

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, May 15, 2017

PRESENT: Mayor Lorraine Walsh
Trustees Carol Miller
Peter Fanelli
Malcolm Frouman
Carol Casazza Herman

ABSENT: None

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

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

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

RESOLVED, to appoint Svetlana Wasserman to the Committee on the Environment.

Next the Mayor welcomed the Mamaroneck High School AP economics class who competed in the Federal Reserve Bank of NY High School Competition. They placed third out of 60 teams that entered.

Mayor Walsh introduced teacher, Lauren Albert and presented her with a proclamation. She then presented certificates to the following students:

Mark Adamo
Alex Alma
Sophia Danziger
Evan Kreinces
Emily Renner
Stephan Rothman
Courtney Sawyer

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

RESOLVED, to open the Public Hearing on a proposed local law to establish payment in lieu of off-street parking.

The Mayor stated that this addition to the Zoning Law provides an opportunity for the Planning Board when reviewing commercial applications to make a decision with other departments and the Traffic Commission. When the parking requirements for that building are not readily reached, for reasons of topography or locations or siting of the plot and other options have been explored, in the past the applicant would be referred to the Zoning Board of Appeals. This addition would allow the Planning Board another option where the applicant would be referred to receive a waiver and make a payment in lieu of that parking. That money goes into a specific fund that can only be used for certain purposes. Mayor Walsh then read a portion of the proposed local law pertaining to the use of funds.

RESOLUTION

Wasserman, S.
Comm. on the
Environment

Mamaroneck **H**igh
School Students

RESOLUTION

Open **P**ublic Hearing
Payment in lieu
Off-**s**treet **p**arking
law

- (5) Use of funds. Monies in the account shall be used solely for the construction of a parking facility/facilities, transportation and vehicular traffic improvements, improvements to pedestrian and bicycle facilities, and similar transportation or mobility-related facilities or programs, as well as acquisition of real and personal property to effect such construction or improvements. Monies in the account may also be used for planning, feasibility, environmental, and other studies, and for professional fees, including, but not limited to, engineering and legal services, related to such studies, acquisition, construction, and improvements.

This proposed local law was referred to the Coastal Zone Management Commission, Westchester County Planning and an EAF was developed by Planning Consultant, Richard Preiss. It was also referred to the Village’s Planning Board. All have responded but as of this day, the Board has yet to receive a letter from the Village Planning Board.

The Mayor asked if there were any questions or comments on this proposed law. There were none.

RESOLUTION

Close P. H.

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

RESOLVED, to close the public hearing.

Mayor Walsh said this proposed law will be voted on at a later date.

RESOLUTION

Open Public Hearing
Explosives & Blasting
Law

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

RESOLVED to open the Public Hearing on a proposed local law to repeal and replace the explosives and blasting law of the Village of Larchmont.

Mayor Walsh said during the process changing were being the rock excavation law, it was discovered the blasting law was in need of updating.

The Mayor asked if there were any questions on this proposed local law. There were none. She added that Village resident, Bob Fletcher was instrumental in the development of this proposed law.

The Village’s consulting engineers, Woodard & Curran developed an EAF for this proposed local law and it was referred to the Coastal Zone Management Commission, Westchester County Planning and the Village Planning Board. CZMC and County Planning have replied but Village Planning has not.

RESOLUTION

Close P. H.

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

RESOLVED, to close the public hearing.

The Mayor said this proposed law will be voted on at a later date.

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

RESOLVED, to open the Public Hearing on a local law regarding requirements for sidewalk cafes.

RESOLUTION
Open Public Hearing
Sidewalk Cafes Law

Mayor Walsh read the modifications part of the proposed law. "The Village Board, by resolution and on a case-by-case basis, can modify or vary the requirements regarding sidewalk cafes provided in this Section 245-13." This allows the Board to make changes to revitalize the downtown business district.

The Mayor asked if there any questions regarding the proposed local law. There were none.

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

RESOLVED, to close the public hearing.

RESOLUTION
Close P. H.

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

RESOLVED, to adopt Local Law No. 5-2017, a local law regarding requirements for sidewalk cafes.

RESOLUTION
Adopt L. L. No. 5-2017
Sidewalk Cafes

Chief Poleway gave the following report.

Police Chief's Report

1. The Drug Enforcement Administration announced that Americans turned in 450 tons of prescription medications during the 13th annual National Prescription Drug Take Back Day. The DEA and thousands of partner agencies, including Larchmont and other local law enforcement departments, held the event on Saturday, April 29, offering people a chance to safely dispose of unneeded or outdated prescription medication. Drugs were accepted at approximately 5,500 sites nationwide.

In the midst of this worst-ever opioid epidemic, where nationally we're losing over 90 people a day, it's absolutely critical that we all get unused drugs out of homes and dispose of them safely at these Drug Take-Back events. Our event collected 44 pounds of medications and the total weight for the collection box for the month of March and April was 28 lbs.

Also related to this issue:

On May 9th, RADAR along with Mayor Rosenblum's Drug Committee and other community organizations held a community-wide meeting at Mamaroneck High School to bring awareness to the opioid epidemic that is spreading across the nation. Drug and alcohol expert, Mike Nerney, presented the latest information on substance abuse and helped to provide thoughts on prevention measures. Detective Sergeant Cristiano attended the event on behalf of the Larchmont Police Department and we will continue to monitor trends and provide safety information on this matter to the community as it becomes available.

Police Chief's Report
Con't.

2. As you are aware, bike lanes are now in place on Larchmont Avenue from Palmer Avenue to the manor. In an attempt to promote bicycle safety, the Village of Larchmont Recreation Department and the Larchmont Chamber of Commerce are sponsoring 'The Skull Patrol' in conjunction with the Larchmont Police Department. The Skull patrol is a program designed to encourage kids to wear bike helmets properly and it provides opportunities for positive interactions between police and school age children in our village. Patrol Officers will reward kids who are wearing their helmets properly by giving them "tickets" for donated items and they can be redeemed from local businesses within the Village. The redeemed tickets will then be collected and entered into a raffle for four new bikes and it will be held at the end of summer. This program provides positive reinforcement for children making proper safety decisions as it relates to bike riding and it has been well received thus far. I would like to remind all bicycle riders that the new bike lanes do not guarantee your safety simply because you are using them. Taking proper safety precautions and staying alert when riding are extremely important factors in preventing accidents and avoiding injuries.
3. Just a reminder that as of today – May 15th through September 15th – there is no parking on Park Avenue from Larchmont Avenue to the entrance of Manor Park on Saturdays, 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.
4. Thursday May 25th is the annual Larchmont Memorial Day Parade. It will begin promptly at 7:00 pm on Chatsworth Avenue near the intersection with Palmer Avenue. The parade route will continue for a short time on Palmer Avenue and will then proceed down Larchmont Avenue where it will end in front of Larchmont Village Hall. Once the parade has ended, Larchmont Avenue between Boston Post Road and Cherry Avenue will be closed to vehicular traffic. Residents and motorists should expect possible delays and temporary road closures as all of the participants gather and prepare to march and as the parade progresses. Please be patient and exercise caution when traveling within the Village on May 25th and seek alternative routes of travel, if possible.
5. June 1st, the use of gas powered leaf blowers within the confines of the Village of Larchmont is strictly prohibited. Village Code section 195.5 subsection (b) specifically states that between June 1st and September 30th "no person shall operate any gas powered leaf blower within the Village of Larchmont". Failure to obey and comply with these statutes is punishable by a court appearance ticket and a fine. For those residents that do not personally mow or maintain their lawn, I urge you to speak to your gardener or landscaper to ensure that they are aware of this law and in this way, compliance can be attained.

6. 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 call the Larchmont Police Department at (914) 834-1000 or simply dial 911. This concludes my report for this evening. Are there any questions?

Police Chief's Report
Con't.

Trustee Miller thanked the Chief and the Department for their efforts with the Skull Patrol. She asked how many of the tickets have the officers given out. Chief Poleway said he is not sure of the count but the response to the program has been positive especially the interaction between the children and the officers.

Trustee Miller said the Village has Deputy Prosecutors who work in the Village Court for vehicle and Traffic offenses. With Traffic Court becoming increasingly busier, it was decided to add 2 new prosecutors. A notice was placed on the Village website, resumes were submitted and interviews done.

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

RESOLUTION
Brancato, L.
Dep. Village Attorney

WHEREAS, pursuant to Chapter 17 of the Village Code, the Village Board by resolution may appoint one or more Deputy Village Attorneys; and

WHEREAS, the Village Code requires that a Deputy Village Attorney be member of the Bar of the State of New York, practice law for at least two years and reside within the Town of Mamaroneck; and

WHEREAS, Deputy Village Attorneys serve under the supervision of the Village Attorney and serve as Village Prosecutor in the Village's Justice Court; and

WHEREAS, Laura Brancato has expressed interest in serving the Village in this position and has demonstrated the knowledge and abilities required to perform the duties of Deputy Village Attorney; and now therefore be it

RESOLVED, that the Village Board hereby appoints Laura Brancato as Deputy Village Attorney of the Village of Larchmont, with a term to commence on May 15, 2017 and carry to the date of the 2018 Organizational Meeting of the Board of Trustees.

Trustee Herman made the following the following report.

Trustee Reports

1. Thanks to the Beautification Committee for the plantings around the Village. Also, a get well soon to Beautification Chair, Kaaren Marcato.

Trustee Reports
Con't.

Trustee Fanelli gave the following report.

1. Today was the Annual PBA Golf outing and fund raiser. Thanks to the PBA for a great day.
2. Bike lanes are opened. Some like them, some don't.
3. Concerts in the Park will begin with the Dixie Dandies on the Fourth of July in Manor Park. The list of the other concert dates and places are as follows:

- July 6th- Flint Park
- July 13th- Flint Park
- July 20th- Flint Park
- July 27th- Constitution Park

Trustee Miller made the following report.

1. May 6th was the return of the Tour de Larchmont. It was well attended with a DJ and talks about bike safety.
2. Tennis courts are opened and permits are on sale in Village Hall. Residents may also buy day and guests passes at the courts.
3. The Larchmont Run "Sprint to Flint" will take place on June 16th, with the 1 Mile Fun Run at 6:30 PM and the 5K at 7:15 PM.

Trustee Frouman gave the following report.

1. The Larchmont-Mamaroneck Summit will be discussing the new immigration laws at the Nautilus Diner, tomorrow at 7:45 AM.

RESOLUTION

Auth. **A**dministrator
To submit 2016-17
MS4 Stormwater
Report

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

RESOLVED, to authorize the Administrator to sign and submit the 2016-17 MS4 Stormwater Report to New York State.

RESOLUTION

Auth. **A**dministrator
to submit
application for **NYS**
Clean **W**ater **G**rant

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

WHEREAS, the Village of Larchmont is submitting an application for New York State Clean Water Infrastructure Intermunicipal Grant funds in June 2017; and

WHEREAS, eligibility for funding under this New York State program requires providing an environmental review pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board wishes to assume Lead Agency status in connection with the SEQRA review for the proposed application for funding for sanitary sewer system evaluation and related repairs; now, therefore be it

RESOLVED, that the Village Board hereby declares its intent to act as Lead Agency in connection with all processing, procedures, determination and findings to be made or conducted with respect to the Proposed Action including:

1. Review of Short Environmental Assessment Form Part 1 and Part 2 as it relates to the proposed grant funding for the sanitary sewer system evaluation and various repairs in the Village of Larchmont.
2. Adoption of a recommendation of a Type 2 action for the project.

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

RESOLUTION
**Lead Agency
NYS Clean Water
Grant**

WHEREAS, this Village Board declared itself the Lead Agency for the purposes of the environmental review of the Proposed Action relative to the application for the New York State Clean Water Infrastructure Intermunicipal Grant for a sanitary sewer evaluation study (SSES) and construction of repairs to various locations of sanitary sewer system in the Village of Larchmont; and

WHEREAS, the Village Board finds the Proposed Action to be an Unlisted Action pursuant to SEQRA; and

WHEREAS, the Village Board, as Lead Agency, reviewed the Proposed Action and prepared an EAF in conjunction therewith in accordance with the New York State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Village Board, as Lead Agency, based on the above-described environmental review and the contents of the EAF, hereby determines that the Proposed Action will not have a significant effect on the environment and hereby issues a Negative Declaration of Environmental Significance. An environmental impact statement shall not be required

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

RESOLUTION
Auth. Treasurer to
collect Property Taxes

RESOLVED, to authorize the Treasurer to collect Property Taxes in the amount of \$14,236,759.01, 2017-18 Boston Post Road Streetscape Assessment in the amount of \$31,999.27, 2017-18 Palmer Avenue Streetscape Assessment in the amount of \$33,747.97, Water Fund Arrears as of 5/5/2017 in the amount of \$138,604.27, Sewer Fund Arrears as of 5/5/2017 in the amount of \$2,919.30 and Alarm Arrears in the amount of \$16,680.00.

Mayor Walsh announced resolutions that were adopted at the work session held on 5/8/17.

**Work Session
Resolutions**

1. Increase of Temporary Parking Permit Fees
2. 2017 Flint Park Day Camp Staff Salaries
3. Increase in Solicitor Permit Fees
4. Minutes of April 17, April 24 & Work Session April 24
5. Village Center Agreement

Gottfried, M.

Michael Gottfried of 16 Ocean Avenue was next to address the Board. Mr. Gottfried has been a volunteer working on the Village water fund for many years. Some of the topics he spoke on were:

Water Fund Estimates
Capital Improvements
Recent Water Meter Replacement Project
Billing Cycles
Improvement of the Collecting of Funds
Leak Closures
Rain Sensors on Sprinklers

Mayor Walsh thanked Mr. Gottfried for his efforts and comments.

Rothman, R.
Rubin, J.
Traffic Commission

Next Traffic Commission Co-Chairs Rob Rothman and Jay Rubin addressed the Board on two openings on the Commission. They asked if a notice about the vacancies could be posted on the Village website. The Mayor said there will be a notice on this subject posted to the website and thanked Mr. Rothman and Rubin.

RESOLUTION
Approve work session
Minutes 5/8/2017

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

RESOLUTION, to approve the minutes of the work session held on May 8, 2017.

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

RESOLVED, that Abstract Audit Voucher #13, dated May 15, 2017, in the amount of \$347,727.85, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Herman.

On motion of Trustee Miller, seconded by Trustee Frouman, and unanimously carried, the meeting was adjourned at 8:50 PM.