

Minutes of a Regular Meeting
Board of Trustees of the
Village of Larchmont held on
Tuesday March 21, 2017

PRESENT: Mayor Lorraine Walsh
Deputy Mayor Carol Miller
Trustee Peter Fanelli
Malcolm Frouman

ABSENT: Trustee Komar

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

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:38 PM.

The Mayor reminded everyone that today is Election Day and that the meeting will adjourn before 9:00 PM to await the return of votes.

Election Day

Mayor Walsh made the following announcements.

Mayor's
Announcements

1. Congratulations to Finance and Budget Committee Chair, Paul Silverman for receiving the Caplan Award for exemplary service.
2. Condolences to the family of Trudy Griffith who worked in the Treasurer's office for 18 years.
3. For the 35th straight year Larchmont has been named Tree City. Thanks to the Parks and Trees Committee and the DPW for all their work maintaining and planting trees in the Village.

Mayor Walsh read the following statement.

Mayor's Statement
Enforcement of
Federal Immigration
Law

The Village of Larchmont would like to clarify our policies and practices for protecting the safety of our residents. The following statement, originally issued by the Town Supervisor and Council, is presented by the Larchmont Board of Trustees with the support of the Larchmont Chief of Police.

President Trump issued an executive order regarding immigration that raises questions on the coordination between Federal Authorities and local police departments. The Village of Larchmont Police Department has not in the past, nor will it, inquire about an individual's immigration status. Enforcement of Federal immigration law is the responsibility of the Federal Government and its various enforcement agencies.

The Village of Larchmont has always been and will continue to be a community of diversity that protects the rights of all of its residents, regardless of their origin. Our Police Department's practices are designed to promote mutual respect and to maintain an open dialogue with the community. This is why we do not believe that immigration enforcement is the role of the Village. The Village will, however, coordinate with federal authorities to apprehend those individuals, regardless of their immigration status, who threaten the safety of our community.

RESOLUTION

Open Public Hearing on
Proposed L.L.
Property Tax Levy

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

RESOLVED, to open the Public Hearing to consider a local law authorizing a property tax levy in excess of the limit established in General Municipal Law.

Mayor Walsh stated every year with the budget, there is always a possibility that it could exceed the tax cap put in place by the state. For the budget to be approved a public hearing is scheduled and a local law would have to be adopted.

RESOLUTION

Adjourn P. H. to
4/3/2017

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

RESOLVED, to adjourn the public hearing to April 3, 2017 at 7:30 PM.

RESOLUTION

Open Public Hearing o
Proposed L.L.
Amend Zoning Law
Rock Exavation

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

RESOLVED, to open the Public Hearing to take comment on amending the Zoning Law by revising regulations concerning mechanical rock excavation.

Mayor Walsh said this law was referred to Westchester County Planning, the Village Planning Board, the Village Engineer and the CZMC for comments and opinions. All with the exception of CZMC sent letters of reply but without CZMC letter, this law cannot be approved tonight. The Village also received two letters from Silverberg/Zalantis, the law firm representing the owner of 40 Ocean Avenue and a letter from Site Design Consultants (engineer for owner of 40 Ocean Avenue).

Comments

Steven Silverberg of Silverberg/Zalantis was next to address the Board. Mr. Silverberg asked the Board to amend the law as it is currently written, to give the building inspector more leeway to grant an extension of a permit in case the contractor hits a snag.

RESOLUTION

Adjourn P. H. to
4/3/2017

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

RESOLVED, to adjourn the public hearing to April 3, 2017 at 7:30 PM.

Chief Poleway gave the following report.

Police Chief's Report

1. Just a reminder that Village Code 245 subsection 11 requires snow to be removed from sidewalks within 24 hours by those that have control over properties within the confines of the Village. The code states that "Snow shall be removed, by the owner, lessee, occupant or person having charge or control of the abutting premises, from all sidewalks or continuations thereof, whether flagged, concreted or otherwise laid or unlaed, so as to leave a free, continuous passageway for a width of at least three feet, within 24 hours of the time it shall cease to fall. Upon the failure of the party or parties responsible so to do, the Village may cause the same to be removed and the cost thereof assessed against the abutting property.
2. There continue to be reports where parked vehicles are being entered overnight and property is being removed. There were also two vehicles that were stolen in the past three weeks out of driveways. In each instance, every vehicle was unlocked and the two stolen vehicles had the key fobs inside of them. I would like to remind our residents to remove their valet keys and to please refrain from leaving valuables or electronic equipment in plain view inside their vehicle and to always lock their vehicles at all times when parked regardless of the length of time the vehicle will be unattended.
3. As you are aware, there is a medication disposal box located in the lobby of Village Hall to safely discard of unused or expired medications. I just wanted to remind everyone that there are certain items that are not supposed to be left in the drop-box and they include: Hydrogen peroxide, thermometers, inhalers, needles, medications from businesses or clinics, aerosol cans, and ointments, lotions, or liquids. There was an incident in another jurisdiction in which a police officer was emptying the contents of their drop-box and he came in contact with liquid morphine which caused a severe reaction that required him to seek immediate medical attention. The officer is now fine but it shows what can happen when prohibited items are placed inside the medication disposal box. There is a listing of accepted and prohibited items right on the drop-box if you are unsure if an item can be deposited or not.
4. Starting in April, our village police cars will have an Autism Awareness patch affixed to them for the duration of the month. This effort was initiated by 'The New Rochelle Autism Patch Challenge' that was started by the New Rochelle PBA on February 9, 2017. It was created by a New Rochelle detective and PBA president who is the father of an Autistic child. The primary goal of the Autism Patch Challenge is to promote Autism awareness in every community throughout the country by attaching a custom Autism Awareness Police Patch to at least one patrol car within each community's police department during the month of April. On April 2, 2017 the world will celebrate Autism Awareness Day and on that day it is our hope that the world will see that America's police departments joined forces to demonstrate its' continued support and love for all those living with Autism. Sergeant Paprota first presented me with the idea of Larchmont participating in this endeavor after he was challenged by a friend of his in the New Rochelle Police Department. Sergeant Paprota is now supposed to pay this effort forward by challenging three more police departments to participate so we wish him luck in this very worthwhile cause.

Police Chief's Report
Con't.

5. Over the last month the police department has responded to a total of 33 burglar alarms, 20 motor vehicle accidents, 26 aided cases, and 159 other calls for service. There were also 12 arrests during that period of time resulting in 16 misdemeanor charges mostly pertaining to the NYS Vehicle and Traffic Law.
6. Finally, 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 but report it immediately to the Larchmont Police Department at (914)-834-1000 or simply dial 911.

Treasurer's Report

Treasurer Brucciani made the following report.

Tonight before the Board is a Bond Resolution for the Sanitary Sewer Evaluation Study that has been mandated.

Attorney Staudt stated that the Board should amend the language of the document to say "and or related repair work".

On motion of Trustee Fanelli, seconded by Trustee Frouman, and unanimously carried, the roll call vote on the resolution, with the amended wording, was as follows:

AYES: Mayor Walsh, Trustee Miller,
Trustee Fanelli, Trustee Frouman

NAYS: None

ABSTAINS: None

BOND RESOLUTION DATED MARCH 21, 2017.

A RESOLUTION AUTHORIZING THE COST OF A SANITARY SEWER EVALUATION STUDY AND OR RELATED REPAIR WORK, IN AND FOR THE VILLAGE OF LARCHMONT, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$500,000, AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

RESOLUTION
Auth. Bonds
Sanitary Sewer
Evaluation Study

Admistrator's
presentation
2017-18 Budget

Administrator Datino made the following presentation.

Administrator Datino said the process of developing the 2017-18 Village Budget began last December with a kickoff meeting between the Administrator and Village staff. Budget meetings continued in January and through March. In February the Board met individually with the Police, Fire, Library and DPW because of the scope of their budgets.

Administrator Datino then began a slide presentation that reviewed budget items such as:

Proposed tax increase, tax roll not at full value and the percentage of Village taxes paid as opposed to Town, County and Schools and other topics related to the budget.

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

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 on Monday, April 3, 2017, at 7:30 PM to take comment on the 2017-2018 Tentative Budget; and be it further

RESOLVED, that the Village Clerk is hereby directed to advertise said Public Hearing.

On motion of Trustee Miller, seconded by Trustee Frouman, 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 the public, staff developed a Village-wide Fees and Charges Schedule; and

WHEREAS, on an annual basis, the Village reviews its schedule of Fees and Charges and compares the services 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 2017-18 Village-wide Fees & Charges Schedule at their February 27, 2017 and March 6, 2017 work sessions and supported the proposed fee changes; now therefore be it

RESOLVED, that the 2017-18 Village-Wide Fees & Charges Schedule, dated March 20, 2017, attached hereto and made a part hereof, is herein adopted effective immediately; 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.

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

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 on Monday, April 17, 2017, at 7:30 PM to take comment on a local law to amend the license fees section of the peddlers and solicitors section of the Village Code; and be it further

RESOLVED, that the Village Clerk is hereby directed to advertise said Public Hearing.

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

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 on Monday, April 17, 2017, at 7:30 PM to take comment on a local law to amend the Zoning Law by revising the minimum number of required off-street spaces for certain commercial uses; and be it further

RESOLUTION

Set Public Hearing for
4/3/2017
2017-18 Tentative Budget

RESOLUTION

Approve 2017-18
Fees & Charges
Schedule

RESOLUTION

Set Public Hearing for
4/17/17
Amend Peddlers &
Solicitors of Village Code
Licenses & Fees

RESOLUTION

Set Public Hearing for
4/17/17
Amend Zoning Law
Off-street parking spaces

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.

RESOLUTION

Remove Ch. A405
Water Rates & Charges
from Village Code

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

WHEREAS, via a resolution adopted on September 14, 1987, Chapter A405 (formerly A302), entitled "Water Rates and Charges," was appended to the Village Code; and

WHEREAS, Chapter A405 is out of date and redundant,

NOW THEREFORE BE IT RESOLVED, that Chapter A405 is hereby removed from the Village Code.

RESOLUTION

Amend Village Ch. A395
of Village Code
fireworks permit fees

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

WHEREAS, a resolution adopted on June 5, 1967, later amended on September 14, 1987, requiring permits for the public display of fireworks, was appended to the Village Code as Chapter A395; and

WHEREAS, section A-395-5, provides a specific filing fee for the fireworks permit application, and such fee was set in 1967,

NOW THEREFORE BE IT RESOLVED, that section A-395-5, entitled shall be amended to read as follows: "Each applicant shall pay a fee to the Village of Larchmont, such fee to be fixed by the Village Board from time to time."

RESOLUTION

Create Historic Preservation
Task Force

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

Whereas the Village of Larchmont determines that the historical, architectural and cultural heritage of the Village is among the most important assets of the Village and,

Whereas it is in the public interest of this Village to engage in a comprehensive community-oriented review for the consideration of historic preservation processes and legislation,

Now, therefore be it resolved, that the Board of Trustees hereby creates the Historic Preservation Task Force (HPTF) according to the following guidelines:

The HPTF will have seven (7) members who will be appointed by the Mayor with the approval of the Board of Trustees

And,

To the extent possible, the HPTF membership shall be required to have the following qualities:

- (1) at least one shall be an architect;
- (2) at least one shall be a historian;
- (3) at least one shall be a state-licensed real estate professional;
- (4) at least one shall have demonstrated significant interest in and commitment to the field of preservation planning as evidenced either by involvement in a local or regional historic preservation group, employment or volunteer activity in the field of preservation planning, or other serious interest in the field;
- (5) one shall be a member of the Larchmont Board of Trustees;
- (6) all members shall have a known interest in historic preservation and planning within the Village of Larchmont; and,
- (7) shall be a geographic cross-section of residents in the community.

And,

The HPTF will have the following objectives:

- Conduct research on existing historic preservation legislation, commissions, historic districts and sites within Westchester County
- Identify and inventory “features and objects” within Larchmont Village having historic interest or value
- Identify and contact historic preservation resources
- Research studies describing the potential effects of historic designation on a community
- Identify and conduct community outreach and engagement programs, including, but not limited to community surveys of attitudes and concerns regarding historic preservation
- Create preliminary recommendations for the consideration of the Board of Trustees
- If necessary, conduct community outreach regarding recommendations and assist Board of Trustees in the implementation of said recommendations

And,

The HPTF will stay in place for a term of one year and can be renewed by a vote of the Board of Trustees

And,

It is expected that the HPTF will conduct the review in an open and objective manner; to consider all the benefits and risks; and to respect the reasonable opinions of all sides; and ultimately to recommend a course of action which is in the best interests of the Village and the majority of residents.

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

RESOLVED, to appoint Mauri Tamarin as Chair of the Historic Preservation Task Force.

RESOLUTION

Tamarin, M.

Chair, Historic

Preservation Task Force

RESOLUTION

Auth. AAdministrator
Execute agreement w/
Woodard & Curran
Byron Pl. Water Tanks

On motion of Trustee Miller, seconded by Trustee Fanelli, 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 installed in 1925 and 1951 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 included the replacement water storage tanks, upgrades to the pumping station and new water meters; and

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

WHEREAS, an initial bond authorization was previously approved by the Village Board on January 14, 2013 and a subsequent bond authorization was approved on November 21, 2016 to provide adequate funding for the construction of the aforementioned projects; 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 replacement of the Byron Place water storage tanks at a meeting on February 13, 2017, said construction is scheduled to commence on or about April 3, 2017; and

WHEREAS, Woodard & Curran have provided the Village with a proposal for the 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 \$105,000 for the services outlined in the Project Schedule and Fee Proposal; and be it further

RESOLVED, that the \$105,000 cost of the construction administration be charged to the appropriate Capital Budget Account associated with this project to be determined by the Village Treasurer.

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

WHEREAS, the Village of Larchmont Board of Trustees approved an Intermunicipal Agreement with Westchester County on July 20, 2015, the terms of the agreement include specific obligations with regard to the Village performing a sewer system evaluation study (SSES) of the sanitary system and subsequent repairs if defects are identified within the system; and

WHEREAS, the Town of Mamaroneck, City of New Rochelle and the Village of Pelham Manor (hereinafter, Municipal Consortium or MC) are within the New Rochelle Sanitary Sewer District and parties to the same agreement with Westchester County; and

WHEREAS, the MC recognizes the economies of scale to be realized in cooperating together to meet the requirements set forth in the agreement with Westchester County; and

WHEREAS, since each municipality must perform a SSES of their sanitary sewer system within the New Rochelle Sanitary Sewer District the MC sought to retain a single firm to complete a district-wide SSES; and

WHEREAS, the MC entered into an Intermunicipal Agreement to share the cost of the selection and oversight of a firm to perform the SSES on April 18, 2016; and

WHEREAS, the SSES contract was awarded to GHD Consulting Services Inc. on August 15, 2016, since that time the field work has progressed on schedule and preliminary reports have identified many problems within the Village's sanitary sewer system which will be costly to repair; and

WHEREAS, the New York State Water Infrastructure Improvement Grant program is a potential funding source to offset the cost of repairs and New York State Assemblyman Steve Otis has encouraged the Village to apply for assistance with the sanitary sewer repairs; and

WHEREAS, it is expected that an application from the MC will be looked upon favorably by the New York Environmental Facilities Corporation, the State agency administering the grant program, since the MC has made a great effort to share services and achieve economies of scale; and

WHEREAS, GHD has the necessary information and is prepared to complete engineering report and the grant application for the MC for a lump sum fee of \$46,500, based on the cost sharing formula set forth in the IMA the Village's share is \$3,115.50; and now therefore be it

RESOLVED, that the Village Administrator is authorized to execute a professional services agreement with GHD Consulting Services Inc., 150 Grand Street, White Plains, NY 10601 in the amount of, \$3,115.50 for the services outlined in the Cost Estimate; and be it further

RESOLVED, that the Village Administrator is authorized to undertake any administrative acts required under the terms of the agreement and other acts as may be required to fulfill the grant application process.

RESOLUTION

Auth. **A**dministrator to enter into **a**greement w/ **G**HD **C**onsulting Services **N**YS **W**ater **G**rants

Work Session
Resolutions

Mayor Walsh announced resolutions adopted at recent work sessions.

Increase to Daily Railroad Station Meter Parking Fee to \$6.00 per day, effective 6/1/17.

Increase to 2017 Playing Fields Usage Fees, effective 6/1/17.

Approved Mud Run at Larchmont Reservoir on June 4th. Sponsored by the Sheldrake Environmental Center and the UFC Gym of Mamaroneck.

Appointment of Caroline Birenbaum as a member of the Committee on the Environment.

Approve Flint Park Camper & Spring/Summer Tennis Clinics run by New Rochelle Racquet Club. Registration info on the Village website.

Trustee Reports

Trustee Fanelli made the following report.

- 1. Thanks to the Fire Department for the Autism Speaks decals on the fire apparatus.

Trustee Miller gave the following report.

Recreation:

- 1. Tennis permits are on sale in the Clerk's office. Courts open on April 1st.

Library:

- 1. March 26th, author Daniel Barbarisi will read from his book Dueling with Kings.
- 2. April 9th, author Ariel Levy will read from her book Rules Do Not Apply

These events take place in the Village Center and are sponsored by the Friends of the Library and begin at 4PM, with refreshments at 3:30PM.

- 3. The 5th Annual Spelling Bee will take place on April 2nd at the Larchmont Temple.

Trustee Frouman stated that recent appointment to the Committee on the Environment, Caroline Birenbaum, will be a valuable asset to the committee.

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

RESOLUTION
Approve minutes
2/21/2017

RESOLVED, to approve the minutes of the meeting held on February 21, 2017.

RESOLUTION
Approve minutes of work session
2/21/17

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

RESOLVED, to approve the minutes of the work session meeting held on February 21, 2017.

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

RESOLUTION
Approve minutes of
work session
3/6/2017

RESOLVED, to approve the minutes of the work session meeting held on March 6, 2017.

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

RESOLVED, that Abstract Audit Voucher #11, dated March 21, 2017, in the amount of \$275,113.75, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Miller.

On motion of Trustee Miller, seconded by Trustee Frouman, and unanimously carried, the meeting went into recess at 8:55 PM

The meeting reconvened at 9:33 PM to poll the results of the election held this day.

Mayor Walsh spoke about outgoing trustee, John Komar, who is absent this evening because of a family matter. She said that she and Trustee Komar joined the Board at the same time. She will miss his valuable financial wisdom along with his sense of humor. The Board will honor him at a future date.

Mayor & Board comments
Trustee Komar

Trustee Fanelli congratulated Trustee Komar on his 6 years of service to the Village and added how he is a good listener and thinker.

Trustee Miller said she will miss Trustee Komar.

Trustee Frouman said that it was a pleasure to work with a fair and reasonable man like Trustee Komar.

Election Results
3/21/2017

Mayor Walsh announced the results of the election.

Trustees:

Malcolm Frouman - 158

Carol Casazza Herman - 173

Village Justice:

Thea Beaver - 169

Mayor Walsh congratulated Trustee Frouman on his first time running for office and congratulated Trustee-Elect Herman on joining the Board.

The Mayor congratulated Justice Beaver on her re-election and for her 20 years of service to the Village.

On motion of Trustee Frouman, seconded by Trustee Fanelli, and unanimously carried, the meeting adjourned at 9:43 PM.