if this would help with the litigation with Save the Sound.

The Administrator replied Save the Sound is monitoring the progress and the law suit is holding.

RESOLUTION

Approve IMA w/West. Cty. for
Stop-DWI Patrol
Police Dept.

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

WHEREAS, the County of Westchester and its municipalities have participated in the Westchester County STOP-DWI Patrol/Datamaster Project for many years through an intermunicipal agreement which provides overtime reimbursement for added patrol efforts to enforce New York State Vehicle & Traffic Laws against intoxicated and impaired driving; and

WHEREAS, the Village of Larchmont has participated in the program for nearly 30 years, the most recent agreement expired on December 31, 2015; and

WHEREAS, Westchester County now desires to enter into a new agreement under similar terms commencing January 1, 2016 and ending December 31, 2020; and

WHEREAS, the agreement will provide reimbursement of overtime expenses not to exceed \$8,400 for each year of the agreement in accordance of the provisions set forth in Schedule "A" of the agreement; and

WHEREAS, the Chief of Police recommends continuing the program and has indicated its success in past years as an education and enforcement tool for promoting safe driving throughout the Village; and

WHEREAS, participation requires the execution of the attached Intermunicipal Agreement with the County of Westchester; now therefore be it

RESOLVED, that the Village Administrator is hereby authorized and directed to execute the STOP-DWI Patrol Intermunicipal Agreement in substantially the same form as attached hereto; and be it further

RESOLVED, that the Village Administrator is authorized to undertake any administrative acts required under the terms of the agreement.

Next Mayor Walsh read prepared statement.

Mayor's Statement

As I am sure many of you are aware, the 6 month moratorium that we adopted in January expires on July 15. After hiring Mr. Preiss, the moratorium was put in place to create breathing room while he conducted a review of our current land use regulations, determined the scope of the possible development stresses the Village might be facing and suggested changes which could be made to address some of the concerns expressed by the Board and the community.

At several public meetings, Mr. Preiss has identified possible improvements to our current land use regulations and he and the Board, with community input, will continue to work on those. We expect that some of the proposed changes will be ready to present at public hearings no later than the Fall. As a result, I have put before the Board a resolution to hold a public hearing to consider extending the moratorium until October 15, 2016. It's important to note that not all considered changes will be in place at the same time, but the process will continue, even after the moratorium expires. I do want to make Village property owners aware of Village Code 381-86, which restricts the issuance of building permits for 90-days for any work which might be affected by proposed amendments to zoning code once they have been presented by the Board at a public hearing.

Land use issues in a small community like Larchmont implicate a huge number of issues and interests and, relying on advice from our consultants, we are working very hard to do what we believe is in the best interests of the Village as a whole, and for the majority of its residents. On that note, we would like to strenuously urge those of you who may disagree with any of the proposed changes to please try to work *with* us as we go forward with revisions. Revamping land use regulations is not simple and we want to get it right. So we welcome continuing input from the community on these revisions and other land use issues. As I noted, we hope to have at least some of these revisions in place in the Fall and after that, we believe that our land-use boards will be in the best position to deal with each application that comes in on a case-by-case basis.

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

RESOLUTION

Set Public Hearing

Extend Temp. Moratorium
7/6/2016

WHEREAS, on January 11, 2016, Board of Trustees of the Village of Larchmont adopted Local Law # 1-2016, which established a six (6) month temporary moratorium on certain land use applications, and by its terms, the moratorium is due to expire on July 15, 2016; and

WHEREAS, while Village officials and the Village's planning and engineering consultants, attorneys, and staff have been studying and identifying present and future development impacts and needs, due to the complex nature of the issues presented and the desire to avoid unintended consequences and complications, it is anticipated that additional time will be required to continue such studies and to consider any appropriate revisions to the Village's land use regulations; and

WHEREAS, the Board of Trustees is considering extending the temporary moratorium by an additional three months, and such extension must be done by local law,

NOW, THEREFORE, BE IT RESOLVED,

that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Larchmont to be held in the Court Room in Village Hall at 120 Larchmont Avenue, Larchmont, New York on Wednesday, July 6, 2016, at 7:30 p.m. to review a proposed local law extending the temporary moratorium until October 15, 2016; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish and disseminate a notice of this Public Hearing, including notification to other governmental agencies, in accordance with applicable law.

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

RESOLUTION
SEQRA
Temporary Moratorium
Extension

WHEREAS, the Village of Larchmont Board of Trustees is considering the enactment of proposed Local Law # 6-2016 to extend the temporary moratorium on certain land use applications enacted by Local Law # 1-2016; and

WHEREAS, a review of the State Environmental Quality Review Act and implementing regulations (collectively SEQRA) was performed; and

WHEREAS, pursuant to various state and local laws and regulations, the Board of Trustees must refer the proposed local law to various governmental entities,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees of the Village of Larchmont determines the proposed action, the enactment of a local law to extend the temporary moratorium on certain land use applications, is a Type II action under SEQRA; and be it further

RESOLVED that Village staff is directed to refer proposed Local Law #6-2016 to other governmental entities in accordance with applicable laws and regulations

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

RESOLUTION
Purchase chipper from
Town of Mam'k.

WHEREAS, the Village of Larchmont (Village) and the Town of Mamaroneck (Town) have a long history of sharing resources to provide a high level of services to its residents in an efficient and cost effective manner; and

WHEREAS, the Village's tree chipper was removed from service in 2010 since it was no longer serviceable and the cost of a new replacement chipper was estimated at \$25,000; and

WHEREAS, the Town has recently purchased a new tree chipper as part of its equipment replacement program, the value of the surplus tree chipper was estimated at \$3,000; and

WHEREAS, the Town has offered the sale of its surplus chipper to the Village for \$1,500; and

WHEREAS, the Village's Central Garage Foreman has inspected the chipper and has found it to be in good working condition, requiring no significant repairs; and

WHEREAS, adequate funds exist in the 2016/17 Capital Budget for the purchase; now therefore be it

RESOLVED, that the purchase of the tree chipper is herein approved; and be it further

RESOLVED, that the expense be charged to the 2016/17 Capital Budget – DPW Vehicles & Equipment account as established by the Village Treasurer.

RESOLUTION

Approve Stemwater Maint. agreement w/ Pine Brook Condos

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

RESOLVED, to approve the Stormwater Maintenance Agreement with the Pine Brook Condominiums subject to approval of the Village Attorney’s office.

Work Session Resolutions

The Mayor announced resolutions approved at recent work sessions.

- Carol Casazza Herman- Finance and Budget Committee
- Sprint to Flint \$10 Discount Mam’k Ave School
- Students-Mighty Miler Prog.
- Donation, Morris & Florence Bender Foundation-& Virginia McGuire Foundation- Audible Crosswalks
- Decoration Day event/ Tables & Chairs on sidewalk- 2076 Boston Post Road
- Fox Pest Control-Solicitors Permit
- Purchase of 2006 Police Motorcycle

Discussion
Larchmont Playhouse
Rosenstreich, V.
Bradley, E.

Next Vickie Rosenstreich and Elizabeth Bradley addressed the Board about the impending sale of the Larchmont Playhouse. Ms. Rosenstreich said there are currently 3-4 bids for the purchase of the theater and it is possible when the sale occurs it will be closed. She added the Playhouse has been an important part of the Village since 1931 and she asked if there was something the Board can do to prevent it from happening.

Mayor Walsh replied she feels like they do about the Playhouse but the Board cannot interfere with a private business transaction. She encouraged them to put the word out to the community and even contact residents who are in the movie business.

Ms. Bradley asked if the Playhouse had landmark status, the Mayor replied that it does not.

Discussion
Lorenzen Park
Mulcahy, J.

Jim Mulcahy of 5 Deane Place spoke to the Board about the construction at Lorenzen Park. The items he had questions on were: would the new softball field be used by adults, the proposed concession stand and with two fields being used, the traffic and parking issues.

Mayor Walsh said the new softball field will be used by girls and there will be a concrete slab where a concession stand may go.

Trustee Komar added that at the start of the season there will be a police presence at the park to maintain order. The Mayor added that if any of the leagues fail to cooperate, their field permits will be removed.

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

RESOLVED, to approve the minutes of the regular meeting of May 16, 2016 and the work session meeting of June 6, 2016.

RESOLUTION

Approve minutes of May 16, 2016 & June 6, 2016- work session

On motion of Trustee Frouman, seconded by Trustee Millar, and unanimously carried, with Trustee Komar abstaining, it was:

RESOLVED, to approve the work session minutes of the meetings held on May 16 & May18, 2016.

RESOLUTION

Approve minutes of May 16 & May 18, 2016 work sessions

On motion of Trustee Frouman, seconded by Trustee Millar, and unanimously carried, with Trustees Komar and Fanelli abstaining, it was:

RESOLVED, to approve the minutes of the work session held on May 27, 2016.

RESOLUTION

Approve minutes of May 27, 2016 work session

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

RESOLVED, that Abstract Audit Voucher # 1, dated June 20, 2016, in the amount of \$1,411,690.77, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Miller.

Mayor Walsh then presented a Certificate of Appreciation to the Mayor for a Day, Sophie Dubanevich.

Certificate of Appreciation
Mayor for a Day
Sophie Dubanevich

On motion of Trustee Miller and seconded by Trustee Komar, and unanimously carried, the meeting adjourned at 9:25 PM.