

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, May 18, 2020

The Board of Trustees held this meeting via Zoom with Mayor Walsh calling the meeting to order at 7:31PM. Instructions to join the meeting were published on Village website calendar and meeting agenda.

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

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

Mayor Walsh began by saying that the Board meetings and work sessions via Zoom probably continue for at least another month. Currently we are live on LMC YouTube and Zoom. It is also being recorded and it will be shown on LMC television stations on cable Optimum 76 and Verizon FiOS channel 35. It can also be watched at LMC's YouTube channel.

The Mayor wanted to extend on behalf of the Board, gratitude to a pair of local groups, One Larchmont and Bridge the Gap Larchmont who has been fundraising to give grants and no insurance loans to many of our local businesses. Since the beginning of the pandemic many local merchants have had to close placing financial hardships on them.

Next Mayor Walsh spoke about the Governor's order says that when you are outside, you must wear a mask if you cannot social distance. So that means if at any time you are outside and you believe that you will be forced to come in to contact or less than six feet from another person you have to put a mask on. I have suggested that everyone just keeps the mask around the neck because you never know when you're going to find yourself on a crowded sidewalk when the park is going to get over what run by everyone else who's out trying to do what you're doing, which is just get a little break and a little fresh air.

The Mayor stated Westchester County and Larchmont being in Westchester County we are part of the mid Hudson region. The mid Hudson region is made up of seven counties and Are all to the north and northwest of us. We right now meet four of the seven criteria. The three criteria that we still have to meet in order to start the reopening process are one, we need to get the required number of contact tracers in place. We are expecting to be able to meet that most contact tracers will be hired through New York State, and the county may have to come up with a number of supplemental number through county employees and volunteers. Please, if you're interested in becoming a contact tracer, please go to the New York State website. And there is a button there that you can click to fill out an application for that position. The other two criteria that we have to meet are the rate of hospitalizations and the number of deaths in hospitalized patients. We are getting closer. But I believe that we are still potentially at least another week or two away from being able to meet those criteria. Every day we have conversations with the county who is having conversations with the state and making sure that the metrics that are being used in order to calculate whether we meet the criteria are making sense and our will will get us where we need to go. Once we can reopen the reopening happens in phases on the governor's website in the New York State website, New York. Forward is the name of the plan and it lays out all of the phases. Phase One, certain businesses will be able to start reopening. Many of the Upstate communities have already started that. And it's a way for us to now see how does that go, we can potentially learn from anything that they experienced in terms of troubles or good practices. Phase two will come after that if there have been no problems with phase one, and then we have phase three and phase four is the final phase. We're definitely

looking forward to reopening. But we wanted make sure that we do it in a safe way. Because one thing we don't want is to end up having a resurgence in the virus and the spread of the virus that gets to the point where we were A few weeks ago, which could overwhelm the medical system here and cause us to have to slow things down and or reshot because that would really be very, very damaging to everyone to the people who get sick and to the economy as well.

On motion of Trustee Bauer, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to appoint Cindy Olsen and Nazanine Scheuer as members of the Larchmont Environmental Committee.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to appoint Bing Morris as a member of the Finance Committee.

Chief Poleway made the following report.

1. Emergency Order #1-2020 Leaf Blower Ban.
2. Social distancing.
3. Westchester County District Attorney's office- Coronavirus scams.
4. Rise in Domestic Violence crimes.
5. Thanks to the police officers for their dedication.
6. No parking on Park Avenue to Labor Day.
7. See Something, Say Something.

Chief Caparelli made the following report.

1. The Fire department has been responding to calls for assistance throughout the Covid -19 pandemic with no interruptions in service and no loss in personnel due to the virus. Our supplies of PPE's, although in the beginning were scarce, have been replenished by state, county and local entities. Local entities, businesses, residents and anonymous donors have displayed unbelievable generosity and caring during this crisis. Homemade masks, hand sanitizer from local distilleries and meals have made our jobs safer and more bearable during this unprecedented time. Now with all the help we have been given, we are in a position to offer masks to residents and seniors at no charge for their own protection. Please call me at 914-834-0016 and press # 5 to let one of the firefighters know you would like to come by and pick up masks or if you are among our vulnerable population, I will deliver them to you. This crisis has your firefighters creating innovative ways to remain in compliance with NYS OFPC training requirements while maintaining social distancing and wearing ppe. We have utilized every available space within village hall to create enough space to train through zoom or online while remaining 6 feet apart. Hands on training has become a daily improvisational event trying to perform hose evolutions or ladder operations while maintaining distances with a mask on. We are however completing our training requirements and going beyond what is required. Training of our volunteer firefighters has been suspended since the crisis started but it will resume in late June with restrictions on number of personnel attending and mandatory masks being worn.
2. The career Chiefs probationary fire academy also suspended its spring academy. We will however reopen the training center in Valhalla with a class on august 17. Our newest firefighter John Pilla will attend this academy. Has been learning basic skills while on duty which will give him a head start come august.
3. If I could I would like to thank those who supported us during this crisis.
Deciccos-food, sanitizing spray and wipes
Post wine and spirits-hand sanitizer from their own distillery
Sound shore distillery- hand sanitizer
Foleys hardware n95 masks
Clarks auction gallery- food
Hungry Hero's, World Cares- PPE's, Coriander, Villa Maria Pizza, Cookies by Design and numerous residents who dropped off PPE's and food.

Code enforcement.

1. When this crisis started, I began making drives around the village on every street large and small, dead ends and back alleys to just show a presence for the residents to see. It started with just that but now I do the same drive and residents joggings or walking who I've seen every day and now waving, kids come out with their parents to wave, I even bought a box of dog biscuits for the dogs I've seen out in the yards. I've checked on a few vulnerable residents to see if they needed anything and just kept a general eye out. I think I made some residents nervous because they haven't seen my car so many times in a week they may have thought something was wrong, but just so the residents are aware, that is why they have been seeing me. I've been enforcing the leaf blower ban for landscapers village property maintenance codes following up on the ongoing dry weather flow issue, many residents have corrected their flow and more are complying the construction ban as much as can be collection procedures with regards to solid waste/yard debris. Residents have much more time now to do yard work or home projects and disposing of the debris is new to some handing out washable/reusable masks to businesses and residents for their protection. We will be launching marine 34 the fd watercraft this week so our presence on the water will be evident for those residents needing assistance while enjoying the waterways.

Treasurer Gutwein made the following report.

1. The State Comptroller's office has reported a 25% reduction in sales tax for the month of April. Prior to that there was a slight decline in March of 3.7%. We will continue to monitor the revenue accordingly.

Next Trustee Bauer introduced Kristin Andersen and Lisa McDonald co-chairs of the Larchmont Environmental Committee who have arranged a presentation for a year round ban on gas powered leaf blowers.

Ms. Andersen said that the Environmental Committee is proposing that gas powered leaf blowers be banned and electric leaf blowers be limited in use to November and December here in Larchmont. Before we begin, we'd like to thank you our Board members for the opportunity to present this proposal. COVID-19 has put constraints on public meetings. So we are grateful that our board is continuing to run meetings and approve new committee members and welcome presentations in this online format.

Ms. McDonald said Larchmont is known as a leader in Environmental Action in our area. Back in 1985 Larchmont added landscape equipment to its noise code. The New York Times noted the code was believed to be the first of its kind in the country. 1995 Larchmont past one of the first gas powered leaf blowers summer bands. In 2017, as scientific evidence of the health hazards of leaf blowers mounted Larchmont publicize these hazards and work to improve compliance with its summer ban. This year as COVID-19 spread, Mayor Walsh issued an emergency order banning both gas and electric leaf blowers on April 3. This was one of the first complete blower bands in response to the pandemic. Thank you, Mayor Walsh for taking this bold step and for leading on this issue. Tonight we are proposing that Mayor Walsh and the board lead once again and pass code to permanently ban gas powered leaf blowers and limit use of electric leaf blowers to November and December. In tonight's presentation, we will discuss the following reasons for a ban why ban gas powered leaf blowers terms. How can we structure the code for success and implementation. What steps we'll smooth implementation of the band workability? Can a gas powered leaf blower band actually work and case studies have bans been implemented elsewhere?

The power point presentation began with following speakers addressing the meeting:

Dr. Amy Brown, MD

Catherine Plume, Sierra Club

Prof. Stephen Grimm, PHD, Village Resident

Caitlyn Carpenter & Anna McDonald, MHS Students

Dan Delventhal, Owner MowGreen Landscaping

To view the presentation copy and paste the link below:

https://lmctv.org/videos_list/village-of-larchmont-board-of-trustees-meeting-5-18-20/

Trustee Fanelli gave the following report.

1. No word yet on whether Flint Park Day Camp will open. Recreation Director Joyce Callahan is still planning camp until otherwise told not to. The camp needs lifeguards, if you are at least 17 years old contact the Recreation Department.
2. Tennis courts are open for singles play only.
3. There was contest to name the osprey's who are nesting in the cell tower behind Village Hall. Thanks to firefighter Sean Allen for his pictures of the nest.
4. With Memorial Day approaching, thanks to all those who have served in the military and sacrificed for all of us.

Trustee Herman made the following report.

1. The Parks and Trees Committee had a conference call last week. The committee hopes to do an Arbor Day celebration sometime in the fall. And also, a new idea that's come up is a surprise spring bulb planting. So in the fall, we'll identify two or three areas for mass planting of some bulbs around town. One possible area that came up is the newly created triangle near Turtle Park where we've extended the sidewalk and we have that big green space. There was a discussion about the progress in Constitution Park and saw today that they were laying the sod and it just looks fabulous. Lastly, we've had an offer from Caroline Birnbaum. She has a young tulip tree that she's willing to give to the village. It's a native tree. So the committee is looking for a suitable place to plant.

Trustee Frouman gave the following report.

1. The Planning and Architectural Review Boards are continuing to meet via Zoom.

Trustee Bauer made the following report.

1. While the Library remains closed, they are offering a huge number of activities and services and books online. Go to their website at [Larchmont library. org](http://Larchmont.library.org) to check it out. If you don't have a library card, go to the website and you can email them to get one. Um, and the environmental committee is continuing to have zoom meetings.
2. The Traffic Commission is not having Zoom meetings at the moment until there is a reason to meet.

Administrator Datino gave the following report.

1. A 250,000 grant that Assemblyman Steve Otis has secured for the Village, will go toward some of our water infrastructure projects.
2. The Village has received verbal approval from Westchester County to start the Flint Park water main replacement. In the next 2 weeks there will be a pre-construction meeting and a finalized materials list.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to approve the 2020 MS4 Stormwater Report.

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

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the maintenance of State highways includes control over snow and ice removal authorized by the New York State Department of Transportation (NYSDOT), in order to make these roads safe and passable; and **WHEREAS**, the snow and ice control on these State roads may be done by the host municipality, pursuant to an agreement entered into by the municipality and the NYSDOT; and **WHEREAS**, there are 4.8 lane miles of New York State-owned roads located within the Village of Larchmont; and **WHEREAS**, the Village of Larchmont, in the interest of public safety, has historically contracted with the State for snow and ice removal services on these roads; and **WHEREAS**, the NYSDOT recently delivered a five-year agreement, effective July 1, 2019 and ending June 30, 2024, also allowing for three subsequent five-year extensions; and

WHEREAS, the new contract is an Indexed Lump Sum contract with a 2019/20 season estimate of \$12,506.93, adjusted annually, now therefore be it

RESOLVED, that the Village Board of Trustees hereby authorizes the Village Administrator to execute New York State Municipal Snow and Ice Agreement 2019- 2024, between the Village of Larchmont and the New York State Department of Transportation in substantially the same for as attached hereto; and be it further

RESOLVED, that the Village Administrator is herein authorized to undertake all administrative acts required pursuant to the terms of the Agreement, including the extension of any subsequent amendment(s) to the above cited agreement within the first 5-year term.

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

WHEREAS, the County of Westchester and its municipalities previously participated in an inter-municipal agreement which provided for emergency communication equipment for facilities and apparatus, known as the "Trunked" radio system in 2007; and

WHEREAS, the current equipment is obsolete, has reached the end of its serviceable life and the frequency on which the "Trunked" system operates will be reallocated in the near future; and

WHEREAS, Westchester County and the New York State Department of Homeland Security have received a \$30,000,000 grant to procure replacement equipment and effectuate the upgrade to the emergency communication system used by the County and the municipalities; and

WHEREAS, the proposed County project will provide new emergency communication equipment be used by the Fire Department in all front line response apparatus, mobile and portable needs and the dispatch desk; and

WHEREAS, the Fire Chief recommends participation in the program and has indicated the value of the equipment which are provided at no cost to the Village; and

WHEREAS, participation requires the execution of the attached Inter-municipal Agreement with the County of Westchester which would become effective upon execution and remain into effect until the end of the useful life of the equipment; now therefore be it

RESOLVED, that the Village Administrator is hereby authorized to execute an inter-municipal agreement, in substantially the same form as attached hereto, with Westchester County for Emergency Communication Equipment; and be it further

RESOLVED, that the Village Administrator is authorized to undertake any administrative acts required under the terms of the agreement.

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

RESOLVED, to approve the 2020 Tax Warrant:

Current Tax Levy Per 2020-21 Budget:	\$14,950,039.00
2020-21 Streetscape Assessment (PA)	\$37,173.94
Water Fund Arrears as of 04/15/2019:	\$110,872.75
Sewer Fund Arrears as of 04/15/2019:	\$7,854.80
Alarms Arrears	<u>\$16,750.00</u>
Total:	<u>\$15,122,690.50</u>

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

WHEREAS, pursuant to Section 15-104.1(a) of New York State Election Law, the General Village Election shall be held annually on the third Tuesday in March (except for any year in which the seventeenth day of March falls on such Tuesday, in which case the Election shall take place on the eighteenth day of March) ; and

WHEREAS, due to the COVID-19 Pandemic, the Governor of New York State issued Executive Order 202.4, dated March 16, 2020, which postpones the March Village Elections and;

WHEREAS, Pursuant to the Governor's Executive Order 202.26, dated May 1, 2020, all village elections scheduled to take place in March, April, May, and June of 2020 have been postponed and rescheduled to September 15, 2020; and now therefore be it

RESOLVED, that pursuant Executive Order 202.26 and Section 15-104.3(b)(2) of the Election Law, the Village Election shall be held on Tuesday, September 15, 2020 between the hours of 9:00 a.m. and 9:00 p.m; and be it further

RESOLVED, pursuant to Section 15-104.3(b)(1) of the Election Law, the polling place for the Village Election District 1 (Town Districts 6, 7, 8, 9, 10 & 26) which comprises the Village of Larchmont, shall be at Larchmont Village Center, 119 Larchmont Avenue; and be it further **RESOLVED**, pursuant to Section 3-300(2)(a) of the New York State Village Law, qualified registered voters who reside within Westchester County may be inspectors of election for Village elections held in Larchmont.

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

RESOLVED, that the Village Administrator is authorized to hire up to four (4) election inspectors at an hourly rate of \$20 per hour to inspect the Village Election to be held on Tuesday, September 15, 2020 between the hours of 9:00 a.m. and 9:00 p.m.; and be it further **RESOLVED**, to authorize the Village Administrator to hire four additional Election Inspectors, if needed, for the Village of Larchmont Elections to be held on September 15, 2020.

Mayor Walsh announced resolutions adopted at recent work sessions.

1. Heather Mahland-Alternate Member Planning Board
2. Adopt FY 2020-21 Budget
3. Auth. Administrator to enter into Agreement w/ Westchester County-EAP
4. Auth. Administrator to enter into Agreement w/ Mamaroneck Schools District- Sidewalk repairs Chatsworth Avenue School

Next the Mayor asked if anyone would like to address the Board on any non agenda item. Michael Gottfried of 16 Ocean Avenue asked for clarification on the language of the Snow and Ice Agreement resolution adopted earlier in the meeting. A discussion on this matter began between Mr. Gottfried, Administrator Datino and Attorney Staudt.

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

RESOLVED, to amend the 2019-24 Snow and Ice Agreement resolution to say; "it is not intended to authorize a renewal after five (5) years, but only to authorize the Administrator to make adjustments with the state within the five (5) year term of the agreement in question".

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held on April 20, 2020.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session meetings held on November 4, 2019 and April 28, 2020.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, that Abstract Audit voucher #11, dated May 18, 2020, in the amount of \$113,328.28, per copies filed with the Clerk, be paid, subject to review by Trustee Herman.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, the meeting adjourned at 9:45PM.