

Minutes of the Regular Meeting
of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, November 18, 2019
at the Village Center, 119 Larchmont Avenue

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

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

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:41PM.

The Mayor made the following announcements.

1. Residents can now pay their water bill on-line.
2. The New York Conference of Mayors (NYCOM) 2020 Priorities are changes to the costly new discovery mandates and increased state funding for infrastructure, AIM and CHIPS. The Board of Trustees fully supports NYCOM's efforts.

Mayor's announcements

Mayor Walsh wished everyone a Happy Thanksgiving and if you're looking for items for dinner there are many stores in the Village that can help.

Chief Poleway gave the following report.

1. NYPD Detective and Air Force Technical Sergeant Joseph G. Lemm's service to his country will be memorialized by renaming, in his honor, the White Plains Avenue Bridge that crosses over Interstate 287 and connects White Plains Avenue and Westchester Avenue in the Town of Harrison to North Street in the City of White Plains. Legislation sponsored by state Assemblyman David Buchwald and state Senator Shelly Mayer to rename the bridge was recently signed into law by Governor Cuomo.

Police Chief's Report

Lemm was a 15 year NYPD veteran and technical sergeant in the United States Air Force after having been activated from the Air Force Reserves and New York Air National Guard. He was killed in the line of duty in Afghanistan in 2015 when his convoy was attacked by a suicide bomber before Christmas. Lemm was posthumously awarded the Bronze Star for valor by his commanding officers for putting himself in front of the bomber to protect his comrades. Lemm was serving his third tour of duty overseas, two in Afghanistan and one in Iraq. He also worked tirelessly as a first responder during and after the attacks of 9/11.

The legislation now signed into law honors an American hero and reminds us of his sacrifice, and that of all our men and women in uniform who are committed to protecting our freedom and security. Lemm's family resides in West Harrison and he is survived by his widow, a son in elementary school, and a daughter in college.

Police Chief's Report
Con't.

2. Westchester County has developed a new, high tech behavioral health services map and directory which will assist residents of Westchester in finding the services they need. The online map and searchable database of service programs was developed by the Westchester County Department of Community Mental Health in cooperation with the County's Department of Information and Technology. This Geographic Information System-based model expanded the long utilized hard copy publications of services. Anyone can now go to the County's website (wetschestergov.com) and locate services for any of the major mental health, substance use or developmental / intellectual disability needs for which they are seeking help. A directory of services gives specific information on hundreds of service providers, their location, and even Bee Line bus routes to assist with transportation in getting people to the services they seek, across the county. Westchester has added the link to their website as Department of Community and Mental Health Services (DCMHS), as well as promoting the site throughout the county's social media platforms. Users can easily locate the link to the map by typing "DCMH Services" into their search engine.

One of the biggest barriers to seeking help is not knowing how or where to begin. People who are in need of support now have a quick and easy way to access services. That's especially important when someone is in crisis. This is a valuable tool that will modernize the way people find resources for recovery.
3. On October 30th, Westchester County District Attorney Anthony Scarpino hosted a presentation and training session for law enforcement leadership and personnel on Discovery and Bail Reform in New York State which goes into effect January 1, 2020. More than 200 members of local, county, and state police departments, including other law enforcement organizations attended the briefing.

The new discovery law impacts police departments and district attorneys in the volume of pretrial materials that must be collected and turned over to the defense counsel in an accelerated time frame. Every case, from misdemeanor to Class A felonies, must be handled the same way. As of 2020, there will be no bail and no pretrial detention in all but the most serious felony cases. Judges will now be encouraged to release defendants "on their own recognizance" while their cases are pending.

While the Westchester District Attorney's Office has been preparing for its implementation since the summer and meeting with individual police departments, this was the first full group training session for law enforcement agencies serving Westchester County by the DA's Office. Mr. Scarpino addressed the importance of the new criminal justice reform laws and how cooperation would be needed to make the transition as seamless as possible across the different agencies. Deputy District Attorney Paul Noto also described the need for a clear understanding and implementation of the laws, as compliance must be reached by January 1st. Presentations were given on the intricacies of discovery reform and the process to meet the statute. There was additional discussion regarding the finer points of the new statutes and how police and prosecutors will collaborate to meet the more stringent timelines for turning over pretrial discovery materials. In addition, changes in how the bail structure will be altered in both local courts and at the county level were discussed as well as the concerns of witnesses and victims.

Part of the District Attorney's Office efforts are now focused on educating and training police departments on the new statutes and, in this case, the specific management of case materials. Their office is also constructing an electronic content management system to handle the flow and storage of all discovery materials from police, to the DA's Office and to defense attorneys. The new discovery portal is being funded through forfeiture funds.

D.A. Scarpino and his team have discussed the new protocols and office staffing needs with the County Executive and the county Board of Legislators to explain the need for additional assistant district attorneys and paralegals to handle the workload. A number of tests have also been conducted to grasp the additional person-hours needed to complete full discovery on a variety of cases within the 15 day parameter.

4. With Thanksgiving quickly approaching, I would like to remind everyone that if you are going to drink alcohol – please do not drive. Historically, the Wednesday before Thanksgiving and the Thanksgiving weekend are some of the most active times for our bars and restaurants. College students return home and relatives travel into the Village for family gatherings and this often creates environments where the consumption of alcohol occurs. So, if you are going to consume alcohol, don't drive, choose a sober designated driver or call a taxi to ensure safe travel. For the well-being of everyone - please don't drink and drive. The police department will have additional DWI patrols on duty over the Thanksgiving weekend to enforce driving while impaired laws and to keep all of our motorists and pedestrians safe.
5. As we enter into the holiday season, there will be an increase of police officers on foot patrols in the business districts in an effort to interact with the public and business owners and create a safe environment for people that are conducting business and shopping within the village. Business owners are reminded to contact the police if they would like an escort while making bank deposits for their businesses at any time during the day.

Police Chief's Report
Con't.

6. I would like to remind everyone to stay vigilant in reporting any suspicious activity that may be observed over the upcoming holiday season. 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.

Proposed Elk Chatsworth
Board Discussion

The Mayor stated at this evening's meeting, the Board will hold a discussion on the proposed amended zoning law and the proposed Elk Chatsworth development. Each member of the Board will comment on both items then will discuss as the Board does in work sessions.

Mayor Walsh's
Comments

Mayor Walsh's comments:

1. Elk Chatsworth last gave a presentation of a revised rendering of the Chatsworth side. The design works with the downtown appearance.
2. Concerns with the Wendt Avenue setbacks. From Chatsworth to Wendt the building gets taller. Height on Wendt should come down.
3. Traffic study by Fredrick P. Clark advised:
 - a. Size of lot can't handle internal circulation and will add traffic.
 - b. 2 parking spaces on Wendt must be removed.
 - c. Compact spaces may not be in the best location.

Trustee Bauer's
Comments

Trustee Bauer's comments:

1. School Data: I reviewed the developer's study and spoke with Village consultant who agreed with their conclusions. In addition, I did my own research by talking to Dr. Shaps and by reviewing other, comparable buildings.
2. Dr. Shaps explained that at such a high price point the building would be unlikely to attract families.
3. I also looked at Villa BX in Bronxville (the building is comparable, as is the municipality and housing stock). Out of 52 units, there are a total of 8 children attending Bronxville schools spread across all grades.
4. The Cambria in Larchmont is not as good a comparison, because it is slightly older and not as high end. But, out of 142 units sold, there are 11 children in the school district spread across all grades.
5. Based on all of this data, I believe it is a reasonable conclusion that a 26 unit building of this type would have approximately 4 children spread across all grades.
6. Based on the report we received on 11/15 from the Village's parking/traffic consultant and his recommendations that on street parking spots be removed and the design of the parking deck be modified, the deck will not result in a significant increase in parking. Therefore, I think the Village needs to look at other potential amenities that would increase parking in other areas of the business district instead.

7. Based on all of the comments we have received, I think that the majority of residents feel that the building is too large. We have to balance these concerns against what it is we think that this development will bring to our downtown. This is not just about parking spaces for the Village. One of the primary goals with any mixed-use development is to reinvigorate our downtown and have people living and shopping in the heart of our Village. If we reduce the size of the building too much, we will lose many of those benefits. Therefore, I believe the right balance is to reduce the size by removing one of the middle floors from the design.

Trustee Bauer's
Comments
Con't.

Trustee Fanelli's comments:

1. Schools study is fine
2. Front section of building on Chatsworth Avenue looks good.
3. Parking deck should be reduced.
4. Wendt Avenue side needs to come down.

Trustee Fanelli's
Comments

Trustee Herman's comments:

1. Redevelopment is needed in the business district.
2. There are good things about the proposed zoning law like it is requiring lead certification in this area of the Village. However it does allow a building to be erected that may exceed the structural height limits.
3. The commercial district needs more parking. Should look for more options that does include a parking deck.

Trustee Herman's
Comments

Trustee Frouman's comments:

1. After reading the parking study, the impact of a 2 level garage is not a good idea.
2. Trustee Bauer's study shows development will have no impact on schools.

Trustee Frouman's
Comments

Gary Hirsch of Elk Chatsworth addressed the Board and spoke on the Board's comments and answered questions from members of the audience.

Hirsch, G.
Elk Chatsworth

Mayor Walsh polled the Board members on whether they should direct the Village Attorney to amend the current draft of the proposed local law. Each Board member said no.

Kate Bialo of 24 Elm Avenue thanked the Board for their comments and efforts. She added that the Board create a plan for future developments because a better plan is needed.

Bialo, K.

Syrette Dym of 52 Wendt Avenue thanked the Board for their comments and added that comments made at past meetings helped. On behalf of Frank Grant and herself, Ms. Dym presented a statement with pictures for the record. SEE ATTACHED.

Dym, S.

To view the entire discussion copy and paste below into browser:
https://lmctv.org/videos_list/village-of-larchmont-board-of-trustees-meeting-11-18-19/

RESOLUTION

Adjourn **P**.H. to
12/16/2019
Zoning Amendment

Trustees Reports

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

RESOLVED, to adjourn the Public Hearing to Monday, December 16, 2019, at 7:30PM.

Trustee Fanelli made the following report.

1. On December 7th, the LFD and the PBA will sponsor the annual Light-Up Larchmont Tree Lighting Ceremony at 6:00PM. There will be Santa, music and hot chocolate.

RESOLUTION

Set **P**.H. for
12/16/2019
Sewer & **W**ater **R**ents

On motion of Trustee Bauer, seconded by Trustee Herman, 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 Village Center, 119 Larchmont Avenue, on Monday, December 16, 2019, at 7:30 PM to review a proposed local law to amend the sewers and water laws of the code of the Village of Larchmont, Chapters 229 and 283, by modifying certain provisions to sanitary sewer rents and water rents, and be it further

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

Finkelstein, M.
Deccio's parking lot

Next Martin Finkelstein addressed the Board on the issue of vehicles turning into Deccios' parking lot and stopping in the driveway while looking for spaces. Traffic is backed-up into the street causing a hazardous condition.

Mayor Walsh thanked Mr. Finkelstein for his comments and informed him this matter will be referred to the Traffic Commission.

RESOLUTION

Approve **m**inutes of
10/21/2019

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

RESOLVED, to approve the minutes of the meeting held on October 21, 2019.

RESOLUTION

Approve **m**inutes of
Work session
7/29/2019

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

RESOLVED, to approve the minutes of the work session held on July 29, 2019.

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

RESOLVED, that Abstract Audit Voucher #6, dated November 18, 2019, in the amount of \$224,209.99, per copies filed with the Clerk, be paid, subject to review of Trustee Herman.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the list of previously paid invoices in the amount of \$482, 199.23.

On motion of Trustee Bauer, seconded by Trustee Herman and unanimously carried, the meeting adjourned at 9:49PM.