

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, January 13, 2020

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

ABSENT: Attorney Staudt, Treasurer Gutwein

Also present: Dep. Clerk Rilley
Administrator Datino
Dep. Treasurer Magneri
Amanda Brosy representing the Village Attorney's office

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:31 PM and wished everyone a Happy New year.

This Wednesday, February 15th, water bills are due. Residents can pay in-person at Village Hall, by mail or with the new on-line payment system. Since its launch in December 20% of the Village's water customers have paid their bill on-line. The payment link can be found on the Water page on the Village's website.

Water Bills

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

RESOLVED, to adjourn the Public Hearing to consider a proposed local law to amend Chapter 381: Zoning of the Larchmont Village Code to February 25, 2020 at 7:30PM in the Village Center, 119 Larchmont Avenue.

RESOLUTION

Adjourn P.H.
Proposed L.L, Ch. 381
Zoning-2/25/2020

Mayor Walsh read prepared statement #1.

In late 2017 we engaged BFJ Planning to do a comprehensive parking study for the Village's two commercial districts. In a moment I will introduce Mr. Georges Jacquemart of BFJ, but first I want to give some background on why we had this study completed.

Mayor's statement #1
Parking

One of the most enduring complaints in Larchmont is the difficulty of parking in the shopping districts. I have seen documents going back to the 1950's which lament the intractable nature of this issue.

As a matter of fact, parking has been looked at by professionals and community task force groups at least 5 times since the mid-60's. Each time there were recommendations made, which were largely not acted upon, and the problem persisted. To quote the 2020 task force report of December 2001 "It should be noted that many of the solutions proposed here are not new. They appeared in the '66 master plan and the '86 update...no action was taken with respect to most of the suggestions." The 2007 parking analysis by RAM Assoc. stated, "thus far no action has been taken which has not led to a resolution of the problem which continues to grow...".

Mayor's statement #1
Parking, con't.

This Board and particularly myself and Trustee Herman were determined to change that narrative. We could have relied entirely on the previous studies, but felt that before altering the status quo it was necessary to get a real-time look at parking habits and issues in the Village today and thoroughly immerse ourselves in the study of municipal parking and its impact on the community. After putting out an RFP and receiving several qualified submittals, the Board chose BFJ Planning to perform this study.

Mr. Jacquemart is a founding principal of BFJ Planning and directs the firm's transportation practice. Mr. Jacquemart has over 40 years of experience in the fields of urban and transportation planning, parking, and traffic engineering. His company was retained by the Village to conduct a study of all aspects of parking throughout the commercial districts of the Village of Larchmont.

Mr. Jacquemart will present an overview of the study methodology and findings and will conclude with the recommendations made to help Larchmont improve our current parking issues. They will be able to take some questions about the study when the presentation is over. Please save any questions about the Village's potential actions for a Board member or myself.

Jacquemart, G.
BFJ Planning

Georges Jacquemart of BFJ Planning began a presentation on the parking study his company did for the Village. Mr. Jacquemart stated the study was performed looking at parking in the Village in a long term manner. The scope of work in the study ranged from:

1. Village regulations
2. Assessing the train, commercial, Palmer and Post Road areas.
3. Data collection from public engagement using on-street and on-line surveys.
4. Meeting with residents, merchants and school parents and staff.
5. Meeting with Village staff.

Mr. Jacquemart said the results of the study determined the following:

1. In the commercial areas short term parking is needed to generate turnover.
2. New Technologies for enforcement along with payment apps and on-line permitting.
3. Allowing Night parking on certain streets.
4. Make regulations clearer.
5. Shared parking.

Mr. Jacquemart began to take questions from residents on topics such as:

1. Enforcement on time limits on residential streets.
2. Long term parking in Wendt Avenue lots.
3. Economic impact on short term parking in commercial areas.
4. Spaces used by merchants in lots.
5. Impact on parking when the theater reopens.

The Mayor read prepared statement #2.

Parking is a perennial problem in Larchmont's downtown which has been exacerbated over the years by both the lack of remedial action and by the increase in vehicle ownership and the popularity of Larchmont's train station.

Mayor's statement #2
Parking

We approached this project as part of our effort to revitalize the downtown, since availability and ease of parking for shoppers in the commercial districts is essential to the health of our local businesses. We also came to understand parking, both on-street and off, as a Village asset which provides benefits to residents and visitors alike, but which also – if properly maintained – requires an infusion of funds for upkeep and renovation. We are painfully aware of the poor condition of our parking lots and some of our main roadways due to inadequate funding for decades.

We never expected that it would take this long to fully digest the study and come to the point of implementing change. However, the deeper Trustee Herman and I dug into the topic the more we appreciated the complexity of the situation. Because in addition to considering the needs of shoppers, we also have to account for the use of this asset by business owners and their employees, commuters, apartment residents, and some large employers such as Chatsworth Elementary School and the Post Office. The needs of each type of user often overlap and sometimes clash and are of primary importance to each individual.

In addition to the data collection and meetings done as part of the study and described by Mr. Jacquemart, over this past year we have been:

- meeting with the Village's Traffic Commission and Police Department,
- engaging with parking equipment vendors,
- holding discussions with and receiving data from employees of neighboring municipalities about the ins-and-outs of their parking systems, and
- continuing to speak with business owners at meetings of the Larchmont Chamber of Commerce.

The topic has been discussed at several public meetings throughout the community, such as the Larchmont-Mamaroneck Summit breakfast, was covered in *Our Village* (the Larchmont newsletter), and my 2019 State of the Village.

Changes are being made incrementally to minimize impact. In Spring 2019, we were able to begin implementing some changes to the parking permit system, in conjunction with switching our existing parking software system to a program offered free-of-charge by our current parking enforcement vendor, Complus.

Mayor's statement #2
Parking, con't.

- What already has been done and why.
 - We created two General Parking Permit Districts – Palmer and Boston Post. explain
 - At the train station lots, we
 - merged Lot 2 into Lot 1 by removing the gray meters and having one consistent permit for all spaces,
 - changed the signage in Lots 1, former Lot 2 and Lot 3. New signage is more clearly worded and is posted in additional locations near entrances.
 - changed the hour at which non-permitted free parking starts to 3:00 pm in Lots 1 and 3, to encourage greater off-hour use of these lots by residents and business employees, and we
 - made a limited number of newly-created business permits for Lot 3 available.
 - We restricted Lot 8 to business permits only.
 - We instituted a 25% senior citizen discount for all resident permits

In the Fall, Complus was acquired by Passport, a full-service parking systems company, and we expanded our contract to include a permit system with on-line purchasing and a mobile pay app.

- To be implemented shortly
 - We plan to get the Passport App on board in Lot 3 soon and
 - For the next annual permit cycle, which begins June 1, we will be able to have on-line permit sales.

The next steps would be to implement most of the remaining recommendations, which would include designating school zone parking, increasing street parking opportunities, creating additional off-street parking, and expanding the Village's existing paid parking to cover most streets in the commercial zones and the municipal lots. [Remind the community that the Village has the authority to implement paid on-street and lot parking. Already have meters on Woodland Ave].

I wish we could say that our consultants, Trustee Herman, and I have come up with new and brilliant solutions to our parking issues. But, alas, not so much. The 2007, 2009 and 2012 studies all recommended paid parking as a way to manage inventory and handle enforcement of time limits. Our contribution is that we are executing the recommended solutions after extensive consideration of the impact and in a deliberate manner.

Towards this end we have so far:

Mayor's statement #2
Parking, con't.

Identified streets for school zone parking, more or less reflective of the current status quo.

Located several opportunities to increase the number of on-street parking spaces in both districts.

Identified several opportunities for new public off-street parking, which we have begun to pursue.

Determined that paid on-street parking should, where possible, be restricted to commercially-zoned streets.

Been mindful of the look of the Village and decided that paid parking will be handled by using Multi-Space Pay Stations (or kiosks) and a Parking App, and will not include stand-alone meters. To the extent possible, we plan to minimize the use of kiosks, relying on the Passport Pay App to fill in gaps and make the process as efficient and user-friendly as possible.

Looked at neighboring community parking rates, so that our rates will be in line with theirs.

And, while we approached this project as part of our effort to revitalize the downtown through more effective management of the Village's parking assets, we also believe that it will have the co-benefit of providing a significant non-property tax revenue stream. Our plan is to dedicate a percentage of this additional annual revenue to be reinvested in the downtown through a business district improvement fund. This fund would be used for projects such as parking lot redesign and maintenance and streetscape enhancements, among other things. Even the roughest conservative estimate indicates that this would, beginning in year one, yield funds for infrastructure even after operational and debt service costs are considered.

So we still have some work to do. We need to develop solid revenue and expense projections and an analysis of debt service. These items are driven by infrastructure (e.g., kiosks, signage) and operational (e.g., increased enforcement resources) costs which we are now in a better position to understand and estimate. Consequently, at our March 18 Board meeting, our intention is to pick up where we left off this evening. Administrator Datino will present the parking zones and how paid parking will look and Treasurer Gutwein will present a first take balance sheet for Larchmont's expanded parking franchise.

Even though these changes can be made with Board resolutions and there is no obligation to have a formal public hearing, we will invite public comment on this project at our April 6, 2020 meeting. In the meantime, all stakeholders are welcome to share their thoughts on the project via email. We have learned much in our conversations with the community throughout this project and we look forward to hearing additional public comment between now and April 6th.

To view the entire presentation and discussion, copy and paste below:

https://lmctv.org/videos_list/village-of-larchmont-board-of-trustees-meeting-1-13-20/

Police Chief's Report

Chief Poleway made the following report.

1. New York Courts are in the process of releasing at least 3,800 inmates in county prisons under a new law that took effect on January 1, 2020 that ends the cash bail for many offenses as they await the adjudication of their cases. The measure, passed by the state Legislature in March of 2019, has become increasingly controversial as law enforcement officials believe it will lead to dangerous people being put back on the streets in cases that involve burglary, domestic incidents, or drug arrests. The law was hastily approved with little input from police, local leaders, or district attorneys. Local corrections officials estimate that about 25% to 30 % of their jail populations may soon be released. Bail Reform will also reduce the use of electronic monitoring devices and requires judges to disclose the reasons for setting bail in cases it is required, such as violent felonies and certain misdemeanors. Cash bail will now be ended for most misdemeanors and Class E felonies, which can include charges of theft, assault, arson, aggravated harassment, or robbery. Instead, those charged would receive appearance tickets. A concern amongst law enforcement is that those released without bail may not show up for their court cases, particularly those who are arrested, but live in other parts of the state or another state. In the event that a person does not return to court, police would then have to issue warrants and use valuable resources to find and return the accused. In theory, someone who has a kilo of fentanyl, which can kill a lot of people, is driving through Westchester County and after a vehicle stop and subsequent arrest is found to have plane tickets to Arizona. Given these circumstances, the district attorney could still not ask for bail. This creates a dangerous scenario and exposes a serious lapse in accountability in the criminal justice system under the new reform statutes.

The new law currently does not allow judges to consider the defendant's danger to the community when making a bail determination. Magistrates should be able to consider if a defendant is a threat to public safety when considering whether to set bail. If a person commits a qualifying crime, the judge should be able to set bail if they are a risk of flight OR if they are a danger to the community or to a specific individual. Many other states allow judges to consider dangerousness when setting bail. New York should do the same. This may be especially necessary in domestic violence cases, where the risk of reprisal by the perpetrator against the victim is high.

In addition, some inmates enter court with serious drug addictions that can often be addressed through the services and resources that are available while they are in jail. Once inmates are released, it is uncertain whether they will receive the social services needed to assist them in straightening out their lives. Proponents of the new criminal justice reforms state that crime will be reduced because no cash bail will help stabilize communities. New York counties must now increase their partnerships with local agencies to provide support systems to those released without bail in order to give a struggling person the tools they require to succeed. Also, the state should be investing in public resources like mental health services and addiction treatment as many people accused of crimes will no longer be able to receive those resources in prisons or jails.

Criminal justice professionals had no fair opportunity to offer our insight and expertise in the crafting and adoption of all the new criminal justice reform laws in New York State. Yet we are forced to be here, after the fact, calling to the attention of the public, the Legislature and the Governor the serious flaws in these new laws... flaws which will create chaos in the criminal justice system, huge expenses to the local taxpayers, and, most importantly, danger to our citizens.

These major changes in criminal justice policy were adopted as part of the New York State Budget, despite having virtually nothing to do with the budget. By including these changes in the budget bills, the public, and even most Legislators, were deprived of the opportunity to give effective comment and guidance on these important changes. This increasingly common practice, designed to ram- through major public policy changes without opponents having a fair opportunity to object or comment, should cease.

2. Westchester County District Attorney Anthony Scarpino announced that Trevor McKay of Larchmont is charged with possessing and promoting child pornography. McKay who is 40, was arrested on December 19th by criminal investigators from the District Attorney's Office and arraigned in New Rochelle City Court on charges of Promoting an Obscene Sexual Performance by a Child, a class D felony, and Possessing an Obscene Sexual Performance by a Child, a class E felony. He was released on his own recognizance. The National Center for Missing and Exploited Children received information from Google about child pornography that had been sent through their server. Google informed the agency that a person using an email account had uploaded images of child pornography. The user of that email account was using a mobile telephone at the time of the upload. The New York State Police, which staffs the NYS Internet Crimes Against Children Task Force reviewed the case and received a response from the telephone provider about the user of the mobile telephone. The information was forwarded to the Westchester District Attorney's Office Cybercrime Bureau. The DA's investigators executed a search warrant at McKay's residence and the felony complaint alleges at least one image of child sexual exploitation was found on his computers and mobile devices.

Police Chief's_Report
Con't.

3. If you have a Burglar Alarm System installed in your home or business it must be registered with the Larchmont Police Department, as required under the Local Law 4-2016, enumerating the required fees and fines set forth in Chapter 85 of the Larchmont Village Code. If you recently installed an alarm system, an Application to Operate an Alarm System must be filed with the Larchmont Police Department along with a \$75.00 initial application fee. The alarm must also be renewed annually at a fee of \$35.00. Renewal notices are being mailed out so residents and business owners with alarm systems should expect to receive this notice shortly.

Please note that non-registered (non-permitted) alarm systems are subject to penalties upon EACH false alarm dispatch, as it is unlawful to continue to operate an alarm system without a valid registration, pursuant to Alarm Ordinance, section 85-3.

Failure to pay false alarm fees, permit/renewal fees or other charges shall become a lien upon the property the alarm device services and will be collected in the same manner as real estate taxes.

In order to ensure the accuracy of our records, please notify us if you are moving, no longer have an alarm system or if it has been disconnected so your account can be closed. If you are a new resident at a location with an existing alarm system, you must notify the Larchmont Police Department so that records can be updated to reflect accurate information for your location.

It is very important to your safety and well-being to have your house number clearly displayed for proper alarm response and 911 emergencies. It is imperative that your displayed number is the correct number for your location. If you should have any questions or concerns on any alarm related issues, you can contact the Police Clerk.

4. 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.

Fire Chief's_Report

Chief Caparelli gave the following report.

On behalf of the entire Fire Department staff I would like to wish the entire Board and the residents a Happy and Healthy New Year.

1. For 2020 the Larchmont Fire Department is fully prepared to deliver the highest quality services to all residents and visitors of our Village. Fully trained personnel will answer your call for assistance using the latest equipment and techniques to provide Emergency Medical Services, Fire Suppression, Gas or Electric Emergencies, Hazardous Materials Mitigation, and General Assistance 24 hours a day 365 days per year.

2. Lieutenant John Adams has been recognized by the NYS OFPC as the Municipal Training Officer for the Village of Larchmont Fire Department. He is qualified to deliver NYS recognized training courses to our firefighters and conduct training classes for firefighters throughout Westchester County.
3. James Montemarano is in his second week of in house training after graduating from the WC Career Academy December 20, 2019. James will spend another two weeks familiarizing himself with our equipment, procedures and the streets. He will then be assigned to a group to begin responding to alarms under the direction of Lt. Adams.
4. Training is ongoing, both the career and volunteer staff have enrolled in worthwhile courses.
Four volunteer personnel, Steve Harris, Dylan Jewell, Myron Joseph and Joe Clifton are scheduled for WC Training courses at the DES in areas such as officer development and firefighter survival.
5. Lieutenant Martyn and FF Wetzel of the career staff are set to attend the ALTS (Affiliate Leadership Training Summit), on January 19-22. This summit has more than 100 workshops addressing a broad range of topics such as FF Health and Safety, Human Relations Best Practices and Leadership within the Fire Service.

Code Enforcement:

The duties of enforcing the Village Codes and Regulations. Code Enforcement is typically compliant driven, however, certain matters require a proactive approach.

1. Letters were sent to owners of property that contain vacant store fronts requiring compliance with Local Law-1, the covering of vacant store windows with an opaque film to maintain an aesthetically pleasing business district. 16 locations were identified and all but two have taken some action with regard to a covering on their windows shielding the store from public view. A few new locations were identified and they too received letters to comply.
2. Existing dumpster enclosures, in the business district, throughout the Village, are beginning to deteriorate and are in need of repair or replacement. Letters to offenders have been sent to address the issue. I am working in conjunction with the Joint Sanitation Supervisor on this issue.
3. A number of commercial properties have been identified as lacking property maintenance and have become unsightly. Letters to the offending properties have been sent.
4. Dry Weather Flow is a major issue throughout the Village. That is when water is present on the street with no rain falling over the past few days. It is obvious the water is being pumped out to the roadway. In summer it causes flooding and in winter it creates an icing condition that makes traveling the roadway or walking on the sidewalk unsafe. Along with Rick Vetere from the DPW, photos were taken, letters sent, phone calls made and received and multiple follow ups with residents have been conducted culminating with a meeting today to address this important issue and offer residents advise.

Note: 4 property owners have corrected their water issue and 17 others have called to ask for corrective direction.

Fire Chief's Report
Con't.

5. Signage and awnings on commercial properties are being inspected for compliance
Parking on sidewalks has been another safety priority. Commercial properties, particularly gas and service stations have to be reminded that parking on the sidewalk or blocking the sidewalk in any way is a violation of both the Village Code and the VTL. All these items are ongoing and follow up visits are scheduled as well as issuing final notices to remedy to those who fail to comply.
I appreciate the Boards help in making this task easier for me by adopting changes to current codes and adding new ones.
I would like to remind all residents that Village Code 245-11 requires residents, within 24 hours of a snow event, to clear all sidewalks abutting your property of snow and ice to permit safe and unobstructed use of the sidewalks throughout the Village.

All apparatus are in service and all equipment is operational.

Deputy Treasurer's Report

Deputy Treasurer Magneri gave the following report.

1. General Fund appropriations were 52.7% spent as of November 30, 2019, inclusive of operating expenditures, debt service, transfers out, as well as capital.
2. The general fund interfund transfers were 100% allocated as of November 30, 2019 compared to 0% in 2018-2019 2nd quarter. As stated in the first quarter, the largest impact to expenditures in Employee Benefits is a prepaid worker's compensation bill, however the actual workers comp line item is notably under budget as a result of a reduction in premium through a new carrier. Again, payments to the Sanitation Commission are made June-December, thereby having the greatest impact in the first and second quarter.

Sale of Real Property. Intergovernmental (LM Cable TV)
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3. General Fund revenue, other than property tax, is \$2,706,418 through November 30, 2019. This does not include interfund revenue from the water and sewer fund of \$228,000. The second quarter results represent an increase over the prior year in non-property tax revenue recorded. The variance is primarily due to Licensing and Permits with an increase of \$218,169. Marginal impact items are Culture and Recreation and receipts for the 2nd quarter of fiscal 20 are in. Unrestricted State Aid (AIM) of \$73k was originally expected in September, but will now be distributed by the county and has not yet been received. We received the first payment for Mortgage Tax receipts December 2019 for \$168,057, which represents a \$10k increase from last year.
4. The actual collection of Village taxes through November 30, 2019 is at 99.01%.

Trustee Bauer made the following report.

1. The Friends of the Library will hold their Third Annual Mini Golf Tournament in the Library on Saturday, February 8th and Sunday February 9th. Go the Library’s website for more information.

Treasurer’s Report

Trustee Fanelli gave the following report.

1. Paddle Permits and Clinics are available on the Village website.
2. The Annual Bonfire on Manor Beach has been rescheduled March 21st at 5PM.
3. The Village needs volunteers for its many committees. A list of the Village’s various committees may be found on the website. If interested contact the Clerk’s office.

Trustee Frouman made the following report.

1. Yesterday the Larchmont Mamaroneck Human Rights Committee presented it’s 33rd Annual Martin Luther King Jr. Commemoration program at the Hommocks Middle School auditorium. The program was sponsored in part by two local organizations, CURE, the Coalition for Understanding Racism in Education and the Community Resource Center in Mamaroneck.

Two honorees at the event were long-time resident Elizabeth Saenger and The Youth Shelter Program of Westchester. Ms. Saenger received proclamations from several elected officials including State Senator Shelley Mayer, County Executive George Latimer and our own Mayor Lorraine Walsh. United States Representative Eliot Engel presented proclamations to both honorees and offered congratulatory remarks.

A compelling keynote address was delivered by Marlon Peterson, an Atlantic Fellow for Racial Equity and the host of the “Decarcerated” podcast.

As the Board’s Liaison to the Human Rights Committee for several years, I’ve witnessed Elizabeth Saenger, a long-time committee member, in action. If any of us is fortunate enough, we’ll have the privilege of knowing someone like Elizabeth. Her decades of social activism and uncompromising commitment to civil and human rights have made her the true embodiment of a Moral Compass

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

RESOLVED, to approve the listing of overdue/delinquent taxes as presented, comprised of nineteen (19) parcels for an aggregate amount of \$146,434.82 in the current fiscal year 2019-2020.

RESOLUTION

Approve

Overdue/Delinquent list

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

RESOLVED, to schedule the 2019-2020 Tax Lien Sale for Monday, March 2, 2020 at 11:00 AM, in the Courtroom, Village Hall, with publication dates of Tax Lien Sale on February 5, February 12 and February 19, 2020 in the Journal News.

RESOLUTION

Auth. 2019-20 Tax Lien

Sale 3/2/2020

RESOLUTION

Sched. **P**ublic **H**earing
Ch. 357-**S**igns
2/25/2020

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 Tuesday, February 25, 2020, at 7:30 PM to review a proposed local law to amend the signs, advertisements and public displays law of the Village of Larchmont Code, Chapter 357, by altering certain design and maintenance requirements, as attached hereto and made a part hereof; and be it further **RESOLVED**, that the Village Clerk is hereby directed to advertise said Public Hearing.

RESOLUTION

Approve **m**inutes
12/16/2019

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

RESOLVED, to approve the minutes of the meeting held on December 16, 2019.

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

RESOLVED, to approve the list of payments made prior to the meeting date of January, 2020, in the amount of \$351,734.68.

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

RESOLVED, that Abstract Audit Voucher #8, date January 13, 2020, in the amount of \$148,609.80, per copies filed with the Clerk, be paid, subject to review by Trustee Bauer.

On motion of Trustee Bauer, seconded by Trustee Frouman, and unanimously carried, the meeting adjourned at 9:50PM.