

Regular Meeting of the  
Board of Trustees of the  
Village of Larchmont held on  
**Monday, August 17, 2015**

**PRESENT:** Mayor Anne McAndrews  
Dep. Mayor Lorraine Walsh  
Trustees Marlene Kolbert  
John Komar  
Peter Fanelli

**ABSENT:** Treasurer Brucciani

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

Mayor McAndrews welcomed all in attendance and called the meeting to order at 8:03 PM.

Mayor McAndrews made the following announcements.

**Mayor's Announcements**

1. Thanks to the DPW for building the desk extension and painting the dais.
2. The Chamber of Commerce is sponsoring "Date Night in Larchmont" on August 27. One was held in June and was a big success.
3. Merchant Sidewalk Sales will be held on September 10, 11 & 12.

The Mayor stated that there is a public hearing scheduled for tonight's meeting to amend the Village Code regarding leaf blowers. Currently the code says from October 1 to April 30 for the hours when leaf blowers are allowed to be used. When the law was last amended in 2005, the month of May was left out. Tonight's public hearing is to correct that omission.

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

**RESOLUTION**

Open Public Hearing

**RESOLVED,** that the Public Hearing to amend Section 195 of the Village Code, Motorized Gardening Equipment and Leaf Blowers, was opened.

Michael Gottfried of 16 Ocean Avenue spoke to the Board on this law. Mr. Gottfried stated there was no need for a public hearing for what was a typo. Since the public hearing has been called, this is a good opportunity to amend the entire law.

Mayor McAndrews said this public hearing was done as a quick fix and she assured Mr. Gottfried the Board will revisit this law soon to deal with construction noise.

Trustee Kolbert said the effect of leaf blowers on people goes further than just noise. Those with asthma and other breathing related health issues are at risk by the use of leaf blowers.

Trustee Walsh added that leaf blowers use adds large amounts of pollen and dust into the air.

The Mayor thanked Mr. Gottfried for his comments on this issue.

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

**RESOLUTION**

Close Public Hearing

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

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

**RESOLUTION**

Amend language of Proposed Local law

**RESOLVED**, to change the language of the proposed local law to read "Section 195-5 shall be amended in its entirety to read as follows:"

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

**RESOLUTION**

Adopt Local Law 3-2015 Amending Village Code Section 195-5

**RESOLVED** to Adopt Local Law 3-2015, amending the Village Code, Section 195-5

*Section 1.* Section 195-5 shall be amended in its entirety to read as follows:

§ 195-5. Motorized gardening equipment and leaf blowers.

- A. No person shall operate within the Village of Larchmont any gardening equipment powered by an internal combustion engine, including but not limited to lawn mowers and leaf blowers on dates when leaf blowers are allowed to be operated, except at the following times:
  - (1) Monday through Friday, excluding holidays: between 8:00a.m. and 5:30p.m., except grass may be cut with an internal combustion engine lawn mower by an occupant of the premises where it is being cut on weekdays between the hours of 5:30p.m. and 8:00p.m.
  - (2) Saturday: 9:00 a.m. to 6:00 p.m.
  - (3) Sunday and holidays: 10:00 a.m. to 5:00p.m.
- B. Between June 1 and September 30, inclusive, of each calendar year, no person shall operate any leaf blower within the Village of Larchmont. Between October 1 and May 31, inclusive, no person shall operate any leaf blower within the Village of Larchmont except at the times specified in § 195-5A(1), 195-5A(2), and 195-5A(3) of this chapter.
- C. For purposes of this chapter, the term "leaf blower" shall mean any device powered by an internal combustion engine which is used or designed to move leaves, grass, clippings, dust, dirt or other matter by blowing them with air emitted by such device.

- D. Notwithstanding anything to the contrary herein, it shall be a violation hereof to operate any gardening equipment powered by an internal combustion engine in the Village of Larchmont without a properly functioning muffler.

Captain Rigano gave the Police Department report on behalf of Chief Poleway.

Police Chief's Report

1. The Westchester County Hazard Mitigation Plan final draft has been sent to NYS Department of Homeland Security. To view the plan go to; [www.westchesterhmp.com](http://www.westchesterhmp.com).
2. The "Click it or Ticket" program has resulted in over 25,000 tickets issued throughout the state. 20 tickets were issued the day of the Village Police checkpoint. Recent information shows that 92% of New Yorkers are now using seat belts.
3. Milling and paving will continue this week on Chatsworth Avenue, from Vanderburgh to North Avenue. There will be more milling and paving in September. Watch the Village website for more details.
4. The Palmer Avenue Streetscape Project is still ongoing. Residents should be prepared for traffic delays and changes to parking in the Village.
5. The fall brings hurricane season. Residents are advised to go to the Village's website and sign-up for the emergency notification system.
6. A bicycle stolen from the train station was recovered and the thief convicted. The owner has yet to come forth and claim his property. Anyone with information should call the Police Department at 834-1000.
7. Schools will be opening soon. Residents should be aware of children crossing the streets and parents should instruct their children on pedestrian safety.

Fire Chief's Report

Chief Caparelli Gave the following report.

1. 581 Alarms to date.
2. During the month of July the Fire Department conducted training evolutions at 3 different locations within the Village where homes were slated for demolition. Members were recertified in various skills necessary for their continued service to our residents. Both Career and Volunteer personnel gained valuable training hours on real life scenarios that could not be attained without the generosity of homeowners and developers who allowed us to use their sites prior to being demolished. I would like to thank them for their support.
3. The Volunteer staff participated in the annual BBQ held at the Blythedale Children's Hospital to benefit the children who reside or are patients of the hospital. The event was attended by personnel from all of the Sound Shore fire departments and was a huge success.
4. I am happy to report that the Larchmont Fire Department was awarded the 2014 AFG Equipment grant for Personal Protective Equipment, specifically new Air Packs and bottles, in the amount of \$ 170,000.00. This grant will allow the fire department to replace all of our Air Packs and bottles with new NFPA compliant air packs greatly increasing firefighter safety. I would like to thank Senators Gillibrand, Schumer and Latimer for their support in obtaining this much needed grant.

Fire Chief's Report  
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5. I am also happy to report that I have acquired through the OGS Federal Surplus Equipment program an 18 foot rigid hull inflatable water craft for use in our waterways. The only cost of the watercraft is a small administrative fee of \$ 200.00. Any repair and maintenance expenses will be covered under the annual fire department vehicle maintenance budget line. The LYC will allow us to keep the watercraft in the water at their facility for immediate use if the need arises at no cost. This water craft will allow the Larchmont Fire Department to respond to water related emergencies within our waters during such events as the annual Race Week and Swim Across America as well as emergencies on the water during the busy summer boating season. All operators of the water craft will be US Coast Guard certified and be equipped for both medical and fire related emergencies. This water craft adds another service we can provide to the residents of Larchmont and recreational boaters enjoying the waters along our shoreline.
6. Tower Ladder 7 is out of service due to a failure of the bucket leveling system. The bucket was replaced by Sutphen East Fire Apparatus about a month ago due to an accident that occurred. The bucket that was installed was not the exact replacement for the original bucket causing the leveling system to malfunction. They are currently making the necessary repairs and adjustments at their expense. While it is at their facility I am having all annual service completed as well as other needed repairs eliminating the need for it to return to their facility for such work. We should have it back for service this week.
7. All other apparatus are in service and all equipment is operational.

The Mayor asked Chief Caparelli when the new Rescue 1 will be delivered. The Chief said sometime in mid-September.

Next Mayor McAndrews gave Treasurer Brucciani's report in his absence.

On motion of Trustee Kolbert, seconded by Trustee Walsh, and unanimously carried, it was:

**RESOLUTION**

Auth. Mayor & Treasurer  
Execute the amended  
Snow & Ice agreement w/  
NYSDOT

**RESOLVED,** to authorize the Mayor and Treasurer to execute the New York State Department of Transportation document known as "Amendment B- Amendment to Change the Estimated Expenditure for Snow and Ice Agreement, 2014/15 Snow Season", for the purpose of establishing and reflecting the index adjustment amount due to the Village as a result of the severity of the past winter season at \$18,257.67, this amount is in addition to the original estimated expenditure amount of \$7,262.40 that the Village has received previously, the gross proceeds to be received for the 2014/15 Snow Season are \$25,520.07.

Trustee Fanelli made the following report.

Trustee Reports

1. On September 26<sup>th</sup> the 125<sup>th</sup> Anniversary Street Festival will take place along with Big Trucks Day and the Committee on the Arts Festival. Larchmont Avenue is the site for all three of these events.
2. Thanks to the Public Works Department for all their efforts this summer.
3. Mayor McAndrews and Trustee Fanelli met with the Chamber of Commerce to discuss the Palmer Avenue Streetscape Project. Everyone was pleased with the current rate of progress.
4. The Fire Department volunteers celebrated Christmas in August with the children at Blithedale Children's Hospital. The kids and the volunteers all had a great time.
5. Schools will be reopening soon so everybody please drive carefully.

Trustee Walsh gave the following report.

1. Mayor McAndrews, Trustee Walsh, Administrator Datino, DPW Foreman, Rick Vetere and members of the Parks and Trees Committee met to discuss the empty tree pits on Boston Post Road. Many of the trees were removed by Con Ed. Administrator Datino and Foreman Vetere are getting quotes for replacing the trees.
2. Seven trees in Pine Brook Park were reviewed by an arborist and will be removed soon.
3. The Parks and Trees Committee continue to meet with individuals on the condition of Dog Beach.

Trustee Kolbert made the following report.

1. The Leaf Blower Law is still in effect till September 30<sup>th</sup>.
2. The Village Board is considering participation in the Community Choice Aggregation (CCA) for the Village of Larchmont. This program may save residents money on their natural gas and electric bills. If a resident chooses not to participate they may opt out. The Board is asking for feedback from residents and they may do so by going to front page of the website and click "contact-us". There is another link that will direct you to the Sustainable Westchester website FAQ page on CCA.

Next Administrator Datino spoke about the proposed resolution to hire Angelo Nanna as the Project Manager for the Water Meter Replacement Program. Mr. Nanna has been in public service for over thirty seven years and has acted in the same position for the Town of Greenburgh, overseeing their water meter replacements.

**RESOLUTION**

Auth. **A**dministrator  
to execute agreement  
w/ **N**anna, A.  
Water **M**eter  
Replacement Project

On motion of Trustee Walsh, seconded by Trustee Komar, and unanimously carried, the following resolution was adopted pending a response from the Village insurer:

**WHEREAS,** the Village of Larchmont owns and maintains its own water distribution utility, which includes a pumping station, water storage tanks, miles of water pipes and water meters to track consumption for billing purposes; and

**WHEREAS,** in June of 2015 the Village Board approved a contract with Rio Supply Inc. to furnish, deliver and install water meters and related meter reading components for the entire water system comprised of approximately 1,700 water meters; and

**WHEREAS,** the Village wishes to engage the services of Angelo Nanna, to serve as the Project Manager of the Village's Water Meter Replacement project to ensure quality work and the timely completion of the project which is expected to commence on or around September 1, 2015; and

**WHEREAS,** Mr. Nanna has the particular experience and expertise to act as the Project Manager for this project due to his 37 year career in public service employment with the Town of Greenburgh, 25 years of which were with the Greenburgh Water District and the last 12 years as Deputy Commissioner of Public Works for the Town; and

**WHEREAS,** Rio Supply Inc. was awarded a contract by the Town of Greenburgh 2013 and the Town Board retained Mr. Nanna to serve as the project manager for the Town-wide replacement of nearly 10,000 water meters concluding on July 31, 2015; now therefore be it

**RESOLVED,** that the Village Administrator is herein authorized to execute the agreement with Angelo Nanna, in substantially the same form as attached hereto, in an amount not to exceed \$12,500 for the services outlined; and be it further

**RESOLVED,** that the cost of the services be charged to the appropriate Capital Budget Account as determined by the Village Treasurer.

The next proposed resolution Administrator Datino spoke on was for the partial tuition reimbursement for Firefighter, Daniel Rosenburger in the amount of \$3,200. The Collective Bargaining Agreement between the Village and the Larchmont Professional Fire Fighters Association provides partial tuition reimbursement for successful completion of courses.

**RESOLUTION**

Approve **t**uition  
reimbursement  
**R**osenberger, D.  
**F**ire Dept.

On motion of Trustee Kolbert, seconded by Trustee Fanelli, and unanimously carried, the following resolution was adopted pending successful completion of courses:

**WHEREAS,** the Village of Larchmont (Village) and the Larchmont Professional Fire Fighters Association (LPFFA) are parties to a Collective Bargaining Agreement (CBA); and

**WHEREAS,** Article 13 Section 1(b) of the CBA provides for partial tuition reimbursement at a maximum of \$200 per credit hour for approved and related course work upon its successful completion; and

**WHEREAS,** the Fire Chief has reviewed the course work completed by Fire Fighter Daniel Rosenberger and agrees that the course the work is related to firefighting; and now therefore be it

**RESOLVED,** the Village Board approves the tuition reimbursement pursuant to Article 13 Section 1(b) of the CBA to Fire Fighter Daniel Rosenberger in the amount of \$3,200 and herein authorizes the Village Treasurer to make said payment.

On motion of Trustee Walsh, seconded by Trustee Kolbert, and unanimously carried, it was:

**RESOLVED,** to approve the minutes of the meeting held on July 20, 2015.

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

**RESOLVED,** that Abstract Audit Voucher #3, dated August 17, 2015, in the amount of \$572,685.70, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Walsh.

Mayor McAndrews announced the next regular Board meeting will held on September 28<sup>th</sup> and the work sessions will be August 31<sup>st</sup>, September 9<sup>th</sup> and 16<sup>th</sup>.

Trustee Kolbert wished those who will be observing Rosh Hashanah, a Happy New Year.

On motion of Trustee Walsh, seconded by Trustee Komar, and unanimously carried the meeting adjourned at 9:33 PM.

**RESOLUTION**

Approve minutes  
7/20/15