

Minutes of Regular Meeting of the  
Board of Trustees of the  
Village of Larchmont, NY  
**held on Monday, September 19, 2016**

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

**ABSENT:** None

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

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:31 PM.

The Mayor made the following announcements.

1. Congratulations to the Library on their renovation project being completed.
2. The yearlong Larchmont 125<sup>th</sup> Celebration will culminate this weekend with a series of events. Go to the website for the schedule.

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

**RESOLVED,** that the Public Hearing to consider and take public comment on the Palmer Avenue Streetscape Project assessment and apportionment of costs was opened.

The Mayor stated at meetings of the Board of Trustees held in September of 2012 and April of 2013, it was announced that the Village determined that property owners in the Palmer Avenue Streetscape Improvement area would be assessed for the cost of sidewalks, aprons, curbs and the pavers strip. In doing so the Village would measure properties adjoining the Palmer Avenue Streetscape project and calculate either the square footage for sidewalks and aprons or the linear feet for curbs and pavers. A similar approach was used for the 2004-2005 Boston Post Road Streetscape Improvement Project. At the Public Hearing on August 15, 2016 it was announced that the cost per item for sidewalks, aprons, pavers, and granite curbs which will be apportioned and assessed to the adjoining property owners are as follows:

Sidewalks -	\$6.83 per square foot
Aprons -	\$9.54 per square foot
Pavers -	\$88.40 per linear foot
Granite curbs-	\$40.00 per linear foot

These costs were based on the bid sheet costs submitted by the contractor, MacNamee Construction. At the close of that meeting a public hearing was set for this evening.

**Mayor's**  
Announcements

**RESOLUTION**  
Open Public Hearing  
Palmer Streetscape  
Apportionment Costs

P. H.  
Con't.

On August 16, 2016 the apportionment of costs for each address and the Palmer Avenue Business District Streetscape Improvement plans were filed with the Village Clerk. The notices of that filing and the announcement of this public hearing were mailed to each property owner and published in the Journal News. The documents have been available in the Clerk's office at Village Hall since August 16, 2016 for review during regular business hours.

The purpose of the public hearing this evening is to take comment on the apportionment of costs by address that was filed on August 16, 2016. The Mayor asked if anyone would like to speak on the apportionment of costs by address.

Comments  
Hoffman, P.  
Brando, L.

Paul Hoffman owner of 1890 Palmer Avenue spoke to the Board on this matter. Mr. Hoffman stated he thought it was ridiculous to charge owners for the sidewalks. He cited empty storefronts and high rents make the assessment unfair. He added that the costs should be spread throughout the community.

Mayor Walsh reminded Mr. Hoffman, as it would with her home, sidewalks are the responsibility of the property owner.

Next to address the Board was Linda Brando, owner of 235-237 Larchmont Avenue. She asked how this assessment will be billed. The Mayor said property owners will receive a letter from the Treasurer's office offering the option of paying in one lump sum or over a 15 year period.

Ms. Brando stated that some of the work performed was better in some places than others. She then asked if someone were to trip and fall on the sidewalk, who would be sued, the owner or the Village? Mayor Walsh replied everybody.

RESOLUTION  
Close P. H.

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

**RESOLVED,** to close the Public Hearing.

Mayor Walsh said the final assessment and apportionment of costs will be filed in the Village Clerk's office.

Trustee Reports

Trustee Fanelli gave the following report.

1. Thanks to the Professional Fire Fighters for showing the movie Zootopia in Flint Park last Saturday night. Over 100 were in attendance.
2. The Larchmont 125<sup>th</sup> Celebration will come to an end this weekend. Events begin on Friday evening and continue through Sunday. For a complete list go to the Village website.

Trustee Miller made the following report.

1. The Library transformation has been completed. The Mayor and I were given a brief tour. Along with the rooms being more open and spacious, there is a coffee and lap top bar. Official opening will be this Saturday at 11:00 AM.
2. The Recreation Committee will be meeting on October 6<sup>th</sup> at 7:30 PM. Anyone interested volunteering for the committee please contact Village Hall.
3. The Ragamuffin Parade will take place on Saturday, October 22<sup>nd</sup> with the rain date of October 27<sup>th</sup>. Line-up is at 12:30 PM on the corner of Larchmont and Palmer Avenues and starts at 1:00 PM and ends at Village Hall with a DJ and hot dogs supplied by the Fire Department.

Trustee Reports  
Con't.

Trustee Frouman gave the following report.

1. The Technology Committee met this past Tuesday to discuss ways to improve the website that would allow departments to add forms.
2. Congratulations to MHS student Lucie LeBlanc who worked this summer as an intern for the committee for receiving the Westchester Women in Technology Award. It will be presented to her at a luncheon in October.

Treasurer Brucciani gave the following report.

Treasurer's Report

1. There are two resolutions submitted for Board approval. The 2016 Court Audit and the 2016-17 Snow and Ice Agreement.

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

**RESOLUTION**  
Auth. Treasurer to  
Submit the 2016  
Court Audit

**RESOLVED,** to authorize the Treasurer to submit the 2016 Court Audit to the New York State Unified Court System in accordance with Section 2019-a of the Uniform Justice Court Act.

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

**RESOLUTION**  
Auth. Mayor &  
Treasurer to execute  
2016-17 Snow & Ice  
Agreement

**RESOLVED,** to authorize the Mayor and Treasurer to execute the 2016-17 Snow and Ice Agreement with the New York State Department of Transportation.

2. On September 16, 2016, the Village renewed a Bond Anticipation Note in the amount of \$1,624,650 (renewal money) that matured on the same date, subsequent to a requisite pay-down in principal of \$80,000, thereby decreasing the original principal amount outstanding on the Note from \$1,704,650.
3. On September 23, 2016, the Village will renew a Bond Anticipation Note in the amount of \$970,000 (renewal money) that will mature on this same date.
4. The Village needs to consider a Serial Bond Issue by the end of 2016 calendar year or the beginning of 2017. All near-term bond resolutions should be finalized as soon as possible or practicable to do so.

Administrator's Report

Administrator Datino made the following report.

1. There are two resolutions submitted for Board approval. The Collective Bargaining Agreement with AFSME Local 1735 and the Supplemental Appropriations 2016-17 Capital Fund Budget/ Constitution Park.

**RESOLUTION**

Auth. AAdministrator to Execute the CBBA w/ AFSME for 6/1/16-5/31/2019

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

**WHEREAS**, the Village of Larchmont ("Village") and American Federation of State, County and Municipal Employees Local 1735, Council 66 ("AFSCME") are parties to a Collective Bargaining Agreement that expired on May 31, 2016; and

**WHEREAS**, changes to the terms and conditions of employment were agreed upon by the parties and placed in the form of a Memorandum of Agreement dated August 3, 2016; and

**WHEREAS**, the membership of AFSCME ratified the terms and conditions contained in the Memorandum of Agreement on August 23, 2016; and

**WHEREAS**, the Memorandum of Agreement between the Village and AFSCME regarding the terms and conditions of employment for the period June 1, 2016 through and including May 31, 2019 is being presented for approval by the Village of Larchmont Board of Trustees; now therefore be it

**RESOLVED**, that the Memorandum of Agreement between the Village and AFSCME dated August 3, 2016 regarding the terms and conditions of employment for the period June 1, 2016 through and including May 31, 2019 is hereby approved; and be it further

**RESOLVED**, that the Village Administrator is hereby authorized to execute a Collective Bargaining Agreement for the period June 1, 2016 through and including May 31, 2019 between the Village and AFSCME incorporating the terms and conditions of said Memorandum of Agreement.

**RESOLUTION**

Auth. transfer \$12,500 gift to Capital Fund for Constitution Park- Phase 1 & \$25,000 transferred to Fiscal Yr.2016-17 for same

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

**WHEREAS**, the Village Board adopted a Capital Budget for the 2016-2017 fiscal year, those projects with a funding source identified as "gift" would only move to construction if the gift funds were received; and

**WHEREAS**, Celebrate Larchmont Inc. was formed as a non-profit organization, with a mission to promote and foster community events that recognize and commemorate the 125<sup>th</sup> anniversary of the incorporation of the Village of Larchmont; and

**WHEREAS**, through their efforts Celebrate Larchmont Inc. has raised and gifted \$12,500 to the Village to be used toward the renovation and improvements of Constitution Park, a legacy project that has been acknowledged and approved by the Village Board; and

**WHEREAS**, the Department of Public Works has implemented operational changes in the collection of organic material that are anticipated to save the Village approximately \$25,000 this fiscal year, staff recommends that said savings be applied to the Phase 1 work of Constitution Park; now therefore be it

**RESOLVED**, that the \$12,500 gift proceeds be credited to the Capital Fund Budget Account “Constitution Park – Phase 1”; and be it further

**RESOLVED**, that \$25,000 be transferred to the Fiscal Year 2016-2017 Capital Fund Budget Account “Constitution Park – Phase 1”, in an account to be established by the Village Treasurer, as specified below.

<u>2016/17 Fiscal Year</u>	<u>Adopted</u>	<u>Modified</u>
A-8510.4275.0 Composting -	\$100,000 (\$25,000)	\$75,000
A-9900.9950.0 Trans to Cap. -	\$480,500 25,000	\$505,500

Mayor Walsh stated for the last several months the Village Board and the Village as a whole has made an extensive review of our land use code, certainly in relation to recent development trends that have been taking place in the Village. A professional Planning Consultant was hired to help in the review and made determinations, suggestions and recommendations to the Village Board.

Mayor’s Statement  
Proposed Local Laws

The Village Board over the course of the summer, held many open collaborative public meetings between this Board, Planning Board, Planning Consultant Mr. Priess, Village Land Use Board members and many members of the community to develop draft revisions of the Village Code. The result is the proposed local laws that this evening, Mayor Walsh is presenting before everyone to set forth a public hearing. The 17 draft local laws represent the most comprehensive overhaul of residential zoning regulations in over 40 years. The draft proposed Local Laws have been placed on the Village’s website for review.

Mayor Walsh read each of the 17 draft resolution titles.

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

**RESOLUTION**  
Set Public Hearing for 10/17/2016 to review Proposed Local Laws

**WHEREAS**, the Board of Trustees of the Village of Larchmont adopted Local Law # 1-2016, establishing a temporary moratorium on certain land use applications, which moratorium was extended by Local Law # 6-2016; and

**WHEREAS**, Village officials and the Village’s planning and engineering consultants, attorneys, and staff have been reviewing and revising the land use regulations of the Village of Larchmont; and

**RESOLUTION**

Set Public Hearing for  
10/17/2016 to review  
Proposed Local Laws  
Con't.

**WHEREAS**, the Board of Trustees is considering the enactment of these revisions, and such enactment must be done by local law,

**NOW, THEREFORE, BE IT RESOLVED,**

that Public Hearings are 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 Monday, October 17, 2016, at 7:30 p.m. to review the following proposed local laws;

- Local Law to move the Separate Site Plan Approval & Subdivision of Land Chapters of the Village Code into the Zoning Law
- Local Law to strengthen stormwater management controls during & following the development
- Local Law to amend Chapter 263 of Village Code to regulate and strengthen the protection of trees in parks and on streets
- Local Law to amend the Zoning code regarding tree removal, preservation, and planting in connection with subdivision and site plan approval
- Local Law to amend the Zoning Law by establishing maximum gross residential floor area ratios for one-family dwellings within certain districts and by requiring increased setbacks under certain circumstances
- Local Law to amend the Zoning Law by establishing limitations on lot coverage in certain zoning districts
- Local Law to revise the Zoning Law by regulating the location and dimensions of retaining walls and the land surrounding them
- Local Law to amend the Zoning Law by establishing limitations on placement and noise impacts of generators & HVAC (heating, ventilating, and/or air conditioning) equipment in certain zoning districts
- Local Law to amend the Zoning Law by establishing standards for the location and dimensions of single and shared driveways in certain districts
- Local Law to amend the Zoning Law by adding regulations concerning changes of grade and soil movement
- Local Law to amend the Zoning Law by establishing regulations concerning mechanical rock excavation and additional regulations concerning rock blasting
- Local Law to amend the Zoning Law to tighten the regulations of demolitions
- Local Law to amend the site pan regulations of the Zoning Law by prohibiting
- site plan approval for proposed demolition that is subject to additional zoning regulations
- Local Law to amend the subdivision regulations of the Zoning Law by revising the definition of subdivision, adding provisions concerning lot arrangement and dimensions and ensuring consideration of the land's character

- Local Law to amend the Zoning Law by increasing coordination among the Village’s land use boards
- Local Law to amend Zoning Law provisions concerning fees and establishing the requirement of escrow accounts for consultant fees
- Local Law to amend the grandfathering provisions of the Zoning Law following amendments

**RESOLUTION**

Set Public Hearing for 10/17/2016 to review Proposed Local Laws Con’t.

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 Komar, and unanimously carried, the following resolution was adopted:

**RESOLUTION**

Board of Trustees  
SEQRA & EAF  
Proposed Local Laws

**WHEREAS**, the Village of Larchmont Board of Trustees is considering the enactment of the following proposed Local Laws:

- Local Law to strengthen stormwater management controls during & following the development
- Local Law to amend Chapter 263 of Village Code to regulate and strengthen the protection of trees in parks and on streets
- Local Law to amend the Zoning code regarding, tree removal, preservation, and planting in connection with subdivision and site plan approval
- Local Law to amend the Zoning Law by establishing maximum gross residential floor area ratios for one-family dwellings within certain districts and by requiring increased setbacks under certain circumstances
- Local Law to amend the Zoning Law by establishing limitations on lot coverage in certain zoning districts
- Local Law to revise the Zoning Law by regulating the location and dimensions of retaining walls and the land surrounding them
- Local Law to amend the Zoning Law by establishing limitations on placement and noise impacts of generators & HVAC (heating, ventilating, and/or air conditioning) equipment in certain zoning districts
- Local Law to amend the Zoning Law by establishing standards for the location and dimensions of single and shared driveways in certain districts
- Local Law to amend the Zoning Law by adding regulations concerning changes of grade and soil movement
- Local Law to amend the Zoning Law by establishing regulations concerning mechanical rock excavation and additional regulations concerning rock blasting
- Local Law to amend the Zoning Law to tighten the regulations of demolitions
- Local Law to amend the site plan regulations of the Zoning Law by prohibiting site plan approval for proposed demolition that is subject to additional zoning regulations
- Local Law to amend the subdivision regulations of the Zoning Law by revising the definition of subdivision, adding provisions concerning lot arrangement and dimensions and ensuring consideration of the land’s character and

**RESOLUTION**

**Board of Trustees  
SEQRA & EAF  
Proposed Local Laws  
Con't.**

**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 laws to various governmental entities,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board of Trustees of the Village of Larchmont determines that the proposed actions, i.e., the enactment of the proposed local laws listed above, are unlisted actions under SEQRA, and issues the Environmental Assessment Forms in connection therewith; and be it further

**RESOLVED** that Village staff is directed to refer all proposed Local Laws to other governmental entities in accordance with applicable laws and regulations.

A question came from the audience about what will happen when the moratorium expires on October 15<sup>th</sup>. Attorney Staudt replied that there is a provision in the Zoning law that allows a 90 day moratorium from tonight.

**RESOLUTION**

**Board of Trustees directs staff to  
refers the  
Proposed Local Laws  
To government agencies**

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

**WHEREAS**, the Village of Larchmont Board of Trustees is considering the enactment of the following proposed Local Laws;

- Local Law to move the Separate Site Plan Approval & Subdivision of Land Chapters of the Village Code into the Zoning Law
- Local Law to amend the Zoning Law by increasing coordination among the Village's land use boards
- Local Law to amend Zoning Law provisions concerning fees and establishing the requirement of escrow accounts for consultant fees
- Local Law to amend the grandfathering provisions of the Zoning Law following amendments and

**WHEREAS**, the adoption of these local laws will not affect the environment; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED** that Village staff is directed to refer all proposed Local Laws listed above to other governmental entities in accordance with applicable laws and regulations.

Mayor Walsh asked if there were those who wished to address the Board. Cheryl Brock, Anna Schwatka, Paul Hoffman and Stacey Caffrey spoke on the following subjects: Historic preservation and the Board's commitment to it, the effect of the proposed laws on current subdivisions projects and how it could affect future sales of homes.

Comments  
Brock, C.  
Schwatka, A.  
Hoffman, P.  
Caffrey, S.

Mayor Walsh said that at a public meeting, a discussion of recent tear downs led to the conclusion that not many would have met the criteria for being historic. This is why the Board prioritized changes that would affect homes to be built on historic preservation. The Board's preliminary consensus is that a survey should be done which might designate historic districts, area or sites. Then a community meeting should be held to get further input from residents. She added just because the moratorium expires does not mean the process of review ends.

Mayor's Comments

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

**RESOLUTION**  
Approve minutes  
8/15/2016

**RESOLVED**, to approve the minutes of the meeting held on August 15, 2016.

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

**RESOLUTION**  
Approve work  
session minutes  
8/22/2016

**RESOLVED**, to approve the minutes of the work session held on August 22, 2016.

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

**RESOLVED**, that Abstract Audit Voucher # 4, dated September 19, 2016 in the amount of \$938,986.62, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Miller.

On motion of Trustee Fanelli, seconded by Trustee Komar, and unanimously carried, the meeting adjourned at 8:35 PM.